

CITY OF HUMBOLDT

BYLAW NO. 02/2020

**A BYLAW OF THE CITY OF HUMBOLDT
GOVERNING THE PROCEEDINGS OF CITY COUNCIL
AND ANY COMMITTEES ESTABLISHED BY CITY COUNCIL**

**THE COUNCIL OF THE CITY OF HUMBOLDT IN THE PROVINCE OF SASKATCHEWAN
ENACTS AS FOLLOWS:**

**PART I
INTERPRETATION**

Short Title

1. This Bylaw may be cited as **The Procedure Bylaw**.

Purpose and Scope

2. The purpose of this Bylaw is to provide for the orderly conduct of the business of City Council and for the proceedings of any committees established by City Council for the better administration of the City.
- 2.1 The Bylaw applies to all proceedings of City Council and any board or committee established by City Council except where, by Bylaw, City 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, the following words and terms shall have the following meanings unless there is something in the subject matter inconsistent therewith:
 - (a) “Act” means *The Cities Act*
 - (b) “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) “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.
 - (e) “Chair” means a person who has the authority to preside over a meeting.
 - (f) “City” means the Municipal Corporation of the City of Humboldt or, where the context requires, the geographical area within the city limits of the City of Humboldt;
 - (g) “City Clerk” means the person appointed as City Clerk pursuant to section 85 of *The Cities Act* and includes any duly authorized representative or designate of such person.
 - (h) “City Council” means the elected officials of the City of Humboldt elected pursuant to the provisions of *The Local Government Elections Act*.
 - (i) “City Hall” means the administration office of the Municipal Corporation of the City of Humboldt.
 - (j) “City Manager” means the person appointed as the City Manager for the City of Humboldt pursuant to Section 84 of *The Cities Act* and includes any duly authorized representative or designate of such person;
 - (k) “Committee” means a committee, board, authority or other body duly appointed by council.
 - (l) “Correspondence” includes, but is not limited to the following: letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, or newspaper/magazine article.
 - (m) “Councillor” means the elected Councillors of the City of Humboldt duly elected pursuant to the provisions of *The Local Government Election Act*.
 - (n) “Deputy Mayor” means the Councillor who is appointed by council, pursuant to Section 7 of this bylaw, to act as mayor in the absence or incapacity of the mayor.

- (o) “elected” means the person or persons elected, from time to time, to public office in accordance with *The Local Government Elections Act*;
- (p) “Mayor” means the elected Mayor of the City of Humboldt, elected in accordance with *The Local Government Election Act*.
- (q) “Member” means the Mayor, Councillor or an appointed individual to a committee, commission or board of council.
- (r) “Motion” means a formal proposal placed before a meeting in order that it may be debated to a conclusion.
- (s) “Mover” means a person who presents or proposes a motion or amendment.
- (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 privilege” is the raising of a matter by a member which occurs while the council is in session, where:
 - i. the rights, privileges, decorum or dignity of the council collectively or the rights and privileges of a member individually have been affected,
 - ii. when a member believes that another member has spoken disrespectfully toward them or the council, or
 - iii. when a member believes their comments have been misunderstood or misinterpreted by another member or members; or
 - iv. when a member believes that comments made by the member 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.
- (w) “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.
- (x) “Presiding Officer” means the Mayor or the member of City Council who may, from time to time, be presiding over any meeting of City Council or a committee of Council, as the case may be;
- (y) “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 Cities Act*
 - ii. *The Planning and Development Act, 2007*;
 - iii. any other Act; or
 - iv. a resolution or bylaw of council.
- (z) “Quorum” is
 - i. subject to Section 119 of the Act and other applicable statutory provisions, in the case of Council, a majority of the whole Council.
 - ii. in the case of Council Committees, a majority of the members of the Council Committee.
- (aa) “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.
- (bb) “Seconder” means a person who formally supports a motion or amendment at the time it is proposed.
- (cc) “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.
- (dd) “Special meeting” means a meeting other than a regular scheduled meeting called pursuant to Section 97 of *The Cities Act* or the provisions of this bylaw.
- (ee) “Standing Committee” means any of the committees established or continued by Council pursuant to Section V of this Bylaw.
- (ff) “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.
- (gg) “Unfinished Business” means business which has been raised at the same, or a previous meeting, and which has not been completed.

- 3.1 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.

Schedules

4. The following schedules are 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*.
Schedule “B” – Conflict of Interest Guidelines.

PART II

PROCEEDINGS OF CITY COUNCIL

City Council

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

Mayor

6. The Mayor shall preside, when in attendance, at all meetings of City Council unless another member of City Council is required or permitted to preside pursuant to *The Cities Act* or other applicable law or terms of this Bylaw.
- 6.1 The Mayor 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.
- 6.2 The Mayor shall have the same rights and be subject to the same restrictions, when participating in debate, as all other members.
- 6.3 The Mayor shall have the same rights and be subject to the same restrictions as all other members to make a motion.
- 6.4 When wishing to make a motion, the Mayor shall:
 - (a) call upon another member of City Council to temporarily preside over the meeting until the motion has been dealt with;
- 6.5 The Mayor is an ex-officio member of all committees established by City Council, unless City Council provides otherwise.

Deputy Mayor

7. City Council shall, at the first meeting after a general election, appoint Councillors as Deputy Mayor and such appointments shall be in consecutive terms of eight (8) months or for such longer period as Council may decide, and in any event until a successor is appointed.
- 7.1 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.

Acting Mayor

8. 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 7, 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.
- 8.1 The member to be appointed, shall be elected by a majority of the members present.
- 8.2 Where two (2) members have an equal number of votes, the City Clerk shall:

- (a) write the names of those members separately on blank sheets of paper of equal size, color 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.
- 8.3 The member whose name is on the sheet withdrawn shall be declared elected.
- Conduct of Members**
9. Members of council wishing to speak at a meeting shall ensure they do not interrupt another member.
- 9.1 If more than one member wishes to speak at a meeting at the same time, the Mayor shall indicate which member shall speak first.
- 9.2 When addressing a council meeting, a member 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 the motion or the mover of the motion; or
 - (e) shouting or using an immoderate tone, profane, vulgar or offensive language.
- 9.3 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 such a manner that disturbs the speaker.
- 9.4 Members shall ensure that all electronic devices remain silent and do not interfere with the meeting.
- 9.5 Every member who leaves the Council meeting before the meeting is over, whether intending to return to the meeting or not, shall notify the City Clerk.

PART III MEETINGS

First Meeting

10. The first meeting of council following a general election is to be held:
- a) at the time set out in a bylaw or resolution made pursuant to subsection 96(1) of the *Cities Act*, or
 - b) within 31 days after the general election.
- 10.1 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 *Cities Act*.

Notice of Meetings

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

- 11.1 If the date, time or place of a regularly scheduled meeting is changed, at least twenty-four(24) hours notice of the change will be given to all members of council and the public.

Method of Giving Notice

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

Regular Meetings

13. All regular meetings of City Council shall:
- (a) be held every fourth Monday of each month;
 - (b) commence at 5:30 p.m.;
 - (c) be held in the Council Chambers at City Hall.
- 13.1 City Council may, by resolution:
- (a) alter the date, hour and/or place of any regular meeting of City Council;
 - (b) cancel any regular meeting of City Council;
- 13.2 Whenever any Monday referred to in Subsection (13)(a) hereof is a Statutory or Public Holiday according to law, the City Council, unless otherwise determined by a resolution passed at a previous meeting, shall meet at the same hour and place on the day next following which is not a Statutory or Public Holiday.

Special Meetings of City Council

14. The City Clerk shall call a special meeting of City Council whenever:
- (a) the Mayor deems it expedient and in the public interest to do so; or
 - (b) is requested to do so in writing by a majority of Councillors.
- 14.1 Where a special meeting of City Council is called:
- (a) all members of City Council shall receive, at least, twenty-four (24) hours' notice 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.
- 14.2 The Mayor may direct the City Clerk to call a special meeting of City 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 City Council unanimously agree to do so.
- 14.3 No business, other than that stated in the notice, shall be transacted at any special meeting of City Council unless:
- (a) all members of City Council are present at the meeting; and
 - (b) all members of City Council unanimously resolve to do so.

Meeting through Electronic Means

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

Meetings of City Council to be in Public, Exceptions

16. Subject to the specific provisions of this Bylaw, all meetings of City Council shall be open to the public and every member of the public shall have the right to be present during all City Council meetings unless that person has been expelled for improper conduct.
- 16.1 No act or proceeding of City Council is effective unless it is authorized or adopted by resolution or bylaw at a meeting of City Council, which is open to the public.
- 16.2 City Council may, by resolution, close all or part of a meeting to the public if a matter to be discussed at that meeting is one (1) of the exemptions listed in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*; or concerns long range or strategic planning.
- 16.3 Where City Council resolves to close a portion of a meeting to the public, all persons shall be excluded from the meeting except:
- (a) the members of City Council;
 - (b) the City Manager, the City Clerk and such other members of City Administration as the members of City Council may deem appropriate;
 - (c) such members of the public as may be allowed to attend by the presiding Officer.
- 16.4 Where City Council resolves to close a portion of a meeting to the public, in addition to the resolution to do so, the City Clerk shall record in the minutes 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, under section 94 of the Cities Act.
- 16.5 No resolutions or bylaws may be passed during a closed meeting.
- 16.6 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.
- 16.7 No minutes or record of proceedings shall be kept with respect to a closed meeting.

Order of Business

17. The order of business for every regular meeting of City Council shall be as follows:
- 1. **Call to Order**, which shall proceed according to section 18 of this Bylaw.
 - 2. **Adoption of the Agenda**
 - 3. **Conflict of Interest**, during which members of City Council may acknowledge as to whether they have a conflict of interest in any of the items on the agenda in accordance with Schedule B – Conflict of Interest Guidelines.
 - 4. **Public Acknowledgements**, during which members of City Council may:
 - (a) acknowledge the passing of persons of significance to the City of Humboldt,
 - (b) make statements respecting recent events of significance to the City of Humboldt;
 - (c) acknowledge persons attending in Council Chambers.

5. **Adoption of Minutes**, during which City Council shall receive, correct, if necessary, and adopt the minutes of the last regular meeting of City Council, together with any special meetings of City Council which have occurred since the last regular meeting.
6. **Delegations**, during which Council shall hear delegations in accordance with section 22.
7. **Correspondence and Petitions**, during which City Council shall receive and/or consider any correspondence, petition or report placed before them by City Administration in accordance with section 21.
8. **Reports of Standing Committees of City Council**, during which City Council shall receive, without debate, the minutes of any meetings of a Standing Committee of City Council which have occurred since the last regular meeting of City Council.
9. **Matters arising from Reports of Standing Committees**, during which City Council may debate, if necessary, and adopt motions arising from the minutes of Standing Committees.
10. **Reports of Advisory and other Committees**, during which City Council shall:
 - (a) receive the minutes of any meeting of an Advisory Committee or other committee of City Council which has occurred since the last regular meeting of City Council; and
 - (b) debate any recommendations of such committees that require the approval of City Council.
11. **Giving Notice**, during which members may provide notice pursuant to section 23 of this Bylaw.
12. **Motions**, during which members shall debate:
 - (a) motions arising pursuant to section 23 of this Bylaw.
 - (b) such other matters as may properly come before City Council.
13. **City Manager's Report**, during which members shall receive and/or consider any report or information placed before them by the City Manager.
14. **Financial Statements**, during which members shall receive and/or consider any financial statements placed before them by City Administration.
15. **Bylaws**, during which members shall receive and/or consider any bylaws placed before them by City Administration.
16. **New Business**; during which members shall receive and/or consider any new business placed before them by City Administration.
17. **Unfinished Business**; during which members shall receive and/or consider any unfinished business place before them by City Administration.
18. **Enquiries**, during which members of City Council may ask verbal questions or submit written enquiries pursuant to section 24 of this Bylaw.
19. **Motion to go into Committee of the Whole**, during which City Council may resolve to go into Committee of the Whole to deal with correspondence, delegations and petitions or any other matter in accordance with Schedule "A" List of Exemptions in Part III of *The Local Authority Freedom of Information and Protections of Privacy Act*.
20. **Adjournment**
- 17.1 The City Clerk shall prepare the agenda for every regular meeting of City Council in accordance with the order of business set forth in Section 17.
- 17.2 The business of City Council shall be taken up in the order in which it stands on the agenda

unless otherwise determined by a vote of a majority of members present.

- 17.3 Every regular meeting of Council shall automatically adjourn at the hour of nine(9:00)o'clock p.m., if in session at that hour, unless otherwise determined by unanimous vote of the members present.

Call to Order

18. All meetings of City Council shall be called to Order when a majority of the members of City 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; or
 - (c) in the absence of both the Mayor and the Deputy Mayor, Council shall appoint any Acting Mayor.
- 18.1 If any member of City Council, who is to preside at a meeting of City Council, is unable to attend or does not attend within fifteen (15) minutes of the hour appointed for that meeting, the remaining members of City Council may appoint a member present to perform the duties of the absent member of City Council.
- 18.2 Members of City Council are encouraged to notify the City Clerk when the member is aware that he or she will be absent from any meeting of council.

Quorum

19. A quorum of Council is a majority of members of City Council.
- 19.1 If a member of City Council declares a conflict of interest on an agenda item, they are not to be counted for the purpose of determining whether a quorum of the Council is present when the question is put to a vote.
- 19.2 If the number of members of City Council declaring a conflict of interest results in a loss of quorum, the remaining members of City Council are deemed to be a quorum unless the number is less than two.
- 19.1 Any act or proceeding of City Council that is adopted at any Council meeting at which a quorum is not present is invalid.

Absence of Quorum

20. Unless a majority of the members of City 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 City Council, unless a special meeting is called in the interim.
- 20.1 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.
- 20.2 Subject to the Act, if at any meeting the number of members is reduced to less than the number required for a quorum, City Council shall stand adjourned.
- 20.3 Any unfinished business at the time of the adjournment, due to the loss of quorum, shall be considered at the next regular meeting, or it shall be placed on the agenda for a special meeting called for the purposed of dealing with the unfinished items.

Correspondence and Petitions

21. Every correspondence, notice of motion, and application seeking action of City Council and all petitions intended for City Council must be received by the City Clerk on or before 12:00 in the afternoon on the Thursday in the week preceding the meeting of Council.
- 21.1 Subject to sections 21, 21.2, 21.3 and 21.4, the City Clerk shall place all original correspondence and petitions on the agenda of the next ensuing regular meeting of City Council.

- 21.2 Whenever appropriate and possible, City Administration shall prepare, or cause the preparation of, a report or letter of transmittal for the benefit of members of City Council to accompany all correspondence and, for the purpose of obtaining such additional information, the City Clerk may delay placing correspondence on the agenda of City Council until such information is available unless directed to do otherwise by the Mayor.
- 21.3 No correspondence or petition shall be placed on the agenda of City Council where:
- (a) the correspondence does not identify or provide any means of contacting the author;
 - (b) the purpose of which is to request an opportunity for a delegation to be heard, and 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 City Council by the delegation;
 - (c) the correspondence or petition, as the case may be, contains offensive or disparaging remarks respecting the City of Humboldt, City Council, any member of City Council, any civic official, or any other person;
 - (d) the correspondence or petition is merely for the purpose of providing information without seeking action of City Council, in which case, such correspondence shall merely be provided by the City Clerk to members of City Council for their information.
- 21.4 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 City Council for the purpose of determining the sufficiency of that petition.

Delegations before Council

22. No person or delegation shall be heard by Council;
- (a) except, in relation to a matter on the agenda of, and when properly before, City Council;
 - (b) notwithstanding subsection (a), by resolution permitting that delegation or person, as the case may be, to address members of City Council;
 - (c) after the commencement of debate by members of Council on a motion respecting the matter in question, other than a motion to permit persons or delegates to speak.
- 22.1 Prior to addressing members of City Council, all persons wishing to speak on behalf of themselves or a delegation shall state their name for the record.
- 22.2 Unless the presiding Officer otherwise permits, spokespersons for any one delegation shall be limited to one (1) individual.
- 22.3 The total time allowed for any one delegation to speak to its presentation, exclusive of the time required to answer questions of Council, shall be limited to fifteen (15) minutes.
- 22.4 The spokesperson shall confine comments to the subject matter contained in the original correspondence to the City Clerk.

Delegates May Not Speak Offensively

- 22.5 No person, who has been granted the privilege of addressing members of City Council, shall make offensive or disparaging remarks respecting the City of Humboldt, City Council, and any member of City Council, any civic official, or any other person.
- 22.6 In the event of a violation of Section 22.5, the presiding Officer shall promptly interrupt the speaker and require an immediate withdrawal of the offending remarks, with suitable apology.

- 22.7 In the event a speaker fails to comply with the requirements of the presiding Officer pursuant to Section 22.5, that person shall not be permitted to continue his/her address to members of City Council and may, by resolution, be expelled from Council Chambers upon such terms and conditions as City Council may deem appropriate.

Business Arising From Delegations

- 22.8 Motions and debate of the business arising from a delegation may be considered under the New Business section of the agenda.

Motions – Consideration of new Matters

23. No motion pertaining to any matter, other than the business of City Council placed on the agenda by the City Clerk, shall be received or open to debate except in accordance with this section.
- 23.1 A member of City Council wishing to introduce a motion pertaining to a matter other than that provided for in section 23, shall provide members of City Council with notice of intention to introduce to do so.
- 23.2 The notice referred to in section 23.1 shall:
- (a) be given at a regular meeting of City Council; and
 - (b) summarize the nature of the new business and, in general terms, the motion that the member intends to introduce.
- 23.3 The motion shall be moved by the member at the next ensuing regular meeting of City Council.
- 23.4 A written copy of the motion shall be provided to the City Clerk prior to the meeting of City Council at which the member intends to introduce the motion.
- 23.5 City Council may, by motion, supported by not less than two-thirds of the members present, waive the requirements of this section.

Enquiries

24. Under the order of business entitled “Enquiries”, members of City Council may:
- (a) ask questions of City Administration respecting the affairs of the City of Humboldt, provided that such questions may be answered directly, without research; or
 - (b) submit questions, in writing, respecting the affairs of the City of Humboldt.
- 24.1 All enquiries shall be read by the member, without debate, argument or unnecessary facts.
- 24.2 The City Manager shall promptly prepare, or cause the preparation of, an answer to all enquiries which information shall be provided by the City Clerk to members of City Council at the next regular meeting of City Council.

Council Proceedings and Voting

25. All questions, matters and proceedings properly before City Council shall be decided by resolution of members of City Council then present.
- 25.1 All members of City Council present (including the Mayor) shall vote on all matters properly before City Council, unless the member is required or permitted to abstain from voting pursuant to *The Cities Act* or any other applicable law.
- 25.2 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.
- 25.4 All questions are to be decided by a majority vote of the members present.
- 25.5 If there are an equal number of votes for and against a resolution or bylaw, the resolution or bylaw, as the case may be, shall be defeated.
- 25.6 All questions are to be decided by a majority vote of the members.

Member's Privilege, Re: Speaking

26. Subject only to the limitations set forth in this Bylaw, all members of City Council and the City Manager shall have the privilege of speaking to any issue properly before City Council.
- 26.1 No member of City 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 City Council;
 - (c) more than three (3) times with respect to the same question.
- 26.2 All members of City Council and the City Manager shall, when speaking to a matter or question before City Council address the presiding Officer and make all inquiries of and through the presiding Officer.

Presiding Officer's Participation in Proceedings or Vote

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

Recorded Vote

28. Prior to the question being put on a matter, any member of City Council may request that the vote on that matter be recorded.
- 28.1 In the event a member of City Council requests that a vote 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

29. The presiding Officer shall preserve order and decorum during all meetings of City Council and, subject to any appeal to City Council, shall decide all questions of order or points of privilege.
- 29.1 No member of City 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 City 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 to members of City Council or of City Administration;
 - (e) resist the rule or disobey the decision of the presiding Officer respecting any question of order or procedure of City Council.
- 29.2 In the event a member of City 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.
- 29.3 In the event a member of City Council refuses to leave his/her seat when ordered to do so by the presiding Officer, the meeting shall be temporarily adjourned until:
- (a) the member apologizes to City Council for his/her conduct and is permitted to retake his/her seat; or
 - (b) the member voluntarily leaves his/her seat or is removed by a peace officer and order is

restored.

- 29.4 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 City Council.

Matters of Order and Privilege

30. Any member of City 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.
- 30.1 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.
- 30.2 The City Clerk may, at the request of the presiding Officer, provide advice to City Council with respect to any procedural matter, the rights and privileges of members of City Council, or the application or interpretation of the procedures set forth in this Bylaw.
- 30.3 The decision of the presiding Officer shall stand unless reversed by a vote of a majority of members present.
- 30.4 Any member of City 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 and Debate

31. A motion shall express fully and clearly the intent of the mover and shall not be preceded by any preamble or whereas clauses.
- 31.1 A motion shall not be considered unless it has been seconded.
- 31.2 Any member may require the motion under debate to be read at any time during the debate, but not so as to interrupt a member while speaking.
- 31.3 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
 - (a) adjourn the meeting.
- 31.4 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:
- (a) on his or her own initiative while he or she is speaking on the same; or
 - (b) when requested by another member speaking on the motion;
 - (c) 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.
- 31.5 All motions shall be considered in the order in which they were moved.

Motion to Amendments

32. Except as provided in subsection 32.11, any motion may be amended to:
- (a) add words within the motion;
 - (b) delete words within the motion; or
 - (c) change a word or words within the motion.

- 32.1 The 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.
- 32.2 An amending motion may also be amended.
- 32.3 A sub amendment must be:
- (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.
- 32.4 Only two (2) amendments to a motion, an amendment and a sub amendment, are allowed at the same time. When one or both have been dealt with, a further amendment or sub amendment may be entertained.
- 32.5 There is no limit to the number of amendments or sub amendments that may be proposed.
- 32.6 An amendment may be introduced at any stage before the question is put on the main motion provided there is not more than one amendment and one sub amendment before the meeting at one time.
- 32.7 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, as the proposal may affect the vote on those motions awaiting decision.
- 32.8 The main motion shall not be debated until all amendments to it have been put to a vote.
- 32.9 Amendments shall be put in the reverse order to the order in which they were moved.
- 32.10 When all amendments have been voted on, the main motion incorporating all amendments adopted shall be put to a vote.
- 32.11 No amendments shall 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; and
 - (c) motion requesting that a motion be put to a vote.

Dividing a Motion into Parts

33. A member may request or the mayor may direct that a motion be divided if the motion contains more than one separate and complete recommendation.
- 33.1 City Council shall then vote separately on each recommendation.
- 33.2 A new motion to add a further recommendation is permitted provided:
- (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

34. When a particular matter is before City Council, a motion arising on the same matter is permitted provided:
- (a) the proposed motion is related to and rises from the item which has just been considered;
 - (b) the proposed motion does not alter in a significant way the principle embodied in the original motion; and

- (c) the proposed motion is made before the consideration of any other item of business at the meeting.

Request that Motion be put to Vote

- 35. A motion requesting that a motion be put to a vote shall not be moved or seconded by a member who has spoken to the original motion.
- 35.1 A motion requesting that a motion be put to a vote shall not be amended or debated.
- 35.2 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 amendment or debate.
- 35.3 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

- 36. 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 City Council is considering a motion requesting that a motion be put to a vote;
 - (e) a previous motion to adjourn has been defeated and no other intermediate proceeding has taken place.
- 36.1 A motion to adjourn shall be decided without debate.

Motion Contrary to Rules

- 37. The Mayor may refuse to put to council a motion which is, in the opinion of the Mayor, contrary to the rules and privileges of council.

Withdrawal of Motions

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

Motion to Reconsider

- 39. A motion to reconsider shall apply to resolutions only, and shall not apply to bylaws passed by council.
- 39.1 A motion to reconsider is in order whether the original motion passed or failed.
- 39.2 A motion to reconsider may only be made at the same council meeting as the original motion was voted on.
- 39.3 A motion to reconsider must be moved by a member who voted with the prevailing side of the original motion.
- 39.4 When a motion loses on a tied vote, the prevailing side is those who voted against the motion.
- 39.5 A motion to reconsider may be seconded by any member regardless how the member voted on the original motion.
- 39.6 A motion to reconsider is debatable only if the motion being reconsidered is debatable.
- 39.7 A motion to reconsider cannot be amended.
- 39.8 A motion to reconsider shall require a majority vote of the members present at the meeting.

- 39.9 If a motion to reconsider is adopted, the original motion is immediately placed before council to be reconsidered.
- 39.10 Once a vote on a motion to reconsider has taken place, there shall be no further motion to reconsider that resolution.

Motion to Rescind

40. A motion to rescind shall apply to resolutions only and shall not apply to bylaws passed by council.
- 40.1 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.
- 40.2 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.
- 40.3 A motion to rescind may be moved and seconded by any council member regardless how they voted on the original motion.
- 40.4 A motion to rescind is debatable.
- 40.5 A motion to rescind may be amended.
- 40.6 A motion to rescind shall, in all cases, require a majority vote of all council members to pass.
- 40.7 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 or expelling a person from membership or office have been taken.

Motion to Postpone

41. Where a majority of all members decide to postpone a motion to a fixed date, the motion cannot be considered by council until the fixed date.
- 41.1 Council may consider a postponed motion before the fixed date if a majority of members agree that the motion may be considered before that date.
- 41.2 The only amendment allowed to a motion to postpone to a fixed date is to change the date.

Motion to Refer

42. A motion to refer a matter shall not be amended or debated except with respect to the conditions of the referral or the time required to carry out the review.
- 42.1 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

43. 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 speech which may have been misquoted or misunderstood.
- 43.1 The mover of the motion shall be given the first opportunity to speak.
- 43.2 The mover of the motion shall be allowed a reply at the conclusion of the debate.

Rules Applicable Where not Provided for in this Bylaw

44. In any matter of procedure not provided for in this Bylaw, the proceedings of City Council shall be guided by Robert's Rules of Order, as interpreted in the book written by J. Jeffrey Auer, *Essentials of Parliamentary Procedure*.

PART III
COMMITTEE OF THE WHOLE

Proceedings of Committee of the Whole

- 45. The Mayor or Deputy Mayor, as the case may be, shall preside at all meetings of Committee of the Whole.
- 45.1 The rules of procedure provided for in Part II of this Bylaw respecting the proceeding of City Council shall apply to the proceedings of Committee of the Whole, provided, however, that no motions can be made in the Committee of the Whole.
- 45.2 Committee of the Whole shall be called to Order by the presiding Officer upon resolution of City Council to do so.

Motion to Rise and Report

- 45.3 On motion of the Committee of the Whole to rise and report, the question shall be decided without debate.

PART IV
PROCEDURE RESPECTING BYLAWS

Introduction of Bylaws

- 46. Every bylaw shall be introduced by the Deputy Mayor or Acting Deputy Mayor, as the case may be, upon resolution of City Council to do so.
- 46.1 No bylaw shall be introduced in blank or in an imperfect form.
- 46.2 No bylaw shall be introduced unless all members of City Council have had an opportunity to review the full text of the proposed bylaw.

First reading of a bylaw

- 47. A motion to give first reading to a bylaw is not subject to debate.
- 47.1 During first reading of a bylaw, the Deputy Mayor or Acting Deputy Mayor, as the case may be, shall read the title only of the bylaw.
- 47.2 A bylaw is not subject to amendment during first reading.

Second reading of a bylaw

- 48. A motion to give second reading to a bylaw shall be subject to debate.
- 48.1 During second reading of a bylaw, the Deputy Mayor or Acting Deputy Mayor, as the case may be, shall read the title only of the bylaw.
- 48.2 Amendments to a bylaw may be moved and adopted during second reading.

Third reading of a bylaw

- 49. A motion to give third reading to a bylaw shall be subject to debate.
- 49.1 During third reading of a bylaw, the Deputy Mayor or Acting Deputy Mayor, as the case may be, shall read the title only of the bylaw.
- 49.2 A bylaw is not subject to amendment during third reading.
- 49.3 No bylaw shall receive more than two (2) readings at the same meeting of City Council except by the unanimous resolution of the members present.

Custody of Bylaws

- 50. Every bylaw which has been passed by City Council shall be numbered, dated, signed by the Mayor and City Clerk, affixed with the corporate seal, and kept in safekeeping by the City Clerk.
- 50.1 Every bylaw which has been passed by City Council shall be bound with the Minutes of City Council, as a supplement thereto, for the year in which they are passed.

PART V
STANDING COMMITTEES OF CITY COUNCIL

Executive Committee of Council Established

51. The Executive Committee of Council is hereby established comprised of the Mayor and all members of City Council.
- 51.1 The Chairperson of the Executive Committee shall be the Deputy Mayor.
- 51.2 The Chairperson shall preside at all meetings of the Executive Committee of Council.
- 51.3 Meetings of the Executive Committee of Council shall be held on the second Monday of every month at 5:30 p.m. or as set by resolution of the Committee, in the Council Chambers.
- 51.4 Whenever any Monday referred to in Subsection 51.3 is a Statutory or Public Holiday, according to law, the Executive Committee of Council, unless otherwise determined by a resolution passed at a previous meeting, shall meet at the same hour and place on the day next following which is not a Statutory or Public Holiday.
- 51.5 The rules of procedure provided for in Part II of this Bylaw shall apply to the proceedings of the Executive Committee of Council.
- 51.6 The rules provided for in Section 22 of this Bylaw respecting delegations addressing City Council shall apply to delegations or persons wishing to address members of the Executive Committee of Council.

Executive Committee of Council meetings to be in public, exceptions

52. Subject to the specific provisions of this Bylaw, all Executive Committee Meetings of Council 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.
- 52.1 The Executive Committee of Council 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*.
- 52.2 Where the Executive Committee of 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 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.
- 52.3 Where the Executive Committee of Council resolves to close a portion of a meeting to the public, in addition to the resolution to do so, the minutes shall state:
- (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.

Proceedings of Executive Committee of Council

53. All questions, matters and proceedings properly before the Executive Committee Meeting of Council shall be decided by resolution of members then present.
- 53.1 Motions do not need to be seconded.
- 53.2 There is no limit to the number of times a member may speak, once all other members who wish to speak have spoken.

- 53.3 Every member of the Executive Committee in attendance, including the Chair, must vote on every issue, unless excused due to a financial or conflict of interest, pursuant to Schedule B.
- 53.4 A quorum is a majority of the members of the Executive Committee with the exception as set out in Section 19 and 20.
- 53.5 No business whatsoever will be conducted in the absence of quorum.
- 53.6 If during the Executive Committee meeting, quorum is lost, the meeting will be adjourned.
- 53.7 If there is no quorum fifteen (15) minutes past the start time of the meeting, the meeting will be adjourned.
- 53.8 Once the meeting is adjourned, the meeting can continue for discussion purposes only.
- 53.9 The Chair of the Executive Committee, assisted by the City Clerk is responsible for the proper conduct of all meetings.
- 53.10 The minutes of every meeting of the Executive Committee of Council shall be recorded in accordance with the requirements set forth in *The Cities Act*.

Reports of the Executive Committee Meeting of Council

- 54. The minutes of every meeting of the Executive Committee of Council shall be placed by the City Clerk on the agenda of the next regular meeting of City Council.
- 54.1 No decision made by the Executive Committee shall have any force or effect until approved by separate resolution of City Council at a duly constituted meeting of City Council.
- 54.2 The Executive Committee of Council may request reports from Administration for informational purposes without a separate resolution of City Council at a duly constituted meeting.
- 54.3 A motion to receive the minutes of a meeting of a Executive Committee Meeting of Council is not subject to debate.

PART VI

ADVISORY AND OTHER COMMITTEES

Advisory and Other Committees

- 55. City 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 City Council respecting the management and operation of any activity of the City.
- 55.1 City Council shall, by bylaw or resolution, set out the terms of reference, duties, powers and functions of any committee or board.
- 55.2 All boards or committees shall be subject to the requirements of *The Cities Act* or the provisions of this Bylaw.

Proceedings of Advisory and Other Committees

- 56. 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.
- 56.1 Subject to any specific powers, duties and authority which may be delegated by bylaw or resolution of City Council, no decision, recommendation or resolution of a board or committee shall be effective unless specifically adopted by resolution of City Council.
- 56.2 The minutes of every committee established or continued pursuant to this Part are to be recorded in accordance with the requirements set forth in *The Cities Act*.

Reports of Advisory and Other Committees

- 57. 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 City Council.

Nominations to Advisory and Other Committees

58. The City Clerk shall, annually or on such other basis as may be required by City Council, prepare and advertise a list of all boards and committees of City Council, to which members of the public may be appointed, and publicly call for the names of persons interested in being appointed to such boards or committees.

PART VII MISCELLANEOUS

Limitation of Action by Members

59. No member of City Council shall direct or interfere with the functioning of any department of the City or with the performance of any work carried on by such department except that in the absence of the City Manager, his or her designate may act in his stead. Committee chairpersons shall direct matters of concern regarding department functions to the City Manager.

Suspension of Rules

60. Subject to any requirements, which 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

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

Bylaws Repealed

62. Bylaw No. 15/2016 and all amendments thereto are hereby repealed.

Coming into Force

63. This Bylaw shall come into force and take effect upon third and final reading.

Mayor: Rob Muench

City Clerk: Sandra Pauli

READ a first time the 27th day of January, 2020.
READ a second time the 27th day of January, 2020.
READ a third time and adopted the 27th day of January, 2020.

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 City 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 which contains a draft bylaw or resolution.
4. In-Camera agendas or deliberations which include personal information.
5. Records which 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 which may reasonably expect to result in disclosure of a pending policy or Works & Utilities 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, which 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 which contain information, which is subject to solicitor-client privilege.

SCHEDULE B

CONFLICT OF INTEREST GUIDELINES

What is a Conflict of Interest?

A Member of Council has a conflict of interest if the Member of Council makes a decision or participates in making a decision in the execution of his or her office and at the same time knows or ought reasonably to know that in the making of the decision there is the opportunity to further his or her private interest or the private interests of a closely connected person.

A financial interest always constitutes a conflict of interest. A financial interest is when the Member of Council or someone in the Member of Council's family has a controlling interest in, or is a director or senior officer of, a corporation that could make a financial profit from or be adversely affected financially by a decision of Council, a Council committee or a controlled corporation, or the Member of Council or a closely connected person could make a financial profit from or be adversely affected financially by a decision of Council, a Council committee or a controlled corporation.

Procedure for Disclosure – If Present at Meeting

1. If a Member of Council has a conflict of interest, and the Member of Council is present at the meeting, the Member of Council shall:
 - a) before any consideration or discussion of the matter, declare that he or she has a conflict of interest;
 - b) disclose the general nature of the conflict of interest and any material details that could reasonably be perceived to affect the Member of Council's impartiality in the exercise of his or her office;
 - c) abstain from voting on any question, decision, recommendation or other action to be taken relating to the matter;
 - d) subject to "4" below, refrain from participating in any discussion related to the matter; and
 - e) subject to "3" and "4" below, leave the room in which the meeting is being held until discussion and voting on the matter are concluded.
2. No Member of Council shall attempt in any way, whether before, during or after the meeting, to influence the discussion or voting on any question, decision, recommendation or other action to be taken involving a matter in which the Member of Council has a conflict of interest.
3. If the matter with respect to which a Member of Council has a conflict of interest is the payment of an account for which funds have previously been committed and the payment is the amount previously approved, the Member of Council shall comply with clauses (1)(a) to (d), but it is not necessary for the Member of Council to leave the room.
4. If the matter with respect to which a Member of Council has a conflict of interest is a question on which, pursuant to this Act or another enactment, the Member of Council, as a taxpayer, an elector or an owner, has a right to be heard by the Council:
 - a) the Member of Council shall leave his or her place at the Council table, but is not required to leave the room; and
 - b) the Member of Council may exercise a right to be heard in the same manner as a person who is not a Member of the Council.
5. Every declaration of conflict of interest made pursuant to Section (1) and the general nature and material details of the declaration and any abstention or withdrawal must be recorded in the minutes of the meeting.
6. On a declaration in accordance with clause 1.(a), the person presiding at the meeting with respect to the matter shall ensure that the other requirements of this section are followed with respect to the Member of Council.

Procedure for Disclosure – If Absent from Meeting

1. If a Member of Council has a conflict of interest, and the Member of Council is not present at the meeting, the Member of Council shall:
 - a) disclose the conflict of interest at the next meeting of the Council; and
 - b) otherwise comply with the requirements of 'If Present' section above.
2. A Member of Council who has disclosed a conflict of interest as required, shall:
 - a) declare and disclose the conflict of interest at every meeting at which the Member of Council is present and the matter is discussed or considered;
 - b) and comply with this whole section.

Effect of Conflict of Interest on Resolution or Bylaws

If a Member of Council contravenes the requirement to declare a conflict of interest, the proceedings related to the matter are not invalidated, but the Council or other body may, within three years after the day on which a bylaw or resolution was passed or a decision was made, declare the bylaw, resolution or decision void.

Disqualification on Grounds of Conflict of Interest

A Member of Council is disqualified from Council if the Member of Council contravenes the 'Conflict of Interest' Declaration as required.

A Member of Council who is disqualified from Council as a result of a Conflict of Interest, is not eligible to be nominated or elected in an election in any municipality until the earlier of 12 years following the date of the disqualification.

If a judge declares a person disqualified because of a failure to disclose a conflict of interest contrary to the Act, and the judge finds that the contravention resulted in personal financial gain, the judge may require the person to pay an amount equal to the amount of that gain to either the City or any person who, in the judge's opinion, is appropriate.