

# COUNCIL MEETING PROTOCOL

The following sections review some important steps that council must take in order to run an efficient and accountable council meeting.

## COUNCIL PROCEDURES BYLAW

According to Part 100.1 of *The Northern Municipalities Act 2010*, “a council shall, by bylaw, establish general procedures to be followed in conducting business at council meetings.” A Council Procedures Bylaw sets out general activities to follow at a council meeting and must include at a minimum:

- Council member conduct
- Date, time and place of regularly scheduled council meetings
- Confidentiality and accessibility of documents presented to council
- Rules about public presentations and submissions to council
- Rules for calling special meetings of council and closing meetings
- Procedures for appointing a council member as deputy and acting mayor.

Other items that can be included in a Council Procedures Bylaw include:

- Calling the meeting to order and quorum
- Postponing the meetings
- Agenda
- Minutes
- Bylaws
- Rules of debate
- Voting on motions
- Committee of the whole

## SETTING THE AGENDA

One of the procedures that may be established by council is what to include in the agenda for meetings. The agenda will determine what will be discussed and decided upon at a set council meeting, will be released prior to the meeting, and will only be changed with the approval of council. This procedure ensures that council meetings are productive, accomplishing what they need to accomplish in a reasonable time. Agendas typically include most of, but are not limited to, the following:

- Call to Order
- Adoption of Agenda
- Reading/Circulating/Approval of Minutes from Previous Meetings
- Business Arising from Minutes
- Presentations
- Delegations
- Correspondence
- Financial Reports
- Payment of Accounts
- Committee Reports
- Staff Reports
- Appointments
- Old or Unfinished Business
- New Business
- Bylaws
- Adjournment

*Meeting protocol is also more than just following formal procedures.  
For example, when citizens attend council meetings they should be made to feel  
welcome and not as though they are intruding.*

## MATTERS THAT REQUIRE PUBLIC NOTICE

In some cases, council cannot consider an item at a meeting until the public has received notice. Choosing to debate and decide on a matter without providing appropriate public notice when it is required enables any voter to legally challenge the decision made. Some examples of when public notice is required include (for a full list refer to *The Planning and Development Act, 2007* or with *The Northern Municipalities Act, 2010*):

- Borrowing money
- Establishing a purchasing policy
- Leasing land for less than fair market value without a public offering
- Setting remuneration for council members
- Permanently closing a road

# DECISION-MAKING

## CONTEXT

Making decisions is a team effort and includes listening to other councillors, the public and subject matter experts. Decisions directly affect residents so council should be able to explain their decisions.

In making decisions, council may ask:

- Are we hearing all sides of a question?
- Is there someone who we are not hearing from who will be affected by the decision?
- Was the public consulted or should it be?
- Does council have all the relevant facts?
- Are we basing our decision on fact and law or on feelings and opinions?
- Can you explain your decision to the people affected by it?
- Is the decision consistent with other decisions made in similar circumstances?
- Should a policy be established?

## BYLAWS & RESOLUTIONS

Decisions of council are made by either bylaw or resolution.

### RESOLUTIONS

A resolution is a formal expression of council's decisions. Resolutions usually deal with routine or administrative matters, such as approving monthly financial statements or accounts for payment, or buying or selling real estate.

### BYLAWS

Bylaws govern the actions of all people in a municipality and are a form of legislation established by local government to resolve issues and address the needs of citizens.

Council can pass a bylaw to govern: council and municipal procedures, land use, vehicle parking, animal control, licensing, noise, or business regulation. Enforcement action can be taken as a consequence of non-compliance.

## MATTERS THAT CANNOT BE DELEGATED

Section 145 of *The Northern Municipalities Act, 2010* lists matters that council alone must deal with and cannot delegate to a committee or other body.

A council cannot delegate its power or duty to:

- Make bylaws.
- Hold a public meeting and decide a matter after the public hearing.
- Adopting a public notice bylaw.
- Adopt budgets.
- Borrowing money, lend money or guarantee the repayment of a loan.
- Establish a records retention and disposal schedule.
- Exempt from taxation, forgive taxes owing or defer taxes.
- Move capital moneys to its operating budget or operating reserve.
- Establish a purchasing policy.
- The sale or lease of land for less than fair market value and without a public offering.
- The sale or lease of park land or dedicated lands.
- The sale or lease of mines and minerals owned by a municipality.
- Create council committees and other bodies and to define their functions.
- To set the remuneration for members of council and for members of council committees and other bodies created by council.
- Appoint, suspend or dismiss an administrator or a full-time municipal solicitor.
- To prohibit or limit the operation of a business or class of business.

## RECORDS THAT MUST BE MAINTAINED

Section 132 of *The Northern Municipalities Act, 2010* states that a council must establish a records retention and disposal schedule and that, at a minimum, the following documents must be preserved:

- Bylaws, other than repealed bylaws
- Minutes
- Annual financial statements
- Tax and assessment rolls
- Minister's orders
- Cemetery records

When managing bylaws, the original bylaw must be attached to and form a part of the minutes of the meeting at which the bylaw received third reading. A bylaw is never removed from the minutes even if it has been subsequently repealed.

A certified true copy of the bylaw must be kept in the bylaw register. A bylaw register is a collection of current bylaws of the municipality which is maintained separate from the minutes. This copy must display the corporate seal and it must be certified to be a true copy by the administrator or the mayor.

*Municipal documents may, with the consent of the Provincial Archives of Saskatchewan, be deposited with the Provincial Archives of Saskatchewan for preservation in the archives.*

*(subsection 132(3), The Northern Municipalities Act, 2010)*