

BYLAW NO. 2016-18

A BYLAW OF THE CITY OF MELFORT GOVERNING THE PROCEEDINGS OF COUNCIL AND ANY COMMITTEES ESTABLISHED BY COUNCIL FOR THE ADMINISTRATION OF THE BUSINESS OF COUNCIL

WHEREAS section 8 of *The Cities Act*, provides, in part, as follows:

- “8(1) A city has a general power to pass any bylaw for city purposes that it considers expedient in relation to the following matters respecting the city:
- (a) the peace, order and good government of the city;”.

AND WHEREAS section 55.1 of *The Cities Act*, provides, in part, as follows:

- “55.1. Subject to the regulations, a council shall, by bylaw, establish general procedures to be followed in conducting business at council meetings.”.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF MELFORT ENACTS AS FOLLOWS:

PART I INTERPRETATION

Short title

1. This Bylaw may be cited as the Council Procedure Bylaw.

Purpose and scope

2. (1) The purpose of this Bylaw is to provide for the orderly conduct of the business of Council and for the proceedings of any committees established by Council for the better administration of the City.
- (2) The Bylaw applies to all proceedings of Council and any board or committee established by Council except where, by Bylaw, Council has established procedures to the contrary for a specific board or committee.

Definitions

3. In this Bylaw, in any amending Bylaws, and in any schedules attached hereto:
 - (b) “**City**” means the Municipal Corporation of the City of Melfort;
 - (c) “**Committee of the Whole**” means members present at a meeting of Council sitting in committee;
 - (d) “**Council**” means the Mayor and Councillors of the City of Melfort, elected pursuant to the provisions of *The Local Government Election Act*;
 - (e) “**Councillor**” means the elected Councillors of the City of Melfort.
 - (f) “**Deputy Mayor**” means the Councillor appointed, from time to time, as the Deputy Mayor pursuant to section 7 of this Bylaw;
 - (g) “**Mayor**” means the elected Mayor of the City of Melfort;

- (h) “**Point of Order**” means the raising of a question by a member, with the view of calling attention to any departure from the Procedure Bylaw or the customary modes or proceedings in debate, or in the conduct of the Council’s business.
- (i) “**Point of Procedure**” means a question directed to the Chairman to obtain information on a matter of parliamentary law or the rules of Council bearing on the business at hand, in order to assist a member to make an appropriate motion, raise a point of order, understand the parliamentary situation or the effect of a motion.
- (j) “**Presiding officer**” means the Mayor or the member of Council who may, from time to time, be presiding over any meeting of Council or a committee of Council, as the case may be;
- (k) “**Resolution**” means a formal decision made by Council or a committee on the basis of a motion, duly placed before a regularly constituted meeting of Council or a committee for debate and decision, and is duly passed;
- (l) “**Standing Committee**” means any committee comprised of members of Council and established pursuant or continued pursuant to Part V of this Bylaw.

Schedules

- 4. The following schedule is attached to, and forms part of, this Bylaw:
Schedule “A” - List of exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.

PART II PROCEEDINGS OF COUNCIL

Council

- 5. (1) Council is the governing body of the City of Melfort and shall exercise the powers and carry out the duties prescribed by law.
- (2) Council shall consist of the Mayor and six (6) Councillors.
- (3) Subject to any limitations prescribed by law, Council may delegate or assign its powers and duties as it may be deemed advisable and in the public interest.

Mayor

- 6. (1) The Mayor shall preside, when in attendance, at all meetings of Council unless another member of 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 Council, unless Council provides otherwise.

Deputy Mayor

- 7. (1) Council shall, at its first meeting or as soon as possible thereafter and whenever the office becomes vacant, appoint a Councillor to be Deputy Mayor and such appointment shall continue for a term of two (2) months or until a successor is appointed.
- (2) The Deputy Mayor shall exercise the authority and carry out the duties prescribed by law.

Regular meetings of Council

- 8. (1) Subject to subsection (2), an annual schedule of all regular meetings of Council shall be approved by resolution of Council no later than the last regular meeting in December of the preceding year. Regular meetings of Council are to be held in the Council Chambers at City Hall, commencing at 5:00 p.m.
- (2) Council may, by resolution:
 - (a) alter the date, hour and/or place of any regular meeting of Council;

- (b) cancel any regular meeting of Council.

Special meetings of Council

9. (1) Subject to subsection (2), the Mayor may direct the City Clerk to call a special meeting of Council whenever:
 - (a) the Mayor deems it expedient and in the public interest to do so; or
 - (b) the Mayor is requested to do so in writing by a majority of Councillors.
- (2) Subject to subsection (3), where a special meeting of Council is called:
 - (a) all members of Council shall receive at least twenty-four (24) hours notice in writing of the time and place of the meeting and, in general terms, the business to be transacted at the meeting; and
 - (b) the City Clerk shall post notice of the time and place of the meeting at City Hall at least twenty-four (24) hours prior to the meeting and shall describe, in general terms, the business to be transacted thereat.
- (3) The Mayor may direct the City Clerk to call a special meeting of Council on less than twenty-four (24) hours notice and without posting notice at City Hall provided that, immediately prior to the beginning of the special meeting, all members of Council unanimously agree to do so.
- (4) In case of the absence of the Mayor and the Deputy Mayor, a special meeting shall be called at any time by the City Clerk upon a requisition to him/her signed by a majority of the members of the Council.
- (5) No business, other than that stated in the notice, shall be transacted at any special meeting of Council unless:
 - (a) all members of Council are present at the meeting; and
 - (b) all members of Council unanimously resolve to do so.

Meetings of Council to be in public, exceptions

10. (1) Subject to the specific provisions of this Bylaw, all meetings of Council shall be open to the public and every member of the public shall have the right to be present during all Council meetings unless that person has been expelled for improper conduct. Any member of the public who conducts himself/herself improperly while in the Council Chambers, and therein disturbs the proceedings of Council by words or actions and who, when so requested by the presiding officer, refuses to end such improper conduct or to leave the Council Chamber if so requested, shall be guilty of an offence and liable on summary conviction to the penalties provided in the General Penalty Bylaw of the City of Melfort.
- (2) No act or proceeding of Council is effective unless it is authorized or adopted at a meeting of Council, which is open to the public.
- (3) Council may, by resolution, close all or part of a meeting to the public if a matter to be discussed at that meeting is within one (1) of the exemptions listed in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.
- (4) Where Council resolves to close a portion of a meeting to the public, all persons shall be excluded from the meeting except:
 - (a) the members of Council;
 - (b) the City Manager, the City Clerk and such other members of City Administration as the members of Council may deem appropriate;
 - (c) such members of the public as may be allowed to attend by the presiding officer.
- (5) Where Council resolves to close a portion of a meeting to the public, in addition to the resolution to do so, the City Clerk shall record in the minutes thereto:
 - (a) the time the in-camera portion of the meeting commenced and concluded;
 - (b) the names of the parties present; and
 - (c) 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.

Long range or strategic planning meetings

11. (1) 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).
- (3) No minutes or record of proceedings shall be kept with respect to a meeting referred to in subsection (1).

Meeting through Electronic Means

12. (1) One or more members of Council may participate in a council meeting by means of a telephonic, electronic or other communication facility if:
 - (a) the members of Council provide the City Clerk with at least two (2) business days' notice of their intent to participate in this manner;
 - (b) notice of the Council meeting is given to the public, including the way in which the Council meeting is to be conducted;
 - (c) the facilities enable the public to at least listen to the meeting at a place specified in that notice and the City Clerk is in attendance at that place; and
 - (d) the facilities permit all participants to communicate adequately with each other during the Council meeting.
- (2) Members participating in a Council meeting held by means of a communication facility are deemed to be present at the Council meeting.

Order of Business & Agendas

13. (1) The order of business for every regular meeting of Council shall be as follows:
 1. Adoption of Minutes
 2. Delegations
 3. Unfinished Business
 4. New Business
 5. General Sundry Communication Items
 6. Committee Minutes and Reports
 7. Bylaws
 8. Announcements
 9. Adjournment
- (2) The business of 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.
- (3) The City Clerk shall prepare the agenda for every regular meeting of Council in accordance with the order of business set forth in subsection (1).
- (4) The City Clerk shall ensure copies of the agenda, plus supporting documentation, are distributed to each member of Council and City Administration at least forty-eight hours preceding the meeting of Council for which it was prepared.
- (5) The City Clerk shall ensure that the agenda is made available to the news media and posted on the City website.

Submissions to Council

14. (1) Subject to other provisions of this Bylaw, unless every communication, petition, or Committee report, or other written application shall be received by the City Clerk at or before 12:00 noon on Thursday in the week preceding the meeting of Council at which it is desired that it be presented to Council, it may not be received by Council until the next regular meeting of Council. The Mayor or City Manager are empowered to accept items of an emergency nature after the closing time for accepting such submissions and to include them on an original or revised agenda, if they are of the opinion that such items require the immediate attention of Council.

- (2) Whenever appropriate and possible, the City Manager shall prepare, or cause the preparation of, a report or letter of transmittal for the benefit of members of Council to accompany all communications and, for the purpose of obtaining such additional information, the City Clerk may delay placing a communication on the agenda of Council until such information is available unless directed to do otherwise by the Mayor.
- (3) No communications or petition shall be placed on the agenda of Council or considered by Committee of the Whole where:
 - (a) the communication does not identify or provide any means of contacting the author;
 - (b) with respect to a communication, the purpose of which is to request an opportunity for a delegation to be heard, that communication does not contain a description of the issue or issues to be addressed by the delegation, together with a summary of the action or actions to be requested of Council by the delegation;
 - (c) the communication or petition, as the case may be, contains offensive or disparaging remarks respecting the City of Melfort, Council, any member of Council, any civic official, or any other person;
 - (d) the communication or petition is merely for the purpose of providing information without seeking action of Council, in which case, such communication shall merely be provided by the City Clerk to members of Council for their information.
- (4) Subject to the requirements of *The Cities Act* or any other applicable law, the City Clerk may delay placing a petition on the agenda of Council for the purpose of determining the sufficiency of that petition.

Delegations

15. (1) Delegations wishing to appear before Council shall make application to the City Clerk no later than 12:00 noon on Thursday in the week preceding the meeting of Council at which such delegation wishes to appear. The application shall be accompanied by a brief statement of the subject the delegation wishes to place before Council.
- (2) Spokesperson for any one delegation shall be limited to one, except where Council otherwise permits, and the total time allowed for any one delegation to make its presentation shall be not more than ten minutes, but the delegation shall be permitted a reasonable time to reply to any questions or concerns raised following the presentation.
- (3) The City Clerk may refuse to place any request to speak on the agenda of Council if subsection (1) is not followed.

Call to order

16. (1) All meetings of Council shall be called to Order when a majority of the members of Council are present at the hour appointed for that meeting by:
 - (a) the Mayor; or
 - (b) in the absence of the Mayor, the Deputy Mayor.
- (2) If the Mayor or the Deputy Mayor is unable to attend or does not attend within fifteen (15) minutes of the hour appointed for that meeting, the City Clerk shall call the meeting to order and a chairman shall be appointed by resolution from amongst the members present, who shall preside over the meeting until the arrival of the Mayor or Deputy Mayor.

Quorum

17. (1) Except as required by *The Cities Act* or other applicable law, the quorum of Council shall be a majority of the members of Council.
- (2) No act or proceeding of Council is valid if it is adopted at any meeting at which a quorum is not present.

Absence of quorum

18. (1) Unless a majority of the members of Council are present within thirty (30) minutes of the hour appointed for that meeting, the meeting shall stand adjourned until the next regular meeting of Council, unless a special meeting is called in the interim.
- (2) In the event of an absence of quorum, the City Clerk shall record the names of the members present and the fact that the meeting stood adjourned for want of quorum.

Council proceedings and voting

19. (1) All questions, matters and proceedings properly before Council shall be decided by resolution of members of Council then present.
- (2) All members of Council present shall vote on all matters properly before Council, unless the member is required or permitted to abstain from voting pursuant to *The Cities Act* or any other applicable law.
- (3) If a member of Council has a conflict of interest, and the member of Council is not present at the meeting, the member shall disclose the conflict of interest at the next meeting of the Council; and otherwise comply with the requirements of *The Cities Act*.
- (4) The City Clerk shall ensure that each declaration of conflict of interest, including the general nature, the material details and the abstention/withdrawal, are recorded in the minutes.
- (5) If a member abstains from voting on a matter, for which that member is not required or permitted to abstain from voting, the member shall be deemed to have voted in the negative.
- (6) If there is an equal number of votes for and against a resolution or bylaw, the resolution or bylaw, as the case may be, shall be defeated.

Member's privilege, re: speaking

20. (1) Subject only to the limitations set forth in this Bylaw, all members of Council shall have the privilege of speaking to any issue properly before Council.
- (2) No member of Council shall speak:
 - (a) except when called upon to do so by the presiding officer, other than for the purpose of raising a point of order or question or privilege;
 - (b) respecting a matter other than the matter or question properly before Council;
 - (c) more than three (3) times with respect to the same question and:
 - (i) in the case of the first opportunity to speak, for more than ten (10) minutes;
 - (ii) in the case of the second opportunity to speak, for more than three (3) minutes;
 - (iii) in the case of the third opportunity to speak, for more than two (2) minutes;
- (3) All members of Council shall, when speaking to a matter or question before Council:
 - (a) address the presiding officer and make all inquiries of and through the presiding officer;

Presiding officer's participation in proceedings or vote

21. (1) If the presiding officer wishes to participate in the debate, he/she shall call upon another member of Council to temporarily preside over the meeting until he/she resumes the Chair.
- (2) The presiding officer shall vote on all matters properly before Council unless the member is required or permitted to abstain from voting pursuant to *The Cities Act* or other applicable law.

Recorded vote

22. (1) Prior to the question being put to Council on a matter, any member of Council may request that the vote on that matter be recorded.
- (2) In the event a member of Council requests that a matter be recorded:
 - (a) the presiding officer shall, following the question being put, state the name of each member voting for, and each member voting against, the matter; and

- (b) the City Clerk shall record in the minutes the names of each member present and whether or not each member voted for or against the matter.

Preservation of Order

- 23. (1) The presiding officer shall preserve order and decorum during all meetings of Council and, subject to any appeal to Council, shall decide all questions of Order or points of privilege.
- (2) No member of Council shall:
 - (a) interrupt another member while speaking, except to raise a point of order or question or privilege;
 - (b) debate any previous vote of Council, except for purposes of moving that such vote be amended, rescinded or reconsidered in accordance with the provisions of this Bylaw;
 - (c) walk across or out of the room or leave the meeting, when the question has been put;
 - (d) speak disrespectfully of Her Majesty the Queen, the Governor General, the Lieutenant Governor, or of any other person administering the Government of the Dominion of Canada or the Province of Saskatchewan;
 - (e) speak disrespectfully to members of Council or of City Administration;
 - (f) resist the rule or disobey the decision of the presiding officer respecting any question of order or procedure of Council.
- (3) In the event a member of Council resists or disobeys the decision of the presiding officer, the presiding officer may order that member to leave his/her seat for the remaining part of that meeting.
- (4) In the event a member of Council refuses to leave his/her seat when ordered to do so by the presiding officer pursuant to subsection (2), the meeting shall be temporarily adjourned until:
 - (a) the member apologizes to Council for his/her conduct and is permitted to retake his/her seat pursuant to subsection (4); or
 - (b) the member voluntarily leaves his/her seat or is removed by a peace officer and order is restored.
- (5) A member that has been ordered to leave his/her seat by the presiding officer may request permission to retake his/her seat during the remaining part of that meeting and may do so, by resolution, of the remaining members of Council.

Matters of Order and Privilege

- 24. (1) Any member of Council may rise on a point of order or a question of privilege and, when he/she does so, if the debate is in progress, it shall be suspended and the speaker shall yield the floor until the point of order or question of privilege, as the case may be, is settled.
- (2) The person rising on the point of order or question of privilege shall state the point of Order or question of privilege, as the case may be, without unnecessary comment and shall then resume his/her seat.
- (3) The decision of the presiding officer shall stand unless reversed by a vote of a majority of members present.
- (4) Any member of Council may appeal the decision of the presiding officer to a vote of a majority of members present, which decision shall be final and binding.

Motions

- 25. (1) No notice need be given of any motion to be made before the Council.
- (2) After a motion has been accepted by the presiding officer and duly seconded, the motion shall be deemed to be in the possession of Council and may not be altered or amended except in accordance with the provisions of this Bylaw.
- (3) Any member of Council may, at any point in the debate, request that the motion under debate be read by the presiding officer.

- (4) Upon request of a member, the presiding officer shall read the motion prior to further debate.
- (5) The mover of a motion may, prior to the question being put, ask the presiding officer to alter or correct the wording of the motion in the event it has been improperly or inaccurately recorded.
- (6) Whenever the Mayor or other presiding officer is of the opinion that a motion is contrary to the rules and privileges of the Council, he shall apprise the members thereof immediately before putting the question and shall cite the rules or authority applicable to the case, without argument or comment subject to the right of any Council member to appeal the decision to Council.

Motions restricted during debate on a matter

26. When a matter is under debate, no motion shall be received by the presiding officer except:
- (a) a motion to amend the main motion;
 - (b) a motion to amend an amendment;
 - (c) a motion to lay the matter on the table and postpone debate;
 - (d) a motion to refer the matter for additional information;
 - (e) a motion to invoke the procedure known as “closure”.

Debate restricted on certain motions

27. The following motions shall be neither amendable nor debatable:
- (a) a motion to lay the matter on the table and postpone debate, except as to the date or event upon which the matter shall be lifted from the table;
 - (b) a motion to refer the matter, except as to whom the matter shall be referred and/or the nature of the additional information to be obtained.
 - (c) a motion to invoke the procedure known as “closure”.

Procedure, re: amendments to motions

28. (1) Except as otherwise provided herein, every motion, prior to the question being put, shall be subject to amendment and every amendment shall be subject to further amendment in a like fashion.
- (2) An amendment must relate to the original motion and must not alter, in a substantive way, the principle or intent of the original motion.
 - (3) A sub-amendment must relate to the amendment and must not alter, in a substantive way, the principle or intent of the amendment.
 - (4) Any number of amendments, as well as sub-amendments, may be offered in succession, provided that not more than one of each may be pending at the same time.

Procedure, re: closure of debate

29. After any question is finally put by the Mayor or other presiding officer, no member shall speak to the question nor shall any other motion be made until after the result of the vote has been declared; and the decision of the Mayor or other presiding officer, as to whether the question has been finally put, shall be conclusive.

Procedure, re: reconsideration of a question

30. (1) No question, once decided by Council, shall be subject to reconsideration except in accordance with this section.
- (2) Any question may be reconsidered by Council if a change has occurred in any material fact relied upon by Council in deciding the question or in the event new information is made available to members of Council, which information was not available at the time of Council’s decision.

- (3) After a question has been decided, any member in the majority may give notice in writing to the City Clerk within twenty-four (24) hours of his/her desire to bring a motion of reconsideration before Council.
- (4) In the event the City Clerk receives a notice pursuant to subsection (3), the City Clerk shall promptly advise the City Manager and no action shall be taken to carry into effect the main motion until after the motion of reconsideration has been decided by Council.
- (5) At the next ensuing regular meeting of Council, the main motion shall be placed before members of Council, together with the member's motion for reconsideration of that question.
- (6) During debate on a motion for reconsideration, no debate shall be allowed with respect to the main motion unless and until Council resolves to reconsider the matter, except for the purpose of the mover of the motion giving his/her reasons for bringing the motion.

Voting on distinct propositions

31. When the motion under consideration contains distinct propositions, the presiding officer may, at his/her discretion, direct that a vote be taken with respect to each proposition separately.

Rules applicable where not provided for in this Bylaw

32. In any matter of procedure not provided for in this Bylaw, the proceedings of Council shall be guided by *Robert's Rules of Order*.

PART III COMMITTEE OF THE WHOLE

Proceedings of Committee of the Whole

33. (1) The Deputy Mayor or Acting Deputy Mayor, as the case may be, shall preside at all meetings of Committee of the Whole; however, the foregoing shall not preclude a motion that Council go into Committee of the Whole with His/Her Worship the Mayor in the Chair and in such case, the Mayor shall appoint a member of Council to report the proceedings of the Committee to Council.
- (2) The rules of procedure provided for in Part II of this Bylaw respecting the proceeding of Council shall apply, *mutatis mutandis*, to the proceedings of Committee of the Whole, provided, however:
 - (a) that no motion shall require a seconder;
 - (b) that the yeas and nays shall not be entered in the minutes;
 - (c) that a motion for an adjournment shall not be allowed;
 - (d) that the number of times for speaking on any question shall not be limited, provided that no member shall speak more than once until every member who desires to do so shall have spoken.
- (3) Committee of the Whole shall be called to Order by the presiding officer upon resolution of Council to do so.
- (4) Questions of order arising in Committee of the Whole shall be decided by the presiding officer, subject to an appeal to the Council; and if any disorder should arise in the Committee, the Mayor shall resume the chair, without any question being put.
- (5) On motion of the Committee of the Whole to rise and report, the question shall be decided without debate.
- (6) A motion in the Committee of the Whole to rise without reporting, or that the presiding officer leave the chair shall always be in order and shall take precedence over any other motion. On such motion, debate shall be allowed and on an affirmative vote, the subject referred to the Committee shall be considered as disposed of in the negative and the

Mayor or other presiding officer shall resume the chair and proceed with the next order of business.

- (7) When the Committee has risen, the presiding officer shall report the Committee's findings or decision to Council and a motion to adopt the Committee's report, if made, shall be deemed to mean approval of the Committee's findings or decision.

PART IV PROCEDURE RESPECTING BYLAWS

Introduction of a bylaw

34. (1) A motion to give first reading to a bylaw is not subject to debate.
- (2) During first reading of a bylaw, the Mayor, Deputy Mayor or Acting Deputy Mayor, as the case may be, shall read the title only of the bylaw.
- (3) A bylaw is not subject to amendment during first reading.

Three readings to be Given to Each Bylaw

35. (1) Every bylaw shall have three distinct and separate readings before being finally passed; but not more than two readings shall be had at one meeting of the Council except by unanimous vote of the members present thereat.
- (2) A motion to give second reading to a bylaw shall be subject to debate.
- (3) A motion to give third reading to a bylaw shall be subject to debate.
- (4) A bylaw is not subject to amendment during third reading.

Custody of bylaws

36. (1) Every bylaw that has been passed by Council shall be numbered, dated, signed by the Mayor, or other person who presided at the meeting at which it was finally passed, and City Clerk, affixed with the corporate seal, and kept in safekeeping by the City Clerk.
- (2) Every bylaw that has been passed by Council shall be bound with the Minutes of Council, as a supplement thereto, for the year in which they are passed and shall have a separate index prepared therefore.

PART V STANDING COMMITTEES OF COUNCIL

Standing Committees to be appointed

37. (1) Standing Committees shall be appointed by the Mayor and approved by resolution of Council.
- (2) The Chairman of a Standing Committee may vote with the other members on all questions, and any question on which there is an equality of votes shall be deemed negative.
- (3) The Mayor shall be ex-officio a voting member of all Committees, and his/her membership shall be included for the purpose of determining the quorum. The Mayor shall also be empowered to make any motion in Committee.
- (4) Members of the Council may attend the meetings of Committees on which they are not placed, but shall not take part in the proceedings of the same except by the permission of the majority of the members of the Committee.

Meetings of standing committees to be in public, exceptions

38. (1) Subject to the specific provisions of this Bylaw, all meetings of Standing Committees shall be open to the public and every member of the public shall have the right to be present during such meetings unless that person has been expelled for improper conduct.

- (2) Notwithstanding subsection (1), a Standing Committee may, by resolution, close all or part of a meeting to the public if the matter to be discussed is within one (1) of the exemptions listed in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.
- (3) Where a Standing Committee resolves to close a portion of a meeting to the public, all persons shall be excluded from the meeting except:
 - (a) the members of the Committee;
 - (b) the City Manager, the City Clerk and such other members of City Administration as the members of the Committee may deem appropriate;
 - (c) such members of the public as may be allowed to attend by the Chairperson.
- (4) Where a Standing Committee 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 thereof:
 - (a) the time the in-camera portion of the meeting commenced and concluded;
 - (b) the names of the parties present; and
 - (c) the exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act* relied upon for authority to close the meeting to the public.
- (5) Subject to subsection (6), no act or proceeding of a Standing Committee is effective unless it is authorized or adopted at a meeting that is open to the public.
- (6) The Personnel Committee may deliberate and render decisions with respect to grievance proceedings in a meeting closed to the public.

Reports of Standing Committees

39. (1) The City Clerk shall ensure the minutes of every meeting of a Standing Committee are recorded in accordance with the requirements set forth in *The Cities Act*. The minutes of every meeting of all Standing Committees shall be placed by the City Clerk on the agenda of the next regular meeting of Council.
- (2) A motion to receive the minutes of a meeting of a Standing Committee is not subject to debate.
- (3) A motion to adopt the minutes a Standing Committee shall be subject to debate.

PART VI ADVISORY AND OTHER COMMITTEES

Advisory and other committees

40. (1) Council may, by bylaw or resolution, establish any committee or board that it considers desirable for the purpose of providing advice and recommendations to members of Council respecting the management and operation of any activity of the City.
- (2) Council shall, by bylaw or resolution, set out the constitution, duties, powers and functions of any committee or board established pursuant to subsection (1).
- (3) Subject to subsection (4), all boards and committees established or continued by Council prior to the passage of this Bylaw are continued pursuant to the terms of this Bylaw.
- (4) All boards or committees continued pursuant to subsection (3) shall be subject to the requirements of *The Cities Act* or the provisions of this Bylaw.

Proceedings of Advisory and other committees

41. (1) All questions, matters and proceedings properly before a committee established or continued pursuant to this Part shall be decided by resolution of members then present.
- (2) Subject to any specific powers, duties and authority which may be delegated by bylaw or resolution of Council, no decision, recommendation or resolution of a board or committee established pursuant to subsection (1) shall be effective unless specifically adopted by resolution of Council.

- (3) The City Clerk shall ensure the minutes of every committee established or continued pursuant to this Part are recorded in accordance with the requirements set forth in The Cities Act.

Reports of Advisory and other committees

- 42. The minutes of every meeting of all Advisory and other committees shall be placed by the City Clerk on the agenda of the next regular meeting of Council.

**PART VII
MISCELLANEOUS**

Suspension of rules

- 43. Subject to any requirements that may be set forth in The Cities Act, any rule of procedure provided for in this Bylaw may be temporarily suspended by motion and affirmative vote of not less than two-thirds of the members present.

Procedure for repeal or amendment of this Bylaw

- 44. This bylaw may not be repealed or amended:
 - (a) without prior written notice to all members of Council; and
 - (b) except by motion and affirmative vote by not less than two-thirds of the members of Council present.

Bylaw Repealed

- 45. Bylaw No. 2013-23 is hereby repealed.

Coming into Force

- 46. This Bylaw comes into force and effect on its passage.

PASSED AND ENACTED on the 12th day of September, 2016

Mayor

City Clerk

INTRODUCED AND READ a first time the 12th day of September, 2016

READ a second time the 12th day of September, 2016

READ a third time and passed the 12th day of September, 2016

(SEAL)

CERTIFIED A TRUE COPY of Bylaw No. 2016-18, adopted by Resolution of Council on the 12th day of September, 2016.

City Clerk

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

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

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