



## RM OF MARTIN NO 122

Minutes of the Regular Meeting of the Council of the Rural Municipality of Martin No 122 held on Wednesday, June 15, 2022 in the RM Council Chambers located at 602 Main Street in Moosomin, Saskatchewan.

Present: Reeve: Garry Bonkowski  
Councillors: Division 1 Chris Leeds  
Division 2 Glen Ekert  
Division 3 Peter Currie  
Division 5 Ray Donald  
Division 6 John Gordon  
Absent: Division 4 Hal Garrett

***Reeve Bonkowski called the meeting to order at 8:00 am.***

22-082 Minutes *Leeds:* That Council will dispense with the reading of minutes of the Regular Meeting of council held on May 11, 2022 and approve them as distributed/printed.  
**CARRIED**

22-083 Financial Statement *Ekert:* That the Statement of Financial Activities and Bank Reconciliation for May 2022 be accepted as presented.  
**CARRIED**

***Delegation: Devona Putland & Jennifer Gray from Age Friendly Moosomin from 10:00 to 10:45 am discussing survey results.***

22-084 Accounts for Approval *Gordon:* That the list of Accounts for Approval, as attached to and forming part of these minutes, covering Direct Payroll Deposits, Electronic Funds Transfers, Internet Bill Payments and Conexus Credit Union Cheque Numbers 001225 to 001238, in the amount of \$79,756.93 be approved for payment.  
**CARRIED**

22-085 Heavy Harrow *Ekert:* That the Municipality sell the heavy harrows for \$3,816.00 plus taxes to Ernie Beier as per the agreement to buy back if we did not use them.  
**CARRIED**

22-086 Lunch Break *Bonkowski:* That this meeting be recessed at 1:00 pm for the purpose of a 15 minute lunch break.  
**CARRIED**

22-087 Correspondence *Currie:* That the correspondence as listed on the agenda, having been read and dealt with, be filed.  
**CARRIED**

..../2

CLB

**Public Notice was given for the Building Bylaw and Council Procedures Bylaw and no responses from any ratepayers were brought forth.**

- 22-088 Bylaw 245/22 *Gordon:* That Bylaw 245 / 22 being *A Bylaw Respecting Buildings* be introduced and read for the first time. **CARRIED**
- 22-089 Bylaw 245/22 *Currie:* That Bylaw 245 / 22 be read a second time. **CARRIED**
- 22-090 Bylaw 245/22 *Ekert:* That Bylaw 245 / 22 be given three (3) readings at this meeting. **CARRIED UNANIMOUSLY**
- 22-091 Bylaw 245/22 *Leeds:* That Bylaw 245 / 22 be read a third time and adopted. **CARRIED**
- 22-092 Building Official *Gordon:* That the Municipality appoint Municode as their Building Official provider and that the following Building Officials are appointed until December 31, 2022:
- |                |                 |
|----------------|-----------------|
| Clayton Meier  | License #BOL332 |
| Ryan Thiessen  | License #BOL555 |
| Travis Elkin   | License #BOL580 |
| Shenah Cartier | License #BOL622 |
| Clint Vargo    | License #BOL762 |
| Jordan Hoffart | License #BOL736 |
- CARRIED**

***Councillor Gordon left the meeting at 2:02 pm and did not return.***

- 22-093 Bylaw 246/22 *Donald:* That Bylaw 246 / 22 being *A Bylaw to Establish Fees for Building Permits* be introduced and read for the first time. **CARRIED**
- 22-094 Bylaw 246/22 *Currie:* That Bylaw 246 / 22 be read a second time. **CARRIED**
- 22-095 Bylaw 246/22 *Bonkowski:* That Bylaw 246 / 22 be given three (3) readings at this meeting. **CARRIED UNANIMOUSLY**
- 22-096 Bylaw 246/22 *Leeds:* That Bylaw 246 / 22 be read a third time and adopted. **CARRIED**

*CUB* *Leeds*  
..../3



22-097 Bylaw 247/22 *Ekert:* That Bylaw 247 / 22 being *A Bylaw to Regulate the Proceedings of Municipal Council and Council's Committees* be introduced and read for the first time.

**CARRIED**

22-098 Bylaw 247/22 *Donald:* That Bylaw 247 / 22 be read a second time.

**CARRIED**

22-099 Bylaw 247/22 *Currie:* That Bylaw 247 / 22 be given three (3) readings at this meeting.

**CARRIED UNANIMOUSLY**

22-100 Bylaw 247/22 *Bonkowski:* That Bylaw 247 / 22 be read a third time and adopted.

**CARRIED**

22-101 Term Deposits *Currie:* That Term Deposits 45, 46, 47, 48 & 49 be redeemed and reinvested the principal and interest into one (1) year redeemable after 90 Days Terms at a rate of 2.80%. New terms as follows:

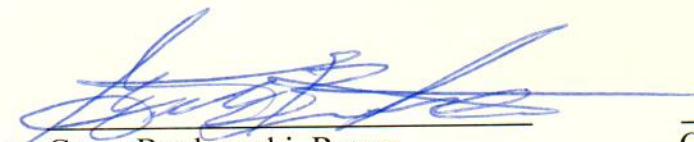
Term 51	Fire	\$10,026.22
Term 52	Health	\$49,761.99
Term 53	Capital	\$206,427.75
Term 54	Special Savings	\$153,242.25
Term 55	Special Savings	\$124,270.51

**CARRIED**


22-102 Adjourn *Currie:* That this meeting be adjourned at 2:18 am.

**CARRIED**

Adopted this 13<sup>th</sup> day of July, 2022



Garry Bonkowski, Reeve



Cheryl Barrett, Chief Administrative Officer



RM OF MARTIN NO 122

**BYLAW NO. 245 / 22**

**RURAL MUNICIPALITY OF MARTIN NO 122**

**A BYLAW RESPECTING BUILDINGS**

The Council of the Rural Municipality of Martin No 122 in the Province of Saskatchewan enacts as follows:

**1.0 SHORT TITLE**

This bylaw may be cited as the Building Bylaw.

**2.0 PURPOSE OF THE BUILDING BYLAW**

The purpose of this bylaw is to provide for the administration and enforcement of the Act, the regulations, the National Building Code of Canada, the National Energy Code of Canada for Buildings, ministerial interpretations and Saskatchewan Construction Standards Appeal Board orders and building official orders within the local authority.

**3.0 INTERPRETATION/LEGISLATION**

Definitions contained in *The Construction Codes Act*, *The Building Code Regulations* and *The Energy Code Regulations* shall apply in this Building Bylaw.

“**Act**” means *The Construction Codes Act*

“**Addition**” means any new construction expanding an existing building, either horizontally or vertically

“**Alteration**” means a change to any matter, thing or occupancy that is regulated by the Act but does not include an addition

“**Building Official**” means a person who holds a building official license

“**Competent Person**” means a person who is recognized by the local authority as having:  
a) a degree, certificate or professional designation; or  
b) the knowledge, experience and training necessary to design or review the design of a building.

“**Construction Standards**” in this Building Bylaw means as defined by the Act.

“**Farm Building**” means, subject to the Regulations, a building that:

- a) does not contain a residential occupancy;
- b) is located on land used for agricultural operation as defined in *The Agricultural Operations Act*; and
- c) is used for the following purposes:
  - i) the housing of livestock;
  - ii) the production, storage or processing of primary agricultural and horticultural crops and feeds;
  - iii) the housing and storage or maintenance of equipment or machinery associated with an agricultural operation.
  - iv) any other prescribed purpose.

“**Local Authority**” means the Rural Municipality of Martin No 122



“**NBC**” means the edition and provisions of the National Building Code of Canada, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and the Regulations

“**NECB**” means the edition and provisions of the National Energy Code of Canada for Buildings, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and the regulations

“**Occupancy Certificate**” means a certificate issued with respect to the approved use or occupancy of a building

“**Owner**” means:

- a) any person who has any right, title, estate or interest in land, improvements or premises other than that of a mere occupant, tenant or mortgage;
- b) any person, firm or corporation that controls the property under consideration; or
- c) if the building is owned separately from the land on which the building is located, the owner of the building

“**Owner Representative**” means any person, company, employee or contractor who has authority to act on behalf of an owner

“**Permit**” means written authorization issued by the local authority or its building official in the form of a building permit

“**Plan Review**” means the examination of building drawings and related documents by a building official to ascertain whether those drawings and documents meet the requirements of the Act and the Regulations

“**Regulations**” means *The Building Code Regulations* and *The Energy Code Regulations*

“**SAMA Fee**” means a fee charged to the local authority by the Saskatchewan Assessment Management Agency with respect to the work

“**Value of Construction**” means the total costs to the owner for the building construction in its completed form and includes the cost of all building work, materials of construction, building systems, labour and overhead, and profit of the contractor and subcontractors

“**Work**” means any construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building.

#### **4.0 SCOPE OF THE BYLAW**

This Building Bylaw applies to all work undertaken or to be undertaken within the geographical jurisdiction of the local authority.

#### **5.0 GENERAL**

- 1) It is the duty of every owner or the owner’s representative of a building in Saskatchewan to ensure that the building and work is in accordance with the Act, the Regulations, any associated codes, interpretations and orders and any Bylaws adopted by the RM of Martin with which the building is associated.
- 2) It shall be the responsibility of the owner or the owner’s representative to arrange for all permits, inspections and certification required by any other applicable Bylaws Acts and Regulations.
- 3) A building or part of a building for which a permit has been granted shall not be occupied before the certification of occupancy is issued by the local authority or the Building Official pursuant to Clause 16(11)(h) of the Act.
- 4) The provisions of this Building Bylaw apply to buildings greater than 10m<sup>2</sup> (107.6ft<sup>2</sup>) in building area except as otherwise exempted by the Act or the Regulations.
- 5) Farm buildings are exempt in accordance with Subsection 6(2)(c) of the Act.
- 6) Minor alterations, or regular maintenance and repairs, which do not change the structure of the building are exempt from this bylaw.



.../3





## **6.0 PERMIT - ISSUANCE**

- 1) Every application for a permit for work shall be on the form provided by the local authority (Form A), and shall be accompanied by a minimum of two (2) sets of the plans and specifications of the proposed building and work.
- 2) Every permit application shall be reviewed and approved by the building official including plan review and approval.
- 3) If the work described in an application for permit, to the best of the knowledge of the local authority or the building official, complies with the requirements of this Building Bylaw, the Act, or the Regulations, the local authority or the building official shall, on receipt of the required fee, issue a permit on the form provided by the local authority (Form B). In addition, one set of the approved plans and specifications will be returned to the owner or the owner's representative with the permit.
- 4) A permit issued pursuant to this Building Bylaw must include:
  - a) the name of the person, or company to whom the permit is issued;
  - b) the period for which the permit is valid;
  - c) a statement of all fees, deposits or bonds charged for the permit;
  - d) the scope of work authorized by the permit;
  - e) the municipal address or legal description of the property on which the work described in the permit is located;
  - f) the buildings or portions of buildings to which the permit applies;
  - g) the date of completion of the stages of construction for which a permit holder must inform the local authority;
  - h) any conditions that the permit holder is required to comply with; and
  - i) any information required by this Building Bylaw.
- 5) No person, or company to whom a permit is issued pursuant to the Act shall fail to comply with the terms and conditions of the permit.
- 6) Work must not commence before a permit is issued.
- 7) The permit fee shall be in accordance with the Building Permit Fees Bylaw.
- 8) If a deposit is collected it shall, on request by the owner or owner's representative, be refundable on satisfactory completion of the work or on approval of use or occupancy of the building by the local authority or the building official.
- 9) All permit fees and deposits will be collected before the permit is issued and subject to any applicable taxes.
- 10) The local authority or the building official may establish the value of construction for the work described in an application for a permit, for the purposes of calculating a permit fee, based on established current construction costs, the owner's or the owner's representative statement of costs or constructor's values, or similar methods selected by the local authority or the building official.
- 11) It is the responsibility of the owner or the owner's representative to ensure that all notifications required by Section 7 of the Act and this Building Bylaw are given to the local authority and that all inspections are scheduled and completed. Failure to do so may result in additional fees for follow-up inspections.
- 12) The owner or the owner's representative will be invoiced by the local authority for additional inspection fees and payment of the inspection fees will be due on receipt of an invoice. Unpaid inspection fees will be considered a debt due to the local authority and may be recovered from the owner of the land or premises in or on which the work was carried out as per the Act.
- 13) The local authority may, at its discretion, rebate a portion of a permit fee or deposit where work is reduced in scope or discontinued, or where other exceptional circumstances occur.





## **7.0 PERMITS – REFUSAL TO ISSUE**

- 1) The local authority may refuse to issue a permit if:
  - a) the proposed work described on the permit application would contravene:
    - (i) the Act;
    - (ii) the Regulations;
    - (iii) an order of the appeal board;
    - (iv) a written interpretation of the minister pursuant to Section 8 of the Act; or
    - (v) the local authority's Building Bylaw;
  - b) the person who designed or reviewed the design of a proposed building that is within the scope of Part 9 of the NBC is not a competent person;
  - c) the person who designed or completed a design review of a proposed building that is within the scope of the NECB is not an architect or engineer;
  - d) the application for a permit is incomplete;
  - e) any fees, deposits or bonds required pursuant to the local authority's Building Bylaw for the issuance of a permit have not been paid; or
  - f) the proposed work described on the permit application would contravene any other Act, Regulations, or Bylaw that applies to the proposed work.
- 2) Where the local authority refuses to issue a permit pursuant to Subsection (1), the local authority shall:
  - a) provide written notice to the applicant as to the reasons for the local authority's refusal to issue a permit; and
  - b) refund any fee or deposit paid as part of the permit application for work pursuant to the Act, less any fee paid for:
    - (i) plan review; and
    - (ii) permit application or administration

## **8.0 PERMITS - REVOCATION**

- 1) The local authority may revoke a permit issued pursuant to the Act:
  - a) if the holder of the permit requests in writing that it be revoked;
  - b) if the permit was issued on mistaken, false or incorrect information;
  - c) if the permit was issued in error;
  - d) subject to Subsection (2), if after six (6) months after the permit's issuance, the work for which the permit was issued has not, in the opinion of the local authority's Building Official, been seriously commenced and no written agreement for the delay has been given by the local authority; or
  - e) subject to Subsection (2), if the work for which the permit was issued is, in the opinion of the local authority's Building Official, substantially suspended or discontinued for a period of more than six (6) months after the permit's issuance and no written agreement for the delay has been given by the local authority.
- 2) If the local authority revokes a permit pursuant to Subsection (1) it shall provide written notice to the permit holder as to the reasons for the revocation.

## **9.0 PERMITS - EXPIRY**

- 1) The expiry of a permit does not relieve the owner or the owner's representative from the obligation to complete the work approved in the permit.
- 2) All permits issued pursuant to this Building Bylaw shall expire on the date stated in the permit, or if no date is stated:
  - a) twenty-four months from date of issue;
  - b) six (6) months from date of issue if work is not commenced within that period;
  - c) on the date specified by the local authority if work has not seriously commenced and is suspended for a period of six (6) months; or
  - d) on the date specified by the local authority if work has been suspended with written permission by the local authority or Building Official and the agreed upon date has been exceeded.



- 3) An owner or the owner's representative that does not complete all work listed on a permit before the permit expires shall apply to the local authority that issued the permit to do one of the following:
  - a) revoke the permit;
  - b) extend the term of the permit;
  - c) vary the condition of the permit.
- 4) The local authority may revoke, extend or vary the conditions of a permit on written application of the permit holder and subject to any condition or fees listed in the Bylaw.

## **10.0 ENFORCEMENT**

The local authority or the Building Official may take any measures as permitted by Section 24, 25 or 26 of the Act and Sections 13 and 14 of *The Building Code Regulations* for the purpose of ensuring compliance with this Building Bylaw.

- 1) If any work to a building, or part thereof, or addition thereto is in contravention of any provision of the construction standards, the local authority may take any measures as permitted by the Act for the purpose of ensuring compliance, including but not limited to:
  - a) at any reasonable hour, enter land or a building;
  - b) be accompanied into a building by a person having special or expert knowledge on any matter to which this Act or the regulations relate;
  - c) ordering production of a register, certificate, plan or other document relating in any manner to the design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building and may examine and make copies of the document;
  - d) inspect and take samples of any material, equipment or appliance being used in the design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of building;
  - e) issue an order pursuant to this Act;
  - f) direct a local authority to register an interest on title pursuant to Section 20; and;
  - g) exercise any other power or undertake any action as prescribed;
  - h) obtaining restraining orders.
- 2) If any building, or part thereof, or addition thereto is in an unsafe condition due to faulty work, dilapidated state, abandonment, open or unguarded condition or any other reason, the local authority may take any measures allowed by the Act. A Building Official who is satisfied that a building, whether commenced or completed before or after the coming into force of this Act, is in an unsafe condition may, by notice in writing, order the owner of the building or the owner's agents, contractors, employees, successors or assigns or the registered owner of the land on which the building is situated, within the period set out in the notice, to take any steps set out in the notice that the Building Official considers necessary to eliminate the unsafe condition.
- 3) A Building Official is satisfied that a building, whether commenced or completed before or after the coming into force of this Act, is in a condition that constitutes an imminent risk or danger to the safety of occupants or the public, a Building Official or a person appointed by the appropriate local authority may enter the land or the building and do, or cause to be done, any acts that the Building Official or appropriate land authority considers necessary to eliminate the risk or danger, and Subsections 26(3) and (4) apply, with any necessary modification, to the expenses incurred in eliminating a danger pursuant to this section.





## **11.0 NOTIFICATION**

- 1) The owner or the owner's representative of a building to be constructed shall ensure that the local authority is notified of:
  - a) when excavation is to be commenced;
  - b) when the foundation is to be placed;
  - c) when a superstructure is to be placed on the foundation;
  - d) any other event at the time required by the permit under which work has been undertaken; and
  - e) any other specified event at the specified time.
- 2) Before commencing work at a building site, the owner or the owner's representative shall give notice to the local authority of:
  - a) the date on which the owner or the owner's representative intends to commence the work; and
  - b) subject to Subsection (8), the name, address and telephone number of:
    - i) the constructor or other person in charge of the work;
    - ii) the designer of the work;
    - iii) the person or firm that is to review the work to determine whether or not the construction conforms to the design; and
    - iv) any inspection or testing agency that is engaged to monitor the work.
- 3) During the course of construction, the owner or the owner's representative shall give notice to the local authority of:
  - a) subject to Subsection (8), any change in, or termination of, the employment of a person or firm mentioned in Clause (2)(b);
  - b) the owner's or owner's representative intent to do any work that has been ordered by a Building Official or local authority to be inspected during construction;
  - c) the owner's or owner's representative intent to enclose work that has been ordered by a Building Official or local authority to be inspected before enclosure;
  - d) subject to Subsection (8), any proposed deviation from the plans approved and permitted by the local authority;
  - e) subject to Subsection (8), any construction undertaken that deviates from the plans approved and permitted by the local authority; and
  - f) the completion of work.
- 4) Subject to Subsection (8), the owner or the owner's representative of a building under construction shall give notice to the local authority of:
  - a) any change in ownership or change in address of the owner or the owner's representative that occurs before the issuance of an occupancy certificate as soon as the change occurs, and
  - b) the owner's or owner's representative intention to occupy a portion of the building if the building is to be occupied in stages.
- 5) The owner of a building or the owner's agents, contractors, employees, successors or assigns or the registered owner of the land on which the building is situated shall submit a written report to the local authority of the occurrence of the following that causes or has the potential to cause serious injury or loss of life:
  - a) structural failure of the building or part of the building;
  - b) failure of any equipment, device or appliance that is regulated by the Act or the regulations.
- 6) A report submitted pursuant to Subsection (5) must:
  - a) contain:
    - i) the name and address of the owner;
    - ii) the address or location of the building involved in the failure;
    - iii) the name and address of the constructor of the building; and
    - iv) the nature of the failure; and
  - b) be submitted to the local authority within 15 days after the occurrence of the failure mentioned in Clause (5)(a) or (b).





- 7) On receipt of the report pursuant to Subsection (5), the local authority may require an owner to do the following:
  - a) provide any other information that the building official or local authority may consider necessary;
  - b) complete any additional work that is necessary to ensure compliance.
- 8) Notice given pursuant to Clause (2)(b), (3)(d), (3)e or Subsection (4) is to be in writing.

## **12.0 SPECIAL CONDITIONS**

- 1) An owner or the owner's representative that undertakes to construct or have constructed a building that is within the scope of Parts 3, 5, 6 and 7 of the NBC shall have an architect or engineer complete the design or design review of:
  - a) the building; and
  - b) all building systems.
- 2) An owner or the owner's representative that undertakes to construct or have constructed a building with a structure that is within the scope of Part 4 of the NBC shall have an architect or engineer complete:
  - a) the design or design review of the structure;
  - b) an inspection of construction of the structure to ensure compliance with the design; and
  - c) the reviews required by the NBC.
- 3) An owner or the owner's representative that undertakes to construct or have constructed a building with a structure within the scope of the NECB shall have an architect or engineer complete:
  - a) the design or design review of the structure;
  - b) the inspection of construction of the structure to ensure compliance with the design; and
  - c) the reviews required by the NECB.
- 4) In addition to the requirements of Subsection (1), (2) or (3), the local authority or building official shall require that an engineer or architect provide:
  - a) a Commitment for Field Review letter as part of the permit application for work; and
  - b) an Assurance of Field Review and Compliance letter, on completion of the work, providing assurance that the work conforms to the engineer's or architect's design.
- 5) An owner or the owner's representative that undertakes to construct or have constructed a building that is within the scope of Part 9 of the NBC shall ensure that a competent person has designed or reviewed the design of the building.
- 6) An owner or the owner's representative shall ensure that copies of any inspection or review reports made pursuant to this section are made available to a building official or the local authority on the request of the building official or local authority, as the case may be.
- 7) No owner of a building or an owner's representative shall cause or allow the ground elevations of a building to be changed so as to place in contravention of the NBC:
  - a) the building or part of the building; or
  - b) an adjacent building.
- 8) If the property boundaries of a building lot are changed so as to place a building or part of a building in contravention of the NBC, the owner or owner's representative shall immediately alter the building or part of the building to bring it into compliance with the NBC.

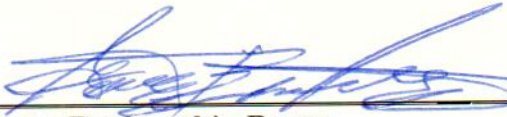





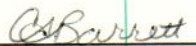
**13.0 PENALTY**

- 1) Any person who contravenes any of the provisions of this Building Bylaw may be subject to the penalties provided in Part 8 of the Act.
- 2) Conviction of a person or corporation for breach of any provision of this Building Bylaw shall not relieve the person or corporation from compliance with the Act and Regulations.

Enacted pursuant to Section 17  
of *The Construction Codes Act*

  
\_\_\_\_\_  
**Garry Bonkowski - Reeve**  
\_\_\_\_\_  
**Cheryl Barrett – Chief Administrative Officer**

Read a third time and adopted  
this 15<sup>th</sup> day of June 2022

  
\_\_\_\_\_  
Chief Administrative Officer

APPROVED  
In accordance with Clause 17(6)(A) of  
*The Construction Codes Act*

  
\_\_\_\_\_  
Building and Technical Standards  
Ministry of Government Relations

June 21, 2022  
Date





RM OF MARTIN NO 122

FORM A to Bylaw 245 / 22

APPLICATION FOR BUILDING PERMIT

I hereby make application for a permit to \_\_\_\_\_ Construct (new)
\_\_\_\_\_ Alter (renovate)
\_\_\_\_\_ Reconstruct
a building according to the information below and to the plans and documents attached to this application.

Civic address or location of work \_\_\_\_\_
Legal description — Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_
Owner \_\_\_\_\_ Address \_\_\_\_\_ Telephone \_\_\_\_\_
Designer \_\_\_\_\_ Address \_\_\_\_\_ Telephone \_\_\_\_\_
Contractor \_\_\_\_\_ Address \_\_\_\_\_ Telephone \_\_\_\_\_
Nature of work \_\_\_\_\_
Intended use of building \_\_\_\_\_
Size of building \_\_\_\_\_ Length \_\_\_\_\_ Width \_\_\_\_\_ Height \_\_\_\_\_
Number of storeys \_\_\_\_\_ Fire escapes \_\_\_\_\_
Number of stairways \_\_\_\_\_ Width of stairways \_\_\_\_\_
Number of exits \_\_\_\_\_ Width of exits \_\_\_\_\_

Foundation Soil Classification and Type \_\_\_\_\_
Footings \_\_\_\_\_ Material \_\_\_\_\_ Size \_\_\_\_\_
Foundations \_\_\_\_\_ Material \_\_\_\_\_ Size \_\_\_\_\_
Exterior Walls \_\_\_\_\_ Material \_\_\_\_\_ Size \_\_\_\_\_
Roof \_\_\_\_\_ Material \_\_\_\_\_ Spacing \_\_\_\_\_
Studs \_\_\_\_\_ Material \_\_\_\_\_ Spacing \_\_\_\_\_
Floor Joists \_\_\_\_\_ Material \_\_\_\_\_ Spacing \_\_\_\_\_
Girders \_\_\_\_\_ Material \_\_\_\_\_ Spacing \_\_\_\_\_
Rafters \_\_\_\_\_ Material \_\_\_\_\_ Spacing \_\_\_\_\_
Chimneys \_\_\_\_\_ Number \_\_\_\_\_ Size \_\_\_\_\_
Heating \_\_\_\_\_ Material \_\_\_\_\_ Thickness \_\_\_\_\_
Lighting \_\_\_\_\_ Plumbing \_\_\_\_\_

Estimated value of construction (excluding site) \$ \_\_\_\_\_
Building area (area of largest storey) \_\_\_\_\_ square metres or feet (indicate which measurement)
Fee for building permit \$ \_\_\_\_\_

I hereby agree to comply with the Building Bylaw of the local authority and acknowledge that it is my responsibility to ensure compliance with the Building Bylaw of the local authority and with any other applicable bylaws, acts and regulations regardless of any plan review or inspections that may or may not be carried out by the local authority or its authorized representative.

\_\_\_\_\_
Date

\_\_\_\_\_
Signature of Owner or Owner's Agent

Handwritten signatures in blue ink.





RM OF MARTIN NO 122

**FORM B to Bylaw No 245 / 22**

**BUILDING PERMIT # \_\_\_\_\_**

Permission is hereby granted to \_\_\_\_\_  
to construct/erect \_\_\_\_\_  
on municipal address or legal description \_\_\_\_\_  
in accordance with the Building Permit Application dated \_\_\_\_\_. This  
permit is valid from \_\_\_\_\_ to \_\_\_\_\_ (24 months  
from date of issue unless work is not commenced within six months of Date of Issue). This permit  
will expire six (6) months from the date of issue *if work is not commenced within that period* or  
if work is suspended for a period of six months, unless otherwise authorized by the local authority  
or its authorized representative.

**Inspections Schedule is attached – please ensure you follow all inspection requirements.**

This permit is issued subject to the following conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Any deviation, omission or revision to the approved application requires approval of the local authority or its authorized representative.

Estimated value of construction \$ \_\_\_\_\_ Permit fee \$ \_\_\_\_\_

\_\_\_\_\_  
Date of Issue

\_\_\_\_\_  
Signature of Authorized Representative

*[Handwritten signatures]*





RM OF MARTIN NO 122

**FORM C to Bylaw No 245 / 22**

**ORDER TO COMPLY**

Order Issued to: \_\_\_\_\_  
(Name and Mailing Address)

Property or Project Information (Civic Address and Legal Description):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Contraventions**

Pursuant to Subsection 24(1) of *The Construction Codes Act, The Uniform and Accessibility Standards Regulations*, The National Building Code of Canada and the \_\_\_\_\_ of Building Bylaw 245 / 21, an inspection of a

was conducted on \_\_\_\_\_ and the following contraventions were identified:

- (a) \_\_\_\_\_ Reference: \_\_\_\_\_
- (b) \_\_\_\_\_ Reference: \_\_\_\_\_
- (c) \_\_\_\_\_ Reference: \_\_\_\_\_

**Order to Comply**

Pursuant to Subsection 25(1), (2), (3) or (4) of *The Construction Codes Act, The Construction Codes Regulations*, The National Building Code of Canada and the \_\_\_\_\_ of Building Bylaw 245 / 21, you are hereby ordered to comply as follows:

- (a) \_\_\_\_\_
- (b) \_\_\_\_\_
- (c) \_\_\_\_\_

**Failure to Comply**

Failure to comply with the order by the date provided may result in the RM of Martin commencing legal enforcement of the order as provided by *The Construction Codes Act*.

**Order Issued By**

This Order to Comply is issued on \_\_\_\_\_ by \_\_\_\_\_, Building Official. Questions regarding this order should be directed to me at \_\_\_\_\_.

\_\_\_\_\_  
Building Official Signature



## Right to Appeal

An owner of a building may appeal an order made pursuant to Section 31 of *The Construction Codes Act* (CCA) within 15 days after service of the order by submitting a request for hearing form to the Chief Building Official. For appeal information contact Building and Technical Standards Branch, Saskatchewan Ministry of Government of Relations. Email: [btstandards@gov.sk.ca](mailto:btstandards@gov.sk.ca) Phone: 306-787-4113

## Basic Requirements for an Order to Comply

- Before writing an Order to Comply (OTC) the Building Official (BO) should consider the method of service of the OTC as this may affect how the OTC is created. Registered Mail is the typical method of service.
- The OTC must identify the Local Authority (LA) where the order originated. This may include other pertinent information such as the civic address, postal code, and contact information of the LA.
- The OTC must be identified and captioned such as “Order” or “Order to Comply”
- The OTC must be sent to those identified in Section 25 of *The Construction Codes Act* as applicable. This may be: “the owner of the building or his agents, contractors, employees, successors or assigns or the registered owner of the land on which the building is situated,” (excerpt) Subsection 25(2).
- The subject property or project address must be provided including civic address, postal code and legal description derived from ISC (land titles) and/or the property tax roll.
- (1) Contravention:
  - The OTC should reference Subsection 24(1) of the CCA which provides the power of the BO and identify applicable legislation, codes and the building bylaw
  - The OTC should identify the type of structured being inspected
  - The OTC should identify the address of the inspection
  - The OTC should reference the date of inspection
  - The OTC should identify and describe the contravention(2) and provide reference to supporting legislation, codes or building bylaw
  - Contraventions must be described in sufficient detail so the recipient understands what is at issue
- (2) Order to Comply:
  - The OTC should reference Subsection 25 and the specific clause(s) by which the order is written
  - The OTC should provide a description of what is necessary to achieve compliance
  - Consider the options available for compliance and provide (either/or) remedies to satisfy the OTC
  - Provide a date of compliance as the BO deems necessary
- (3) Failure to Comply:
  - Provide information regarding the consequences for failure to comply by the assigned dated.
  - Failure to comply information may also include the specific enforcement measures the LA and BO will take
- (4) Order Issued By:
  - Provide information regarding the date of the OTC and the name of the BO responsible for inspection and who created the OTC.
  - Provide contact information for the BO responsible for the OTC and ensure the OTC is signed by the BO.
- (5) Right of Appeal:
  - Provide details to the recipient of the OTC regarding the right of appeal as referenced in Section 15 of the CCA.
  - Indicate the time line for appeal which is 15 days after service of the order
  - Ensure that the appellant is aware of who to contact for information regarding the appeal
  - Where compliance has been achieved or the OTC has been withdrawn, ensure that the recipient of the order is notified.







RM OF MARTIN NO 122

**BYLAW NO. 246 / 22**

**RURAL MUNICIPALITY OF MARTIN NO 122**

**A BYLAW TO ESTABLISH FEES FOR BUILDING PERMITS**

The Council of the Rural Municipality of Martin No 122 in the Province of Saskatchewan enacts as follows:

1. Pursuant to this Building Permit Fees Bylaw, the fees for any Building Permit shall be as follows:
  - a) Building Official Inspection Fee based on the Value of Construction (VOC):
    - i. Based on the Building Official's Contract Price (ie \$3.55/1000 VOC)
    - ii. The minimum VOC fee shall be \$200.00
    - iii. The VOC is determined by the owner
    - iv. If the VOC determined by the owner seems unreasonable then the VOC will be determined using a spreadsheet calculation with rates set by the Building Official.
  - b) Building Permit Administration Fee of \$50.00 for the processing, handling and issuance of a permit.
2. Additional fees may be charged if extra inspections are required due to the failure of the owner to properly notify the Municipality in accordance with Section 7 of *The Construction Codes Act*.
3. Building Official Inspection Fee will be invoiced in one-lump sum when the permit is issued.
4. Permit Fees are due 30 days from the date of the invoice.
5. Unpaid fees will be considered a debt due to the local authority and may be recovered from the owner of the land or premises in which the work was carried out as per *The Municipalities Act*.
6. Permit Fees are exempt from GST.



Read a third time and adopted  
this 15 day of June 2022

C. Barrett  
Chief Administrative Officer

Garry Bonkowski  
Garry Bonkowski - Reeve

C. Barrett  
Cheryl Barrett - Chief Administrative Officer





RM OF MARTIN NO 122

## BYLAW NO. 247/22

### RURAL MUNICIPALITY OF MARTIN NO 122

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

The Council of the Rural Municipality of Martin No 122 in the Province of Saskatchewan enacts as follows:

#### PART I – INTERPRETATION

##### 1. Short Title

1.1 This Bylaw may be cited as “The Council Procedures Bylaw”.

##### 2. Purpose

2.1 The purpose of this bylaw is to establish clear, transparent, consistent and accessible rules for conducting business at Council Meetings, Committee Meetings and Other Bodies' Meetings, as well for Council Members, administrations and the public to follow and participate in governing the municipality.

##### 3. Definitions

3.1 In this Bylaw:

- (a) “**Act**” means *The Municipalities Act*;
- (b) “**Acting Reeve**” means the Councillor elected by Council to act as the Reeve if a vacancy arises in that office;
- (c) “**Adjourn**” means to suspend proceedings to another time or place;
- (d) “**Administration**” means the Administrator or an employee accountable to the Administrator;
- (e) “**Administrator**” means the Chief Administrative Officer or person appointed as Administrator pursuant to Section 110;
- (f) “**Agenda Deadline**” means the time established in Subsection 13.6 of this Bylaw;
- (g) “**Amendment**” means an alteration to a main motion by substituting, adding or deleting a word or words without materially altering the basic intent of the motion;
- (h) “**Business Day**” means a day other than a Saturday, Sunday or holiday;
- (i) “**Chair**” means a person who has the authority to preside over a meeting;
- (j) “**Committee**” means a Committee, Board, Authority or Other Body duly appointed by Council;
- (k) “**Communications**” include, but are not limited to the following: letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, or newspaper/magazine article;
- (l) “**Contact Information**” mean:
  - i. The name of the person, and
  - ii. Whichever of the following options is considered by the sender to be most likely to affect receipt by the intended recipient:
    - (a) Mailing Address,
    - (b) Street or Civic Address,
    - (c) Email Address,
    - (d) Cell or Telephone Number,
    - (e) Fax Number
    - (f) Any other prescribed Option;
- (m) “**Council**” means the Reeve and Councillors of the municipality elected pursuant to the provisions of *The Local Government Election Act, 2015*;
- (n) “**Council Committee**” means a Committee duly appointed by Council and consisting of Council Members only;
- (o) “**Councillor**” means the Council Member duly elected in the municipality as a Councillor, in accordance with *The Local Government Election Act, 2015*;



- (p) "**Deputy Reeve**" means the Councillor who is appointed by Council, pursuant to Section 33 of this Bylaw, to act as Reeve in the absence or incapacity of the Reeve;
- (q) "**Member**" means the Reeve, 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) "**Municipality**" means the Rural Municipality of Martin No 122;
- (u) "**Order of Business**" means the list of items comprising the agenda and the order in which those items appear on the agenda;
- (v) "**Other Body**" means a Committee, Board, Authority, Commission or Other Body duly appointed by Council, but does not include a Council Committee;
- (w) "**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;
- (x) "**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;
- (y) "**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;
- (z) "**Public Hearing**" means a meeting of Council or that portion of a meeting of Council which is convened to hear matters pursuant to:
  - i. Section 123 of the Act
  - ii. The Planning and Development Act, 2007;
  - iii. any other Act; or
  - iv. a resolution or bylaw of Council;
- (aa) "**Quorum**" is, subject to Section 98 of the Act:
  - i. in the case of Council, a majority of the whole Council,
  - ii. in the case of a Committee, a majority of the members appointed to the Committee.
  - iii. in the case of an Other Body, a majority of the members appointed to the Other Body;
- (bb) "**Recess**" means an intermission or break within a meeting that does not end the meeting, and after which proceedings are immediately resumed at the point where they were interrupted;
- (cc) "**Reeve**" means the Council Member duly elected in the municipality as the Reeve in accordance with the Local Government Elections Act, 2015;
- (dd) "**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;
- (ee) "**Special Meeting**" means a meeting other than a regular scheduled meeting called pursuant to Section 123 of the Act or the provisions of this Bylaw;
- (ff) "**Unfinished/Old Business**" means business which has been raised at the same, or a previous meeting, and which has not been completed;
- (gg) "**Urgent Business**" means a time sensitive matter which requires Council's immediate and urgent consideration;
- (hh) "**Perceived Conflict of Interest**" – means a circumstance where a reasonable person would believe that a conflict exists.

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






#### **4. Application**

- 4.1 This Bylaw applies to all meetings of Council, Committees and other bodies.
- 4.2 Notwithstanding Subsection 4.1, Council may by resolution or bylaw allow a Council Committee or Other Body to establish its own procedures.
- 4.3 When any matter relating to proceedings arise which is not covered by a provision of this Bylaw, the matter shall be decided by reference to *Robert's Rules of Order*.
- 4.4 In the event of any conflict between the provisions of this Bylaw and those contained in Subsection 4.3, the provision of this Bylaw shall apply.
- 4.5 Subject to Subsection 4.3, any ruling of the Reeve or chair shall prevail, subject to the jurisdiction of Council or the Council Committee to consider any appeals of those rulings.

### **PART II – MEETINGS**

#### **5. First Meeting**

- 5.1 The first meeting of Council shall be set by the Administrator within 31 days after the date of the election at a time, date and place determined by the Administrator.
- 5.2 Prior to the commencement of the first meeting, every member of Council shall take the Oath or Affirmation of Office pursuant to the Act.
- 5.3 At the first meeting of Council, the Administrator shall provide Council with a copy of the Returning Officer's Declaration of Results with respect to the election.

#### **6. Regular Meetings**

- 6.1 Regular meetings of Council shall be held on the second Wednesday of each month commencing at 8:00 am.
- 6.2 Council shall ensure that the time between regularly scheduled Council Meetings does not exceed 60 days.
- 6.3 In the event of any meeting date falling on a statutory or civic holiday or any day appointed as a holiday by proclamation of the Governor-General of Canada, the Lieutenant Governor of Saskatchewan, or the Reeve, such meetings shall be held at the same time on the next day that the municipal office is scheduled to be open for business.
- 6.4 Annually, each December Council Meeting, the Administrator shall submit a regular schedule of Council Meetings to Council for approval as set out in Subsections 6.1 and 6.2, or may recommend meeting dates.
- 6.5 Notwithstanding the foregoing provisions, Council may, by resolution, dispense with or alter the time of a Regular Meeting of Council.
- 6.6 Council may, by resolution, authorize the Reeve to reschedule a Regular Meeting of Council pursuant to the Act during a period of time to be specified within the resolution.

#### **7. Special Meetings**

- 7.1 The Administrator shall call a Special Meeting of Council, whenever requested to do so, in writing, by the Reeve or a majority of the members.
- 7.2 If the position of Administrator is vacant or the Administrator is unable to act, the Council shall designate an Administrator, from any of the adjoining Municipalities, as Acting Administrator for the purpose of calling a Special Meeting of Council whenever requested to do so in writing by the Reeve or a majority of the members, pursuant to Section 81.1 of the Act.
- 7.3 The written request referred to in Subsection 7.1 shall include all items of business to be transacted.
- 7.4 Form 1, appended hereto and forming a part of this Bylaw, shall be the form used to direct the Administrator to call a Special Meeting of Council.
- 7.5 When a special meeting is to be held, the Administrator shall provide written notice of the time, date and place of the meeting to all members pursuant to Section 10 of this Bylaw and to the public at least twenty-four (24) hours prior to the meeting and, in general terms, of the business to be transacted at the meeting.
- 7.6 Notwithstanding Subsection 7.4, a special meeting may be held with less than twenty-four (24) hours notice to members, and without notice to the public, if all members agree to do so, in writing, immediately before the beginning of the special meeting.
- 7.7 No business, other than that stated in the notice, shall be transacted at a special meeting, unless all the members are present and, by unanimous consent, they authorize other business to be transacted.



## **8. Meeting through Electronic Means**

- 8.1 One or more members of Council may participate in a council meeting by electronic means if:
- (a) the members of Council provide the Administrator 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 Administrator is in attendance at that place; and
  - (d) the facilities permit all participants to communicate adequately with each other during the Council Meeting.
- 8.2 Members participating in a Council Meeting held by means of a communication facility are deemed to be present at the Council Meeting.

## **9. Notice of Meetings**

- 9.1 Notice of regularly scheduled Council Meetings is not required to be given.
- 9.2 If Council changes the date, time or place of a regularly scheduled meeting, at least twenty-four (24) hours' notice of the change will be given to:
- (a) any members not present at the meeting at which the change was made; and,
  - (b) the public.

## **10. Method of Giving Notice**

- 10.1 Notice of a Council Meeting is deemed to have been given to a member if the notice is:
- (a) delivered personally;
  - (b) left at the usual place of business or residence of the member; or
  - (c) at the request of the member, provided or sent according to the member's contact information.
- 10.2 Form 2, appended hereto and forming a part of this Bylaw, shall be the form used to request the Administrator to use an alternate method of providing notice of meetings.
- 10.3 Notice of a Council Meeting is to be given to the public by posting notice of the meeting at the Municipal Office or on the RM of Martin website ([www.rmofmartin.com](http://www.rmofmartin.com)), or in any other manner specified by Council through bylaw.

## **11. Actions in Public**

- 11.1 An act or proceeding of Council is not effective unless it is authorized or adopted by bylaw or a resolution at a duly constituted public meeting of Council.
- 11.2 Every person has the right to be present at Council Meetings that are conducted in public unless the person presiding at the Council Meeting expels a person for improper conduct.

## **12. Closed Sessions**

- 12.1 Council may close all or any part of its meetings to the public if the matter to be discussed:
- (a) is within one of the exemptions of Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*; or
  - (b) concerns long-range or strategic planning.
- 12.2 A resolution to move into closed session shall state, in general terms, the topic of discussion.
- 12.3 Where Council resolves to close a portion of a meeting to the public, all persons shall be excluded from the meeting except:
- (a) the members of Council;
  - (b) the Administrator and other members of administration as the members of Council may deem appropriate; and
  - (c) the members of the public as the members of Council deem appropriate.
- 12.4 Where Council resolves to close a portion of a meeting to the public, in addition to the resolution to do so, the Administrator shall record in the minutes:
- (a) the time that the in-camera portion of the meeting commenced and concluded;
  - (b) the names of the parties present; and
  - (c) the legislative authority including the exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act* relied upon for authority to close the meeting to the public.
- 12.5 No resolutions or bylaws may be passed during a closed meeting.
- 12.6 No business other than that described within the resolution pursuant to Subsection 12.2 may be discussed.



- 12.7 Matters discussed or to be discussed in a closed meeting are to be kept in confidence until discussed at a public meeting of Council, unless otherwise provided for in this Bylaw.

### **PART III – COUNCIL MEETING PROCEDURES**

#### **13. Agendas**

- 13.1 The Administrator shall prepare the agenda for all Regular and Special Meetings of Council.
- 13.2 The agenda shall include the order of business and all items of business and associated reports, bylaws or documents and shall be set out in accordance with the order of business. In certain circumstances order of business may need to be amended to allow for time constraints, delegation attendance, vacating Council member or changes to quorum.
- 13.3 The Administrator shall ensure that the Council agendas are delivered to each member no later than two (2) business days immediately preceding the Council Meeting.
- 13.4 The Administrator shall ensure that the Council Agendas are available to the general public no later than one (1) business day.
- 13.5 If, for any reason, the Administrator is unable to meet the deadline mentioned in Subsection 13.3, the Administrator shall prepare and distribute the agenda as soon as reasonably possible to allow Council members an opportunity to review the agenda prior to the Council Meeting.
- 13.6 All communication from the public, requests, or any other material intended for inclusion in a Council Agenda must be received by the Administrator no later than two (2) business days.
- 13.7 Council may, on a majority vote, permit additional material on the Agenda.

#### **14. Urgent Business**

- 14.1 A Council member may request to add a matter to the agenda of a meeting as urgent business after the agenda has been prepared and distributed by the Administrator.
- 14.2 In these circumstances, the Council member shall submit a report to the Administrator including an explanation of the reasons and degree of urgency of the matter as soon as possible.
- 14.3 The Administrator shall distribute any requests from the Council member to add a matter of urgent business to the agenda to the members as soon as they are available.
- 14.4 Council may only consider a matter of urgent business by a majority vote of members present.

#### **15. Order of Business at Meetings**

- 15.1 The general order of business of every Regular Council Meeting shall be as follows:
- (a) Call to Order;
  - (b) Delegations - at a time established by Council;
  - (c) Public Hearings - at a time established by Council;
  - (d) Foreman Report;
  - (e) Approval of Minutes;
  - (f) Statement of Financial Activities;
  - (g) Accounts Payable;
  - (h) Division and Committee Reports;
  - (i) Administrator's Report;
  - (j) Unfinished/Old Business;
  - (k) Communications/Correspondence;
  - (l) New Business;
  - (m) Notice of Proclamations;
  - (n) Presentations and Recognitions;
  - (o) Adjournment.
- 15.2 The business shall, in all cases, be taken up in the order in which it stands on the agenda, unless:
- (a) the Reeve determines during the proceedings of Council that for public interest a matter be moved forward to be dealt with promptly.

#### **16. Commencement of Council Meeting**

- 16.1 At the hour set for the meeting, or as soon as all members of Council present, the Reeve, or in his or her absence the Deputy Reeve, shall take the chair and call the members to order.



- 16.2 In case neither the Reeve nor the Deputy Reeve is in attendance within 15 minutes after the hour appointed, and subject to a quorum being present, Council shall appoint an Acting Reeve pursuant to Section 34 of this Bylaw.
- 16.3 The person appointed pursuant to Section 16.2 shall call the meeting to order and shall preside over the meeting until the arrival of the Reeve or the Deputy Reeve, and all proceedings of such meeting shall be deemed to be regular, and in full force and effect.
- 16.4 If a quorum is not present 30 minutes after the time appointed for the meeting, the Administrator shall record the names of the members present at the expiration of such time and announce that Council shall then stand adjourned until the next meeting, unless a special meeting is called in the meantime.
- 16.5 Subject to the Act, if at any meeting the number of members is reduced to less than the number required for a quorum, Council shall stand adjourned.
- 16.6 Any unfinished business remaining at the time of the adjournment, due to the loss of the quorum, shall be considered at the next regular meeting, or it shall be placed on the agenda for a special meeting called for the purpose of dealing with the unfinished items.
- 16.7 Members are encouraged to notify the Administrator when the member is aware that he or she will be absent from any meeting of Council.

### **17. Quorum**

- 17.1 A quorum of Council is a majority of members.
- 17.2 Any act or proceeding of Council that is adopted at any Council Meeting at which a quorum is not present is invalid.

### **18. Minutes**

- 18.1 The Administrator shall record the minutes of each Council Meeting without note or comment and shall distribute copies of the minutes to each member at least twenty-four (24) hours prior to a subsequent Council Meeting.
- 18.2 Notwithstanding Section 18.1, the Administrator shall record in the minutes every declaration of a conflict of interest and the general nature and material details of the disclosure and any abstention or withdrawal.
- 18.3 The names of the members present at the meeting are to be recorded in the minutes of every meeting.
- 18.4 Any member may make a motion amending the minutes to correct any mistakes.
- 18.5 The minutes of each meeting are to be approved at the next regular meeting of the Council and signed by the presiding member and the Administrator in accordance with the Act.
- 18.6 All minutes, once approved, shall be open for inspection to the public.

### **19. Proclamations**

- 19.1 All requests for proclamations shall be submitted to the Reeve for approval, outlining the date to be proclaimed, specific name of day, week or month requested, the reason for the proclamation and information about the group, including contact person and telephone number at least fourteen (14) days prior to the proposed date for the proclamation. However, exceptions may be made in extenuating circumstances.
- 19.2 Subject to The Saskatchewan Human Rights Code, the Reeve may, in his or her sole discretion, approve the proclamation submitted pursuant to Subsection 19.1, provided the proclamation does not:
- (a) promote any commercial business, unless, at the discretion of the Reeve, the Proclamation provides a significant benefit to the community;
  - (b) involve any person or organization which promotes hatred of any person or class of persons or otherwise involves illegal activity; or
  - (c) contain any inflammatory, obscene or libelous statement.
- 19.3 The Reeve may:
- (a) issue the proclamation:
    - i. in the words and form of the proclamation as submitted; or
    - ii. in words and form chosen by the Reeve; or
  - (b) forward the proclamation for consideration by Council.
- 19.4 Once the proclamation has been approved, the proclamation shall be noted on the appropriate Council Agenda as information.
- 19.5 Council, having delegated the administration of proclamations, shall not hear delegations related to proclamation requests, unless specifically approved by Council.
- 19.6 Each organization shall be responsible for any costs and the disseminating of the proclamation to the media and making arrangements for the attendance of the Reeve or Councillors at the specific function or event.



- 19.7 The local media are requested:
- (a) not to publish any proclamation claiming to be proclaimed by the Reeve unless it bears his or her signature; and
  - (b) when publishing a proclamation by the Reeve, that the proclamation contains only the following:
    - i. the crest of the municipality;
    - ii. the name of the municipality; and
    - iii. the text of the proclamation.

## **20. Presentations & Recognitions**

- 20.1 Presentations shall be listed on the agenda when authorized by the Reeve and shall be intended to recognize an individual or group on behalf of Council for some award or similar honour which they have received or for a group or individual to present to Council some award or similar honour which the municipality has been awarded.

## **21. Public Hearing**

- 21.1 If a public hearing is required by any Act, it shall be conducted in accordance with the provisions of this section.
- 21.2 The procedure by which the public hearing will be conducted or by which public input will be obtained shall be as follows:
- (a) the Reeve shall declare the hearing on the matter open;
  - (b) the administration shall present a report on the bylaw or resolution under consideration including the administration recommendations;
  - (c) if it is a hearing that involves an applicant, the applicant shall be given an opportunity to make representations on the matter under consideration;
  - (d) after the applicant, any person or group of persons or spokesperson acting on behalf of another person or group shall be given an opportunity to make representations on the matter under consideration;
  - (e) if it is a hearing that involves an applicant, at the conclusion of the speakers, the applicant shall be given an opportunity to respond to the representations of other people;
  - (f) Council may request further information from administration;
  - (g) Council shall formally receive all communications and written reports submitted to it on the subject matter of the hearing;
  - (h) the Reeve shall declare the hearing closed; and
  - (i) Council shall then consider the matter and at the conclusion of the deliberations, Council shall vote on the bylaw or resolution in accordance with the procedures contained in this Bylaw.
- 21.3 The time allowed for each person making representations shall be 15 minutes.
- 21.4 A hearing may be adjourned to a certain date.
- 21.5 A member shall abstain from taking part in the debate or voting on the bylaw or resolution, which is the subject of the hearing if the member was absent from any part of the public hearing.

## **22. Communications - General**

- 22.1 When a person wishes to have a communication considered by Council, it shall be addressed to Council, and:
- (a) clearly set out the matter in issue and the request; and
  - (b) for written communications, must be printed, typewritten or legibly written, contain the mailing address of the writer and be signed with the name of the writer; or
  - (c) for electronic communication, must contain the name of the writer and both the mailing and electronic address of the writer.
- 22.2 A communication received by the Administrator, which does not meet the conditions in subsection 22.1 or is abusive in nature, shall be forwarded to the Reeve for review and disposition.
- 22.3 A communication received by the Administrator which contains or relates to personal information shall be dealt with in accordance with the provisions of *The Local Authority Freedom of Information and Protection of Privacy Act*.
- 22.4 Bound documents or studies in support of the delegation's notice shall, if sufficient copies are provided by the delegation, be circulated to members, but will not be reproduced.

## **23. Communications – Matters on Council Agenda**

- 23.1 A written communication pertaining to a matter already on a Council Agenda must be received by the Administrator no later than the agenda deadline in order to be included on the Council Agenda.



- 23.2 A written communication received before the agenda deadline shall be placed by the Administrator on the Council Agenda and shall be dealt with when the matter is considered by Council at its meeting.
- 23.3 In the event that the communication to the Administrator is received after the agenda deadline, regarding a subject which is on the agenda, the Administrator will bring the request to the attention of Council:
- (a) The individual will be advised by the Administrator that the communication may not be considered by Council unless the majority of members vote to allow the communication within the motion to approve the agenda.

#### **24. Communications – Matters not on Council Agenda**

- 24.1 A written communication received before the agenda deadline shall be placed by the Administrator on the Council Agenda and shall be dealt with when the matter is considered by Council at its meeting.
- 24.2 In the event that the communication to the Administrator is received after the agenda deadline, regarding a subject which is not on the agenda, the Administrator will bring the request to the attention of Council.
- 24.3 The individual will be advised by the Administrator that the communication may not be considered by Council unless the majority of members vote to allow the communication within the motion to approve the agenda.

#### **25. Delegations – Matters on Council Agenda**

- 25.1 When a person wishes to speak to Council on a matter already on a Council Agenda, for which a hearing is not required, that person shall notify the Administrator by utilizing the following methods;
- (a) Delivered personally;
- (b) Request sent by ordinary mail, telephone or voice mail, facsimile or electronic mail or similar method. The notice shall include the following:
- (i) the name and correct mailing address of the spokesperson;
- (ii) telephone number where the representative of the delegation can be reached during the day;
- (iii) originally signed, except when submitted by telephone, voice mail, facsimile or e-mail; and
- (iv) clearly setting out the subject matter to be discussed and the request being made of Council.
- 25.2 A request to speak to Council pursuant to Subsection 25.1 must be received by the Administrator no later than the agenda deadline in order to be included on the Council Agenda.
- 25.3 In the event that a delegation makes an application to the Administrator after the agenda deadline, regarding a subject which is on the agenda, the Administrator will bring the request to the attention of Council:
- (a) Delegations will be advised by the Administrator that they may not be heard by Council unless the majority of members vote to allow the delegation to speak.
- 25.4 Delegations speaking before Council shall address their remarks to the stated business:
- (a) Delegations will be limited to speaking only once; and
- (a) Rebuttal or cross debate with other delegations shall not be permitted.
- 25.5 A maximum of 30 minutes shall be allotted for each delegation to present his or her position of support or opposition.
- 25.6 When a delegation has been invited by Council the 30 minute maximum does not apply.
- 25.7 Where there are numerous delegates taking the same position on a matter, they are encouraged to select a spokesperson to present their views:
- (a) Delegations are encouraged not to repeat information presented by an earlier delegation.
- (b) The Reeve shall at the conclusion of 30 minutes, inform the delegation that the time limit is up.
- (c) Only upon a motion to extend the 30 minute limitation adopted by a majority of members shall the 30 minute limit be extended.
- (d) Delegations will not be permitted to assume any unused time allocated to another delegation.
- 25.8 Upon the completion of a presentation to Council by a delegation, any discourse between members and the delegation shall be limited to members asking questions for clarification and obtaining additional, relevant information only:
- (a) Members shall not enter into debate with the delegation respecting the presentation; and



- (b) Once a motion has been moved, no further representation or questions of the delegation shall be permitted.

## **26. Delegations – Matters not on Council Agenda**

- 26.1 When a person wishes to speak to Council on a matter not on a Council Agenda, for which a hearing is not required, that person shall notify the Administrator in writing, which notice shall include the following:
- (a) the name and correct mailing address of the spokesperson;
  - (b) telephone number where the representative of the delegation can be reached during the day;
  - (c) originally signed, except when submitted by facsimile or e-mail; and,
  - (d) clearly setting out the subject matter to be discussed and the request being made of Council.
- 26.2 A request to speak to Council pursuant to Subsection 26.1 must be received by the Administrator no later than the agenda deadline to be included on the agenda.
- 26.3 The Administrator, who shall consult with the Reeve, may refuse to accept a request to speak to Council if Council has, within the six (6) months immediately preceding the request, already heard from the person and dealt with the same or substantially the same matter by resolution or bylaw.
- 26.4 If a request to speak to Council is refused pursuant to Subsection 26.3, a copy of the request and reply, shall be forwarded to members by the Administrator.
- 26.5 In the event that a delegation makes an application to the Administrator after the agenda deadline, regarding a subject which is not on the agenda, the Administrator will bring the request to the attention of Council.
- (a) Delegations will be advised by the Administrator that they may not be heard by Council unless the majority of members vote to allow the delegation to speak.

## **27. Reeve, Division, Committee, Foreman & Administrator Reports**

- 27.1 Statements shall include the sharing of the following information:
- (a) events, activities or community functions attended; and
  - (b) general work of members on behalf of Council colleagues, constituents and the Municipality.
- 27.2 All comments will be verbal only and shall not be recorded in the minutes of the meeting.

## **28. Bylaws**

- 28.1 Every proposed bylaw must have three (3) distinct and separate readings.
- 28.2 A proposed bylaw must not have more than two (2) readings at a Council Meeting unless the members present unanimously agree to consider third reading.
- 28.3 A proposed bylaw will be considered by Council immediately following consideration of the report or item to which the bylaw relates.
- 28.4 Only the title or identifying number has to be read at each reading of the bylaw.
- 28.5 Each member present at the meeting at which first reading is to take place must be given or have had the opportunity to review the full text of the proposed bylaw before the bylaw receives first reading.
- 28.6 Each member present at the meeting at which third reading is to take place must, before the proposed bylaw receives third reading, be given or have had the opportunity to review the full text of the proposed bylaw and of any amendments that were passed after first reading.
- 28.7 When a bylaw has been given three (3) readings by Council, it:
- (a) becomes a municipal enactment of the municipality; and
  - (b) is effective immediately unless the bylaw or an applicable provincial statute provides otherwise.
- 28.8 The Administrator shall be empowered to correct any typographical error that may not have been corrected at the time of submission to Council and the bylaw shall have the same status as if Council had corrected same.
- 28.9 After passage, every bylaw shall be signed by the Reeve and the Administrator, pursuant to the Act and marked with the corporate seal of the Municipality.

## **29. Recess**

- 29.1 The Council may recess at any time during the meeting.
- 29.2 A motion to recess must state the time of duration of the recess, and must be passed by a majority of the members present.
- 29.3 The Council may reconvene sooner than the time mentioned in the motion of recess, but must not reconvene later than fifteen minutes after the time specified for reconvening or the meeting shall be deemed to be adjourned due to a lack of quorum.



### **30. Adjournment**

- 30.1 All regularly scheduled Council Meetings shall stand adjourned when the Council has completed all business as listed on the order of business or upon the arrival of 4:00 pm.
- 30.2 If a member is speaking upon arrival of the time mentioned in Subsection 30.1, the Reeve shall wait until that person is done speaking before asking Council to consider whether it wants to extend the time of the meeting.
- 30.3 Any business which remains on the agenda and which has not been dealt with at the time of adjournment shall be deemed to be postponed until the next regularly scheduled Council Meeting, or until a Special Meeting is called for the purpose of dealing with the unfinished items.

### **31. Extension of Time**

- 31.1 Notwithstanding Section 30, a majority of the members present may extend a regularly scheduled Council Meeting beyond 4:00 pm by unanimous vote of all members present.
- 31.2 If Council extends its meeting pursuant to Subsection 31.1, the meeting shall continue until:
- (a) the business of the meeting is completed;
  - (b) a motion to adjourn is passed; or
  - (c) a quorum is no longer present.

## **PART IV – CONDUCT AT COUNCIL MEETINGS**

### **32. Reeve**

- 32.1 The Reeve shall:
- (a) preside at all Council Meetings;
  - (b) preserve order at Council Meetings;
  - (c) enforce the rules of Council;
  - (d) decide points of privilege and points of order; and
  - (e) advise on points of procedure.
- 32.2 The Reeve shall have the same rights and be subject to the same restrictions, when participating in debate, as all other members.
- 32.3 The Reeve shall have the same rights and be subject to the same restrictions as all other members to make a motion.

### **33. Deputy Reeve**

- 33.1 The Council shall, at its first meeting, or as soon thereafter as conveniently possible and whenever the office becomes vacant, appoint from the Councillors a Deputy Reeve who shall hold office for a term of two (2) years or for such longer period as the Council may decide, and in any event until a successor is appointed.
- 33.2 If the Reeve, for any reason, is unable to perform the duties of his or her office, the Deputy Reeve shall have all of the powers of the Reeve during the inability.

### **34. Acting Reeve**

- 34.1 Council shall, appoint a member to act as Reeve if:
- (a) both the Reeve and the Deputy Reeve, are unable to perform the duties of his or her office; or
  - (b) the offices of both the Reeve and the Deputy Reeve are vacant.
- 34.2 The member to be appointed, pursuant to Subsection 34.1, shall be elected by a majority of the members present.
- 34.3 Where two (2) members have an equal number of votes, the Administrator shall:
- (a) write the names of those members separately on blank sheets of paper of equal size, colour and texture;
  - (b) fold the sheets in a uniform manner so the names are concealed;
  - (c) deposit them in a receptacle; and
  - (d) direct a person to withdraw one (1) of the sheets.
- 34.4 The member whose name is on the sheet withdrawn pursuant to Subsection 34.3(d) shall be declared elected.

### **35. Persons Allowed at the Table**

- 35.1 No person, except members, the Administrator and other staff as authorized by the Council are permitted to be seated at the council table during sittings of Council without permission of Council.



### **36. Conduct of Public**

36.1 All persons in the public gallery at a Council Meeting shall:

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

### **37. Conduct of Delegations**

37.1 When addressing members at a Council Meeting, a delegation 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) shouting or using an immoderate tone, profane, vulgar or offensive language; and
- (d) refrain from making audio or video recordings of council proceedings;

### **38. Conduct of Members**

38.1 Members of Council wishing to speak at a meeting shall ensure they do not interrupt another member.

38.2 If more than one member wishes to speak at a meeting at the same time, the Reeve shall indicate which member shall speak first.

38.3 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.

38.4 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.

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

38.6 That should a perceived conflict of interest be brought forth, by a member of Council or the Administrator, that all members of Council be allowed to voice their opinions in an open and free manner as to why the conflict may exist or explain why there is not a conflict.

38.7 If there is a failure to resolve the issue to the satisfaction of all Council, then the member bringing forth the perceived conflict of interest shall call for a Point of Order (Section 41) and request a recorded vote (Section 64).

### **39. Improper Conduct**

39.1 The Reeve may request that any person in the public gallery who disturbs the proceedings of Council or acts improperly at a Council Meeting, as set out in Section 36, leave or be expelled from the meeting.

39.2 The Reeve may request that any delegation who addresses Council improperly as set out in Section 37, leave or be expelled from the meeting.

39.3 No person shall refuse to leave a Council Meeting when requested to do so by the Reeve.

39.4 Any person who refuses to leave when requested to do so may be removed.

39.5 If a person disturbs the proceedings of Council or refuses to leave when requested to do so, the Reeve may recess the meeting until the person leaves or adjourn the meeting to another day

39.6 The Reeve may direct that law enforcement officials be engaged to assist in the removal of the person in the gallery or any delegation acting improperly.



#### **40. Leaving the Meeting**

- 40.1 Every member who leaves the Council Meeting before the meeting is over, whether intending to return to the meeting or not, shall notify the Administrator.
- 40.2 The Administrator shall make a notation in the minutes of the name of any member leaving the meeting pursuant to Section 40.1, and the time the member did so and if the member returns the time they returned.

#### **41. Point of Order**

- 41.1 A member may rise and ask the Reeve to rule on a Point of Order.
- 41.2 When a Point of Order is raised, the member speaking shall immediately cease speaking until the Reeve decides the Point of Order raised.
- 41.3 A Point of Order must be raised immediately at the time the rules of Council are breached.
- 41.4 The member against whom a Point of Order is raised may be granted permission by the Reeve to explain.
- 41.5 The Reeve may consult the Administrator before ruling on a Point of Order.
- 41.6 A Point of Order is not subject to amendment or debate.

#### **42. Point of Privilege**

- 42.1 A member may rise and ask the Reeve to rule on a Point of Privilege.
- 42.2 After the member has stated the Point of Privilege, the Reeve shall rule whether or not the matter raised is a Point of Privilege.
- 42.3 If the matter is determined to be a Point of Privilege, the member who raised the Point of Privilege shall be permitted to speak to the matter.
- 42.4 If the Point of Privilege concerns a situation, circumstance or event which arose between Council Meetings, the member shall raise the Point of Privilege immediately after approval of the minutes of the previous Council Meeting.
- 42.5 The Reeve may consult the Administrator before ruling on a Point of Privilege.
- 42.6 A Point of Privilege is not subject to amendment or debate unless a motion regarding the Point of Privilege is put to Council.

#### **43. Point of Procedure**

- 43.1 Any member may ask the Reeve for an opinion on a Point of Procedure.
- 43.2 When a Point of Procedure is raised, the member speaking shall immediately cease speaking until the Reeve responds to the inquiry.
- 43.3 After the member has asked the Point of Procedure, the Reeve shall provide an opinion on the rules of procedure bearing on the matter before Council.
- 43.4 The Reeve may consult the Administrator before providing an opinion on the Point of Procedure.
- 43.5 A Point of Procedure is not subject to amendment or debate.
- 43.6 The Reeve's answer to a Point of Procedure is not a ruling, and cannot be appealed to the whole of Council.

#### **44. Appeal**

- 44.1 Whenever a member wishes to appeal any ruling of the Reeve or a Point of Order or Point of Privilege to the whole of Council:
- (a) the motion of appeal, "that the decision of the chair be overruled" shall be made;
  - (b) the member may offer a brief reason for the challenge;
  - (c) the Reeve may state the reason for the decision; and
  - (d) following which the question shall be put immediately without debate.
- 44.2 The Reeve shall be governed by the vote of the majority of the members present.
- 44.3 A ruling of the Reeve must be appealed immediately after ruling is made or the ruling will be final.

#### **45. Calling a Member to Order**

- 45.1 When the Reeve calls a member to order, the member shall resume his or her seat, but may afterwards explain his or her position in making the remark for which he or she was called to order.
- 45.2 In the event that a member refuses to resume his or her seat when called to order, the Reeve shall request the Deputy Reeve, or if the Deputy Reeve is absent or is the unruly member, any other member of Council to move a resolution to remove the unruly member either:
- (a) for the balance of the meeting,
  - (b) until a time, which shall be stated in the motion, which cannot continue beyond the current meeting; or



- (c) until the member makes an apology acceptable to Council for his or her unruly behavior, whichever shall be the shortest time.
- 45.3 When the majority of Council votes in favour of the resolution, the Reeve shall direct the unruly member to leave the Council Chamber, and if the member refuses to leave, the Reeve may:
- (a) recess the meeting until the person leaves or adjourn the meeting to another day; or
  - (b) direct that law enforcement officials be engaged to assist in the removal of the unruly member.
- 45.4 When Council has directed an unruly member to leave the Council Chambers pursuant to Subsection 45.3, and the member makes an explanation and apology adequate and satisfactory to the Council, it may, by a majority vote of the remaining members present, allow the offending member to remain in his or her place if he or she has not left or been removed.

## PART V – MOTIONS

### 46. Motions and Debate

- 46.1 A motion shall express fully and clearly the intent of the mover and shall not be preceded by any preamble or whereas clauses.
- 46.2 A motion may be made in the following two manners:
- (a) The motion may be made by the member following a discussion and/or debate concerning the issue at hand. Because the issue is discussed in length before the motion is made, this procedure generally allows for the reduced necessity of amendments.
  - (b) The motion may be made by the member prior to the discussion and/or debate. This procedure allows for the member(s) to make a statement concerning their stand on an issue and bring the discussion and/or debate to that point of conclusion. The remaining Subsections of 46.3 to 46.5 are related to debating a motion.
- 46.3 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.
- 46.4 When a motion is under debate no other motion may be made, except a motion to:
- (a) amend a motion;
  - (b) refer motion to a Council Committee or administration for a report back to Council;
  - (c) postpone a motion to a fixed date;
  - (d) request that a motion be put to a vote;
  - (e) extend the time for a Council Meeting; or
  - (f) adjourn the meeting.
- 46.5 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; 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.
- 46.6 Any motions allowed under Subsection 46.4 shall be considered in the order in which they were moved.

### 47. Motion to Amendments

- 47.1 Except as provided in Subsection 47.12, 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.
- 47.2 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.
- 47.3 An amending motion may also be amended (also called a sub amendment).
- 47.4 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.
- 47.5 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.



- 47.6 There is no limit to the number of amendments or sub amendments that may be proposed.
- 47.7 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.
- 47.8 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.
- 47.9 The main motion shall not be debated until all amendments to it have been put to a vote.
- 47.10 Amendments shall be put in the reverse order to the order in which they were moved.
- 47.11 When all amendments have been voted on, the main motion incorporating all amendments adopted shall be put to a vote.
- 47.12 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) a motion requesting that a motion be put to a vote.

#### **48. Dividing a Motion into Parts**

- 48.1 A member may request or the Reeve may direct that a motion be divided if the motion contains more than one separate and complete recommendation.
- 48.2 Council shall then vote separately on each recommendation.
- 48.3 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.

#### **49. Motion Arising**

- 49.1 When a particular matter is before 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.

#### **50. Request that Motion be put to Vote**

- 50.1 A motion requesting that a motion be put to a vote shall not be moved by a member who has spoken to the original motion.
- 50.2 A motion requesting that a motion be put to a vote shall not be amended or debated.
- 50.3 If a motion requesting that a motion be put to a vote is passed by Council, the original motion shall immediately be put to a vote of Council without any amendment or debate.
- 50.4 If a motion requesting that a motion be put to a vote is not passed by Council, the original question may be amended or debated.

#### **51. Motion to Adjourn**

- 51.1 A member may move a motion to adjourn a meeting at any time, except when:
- (a) another member is in possession of the floor;
  - (b) a call for a recorded vote has been made;
  - (c) the members are voting;
  - (d) Council is considering a motion requesting that a motion be put to a vote; or
  - (e) a previous motion to adjourn has been defeated and no other intermediate proceeding has taken place.
- 51.2 A motion to adjourn shall be decided without debate.

#### **52. Motion to Move to a Closed Meeting**

- 52.1 A member may make a motion that a Council Meeting move to a closed meeting.
- 52.2 The motion to move to a closed meeting must:
- (a) be in accordance with *The Local Authority Freedom of Information and Protection of Privacy Act*;
  - (b) include in general terms the subject of the item(s) to be discussed; and
  - (c) include the reason for the Council Meeting to be held in a closed meeting.



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

**53. Motion Contrary to Rules**

53.1 The Reeve may refuse to put to Council a motion which is, in the opinion of the Reeve, contrary to the rules and privileges of Council.

**54. Withdrawal of Motions**

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

**55. Motion to Reconsider**

55.1 A motion to reconsider shall apply to resolutions only, and shall not apply to bylaws passed by Council.

55.2 A motion to reconsider is in order whether the original motion passed or defeated.

55.3 A motion to reconsider may only be made at the same Council Meeting as the original motion was considered.

55.4 A motion to reconsider must be moved by a member who voted on the winning side of the original motion.

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

55.6 A motion to reconsider is debatable only if the motion being reconsidered is debatable.

55.7 A motion to reconsider cannot be amended.

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

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

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

**56. Motion to Rescind**

56.1 A motion to rescind shall apply to resolutions only, and shall not apply to bylaws passed by Council.

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

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

56.4 A motion to rescind may be moved by any Council Member regardless how they voted on the original motion.

56.5 A motion to rescind is debatable.

56.6 A motion to rescind may be amended.

56.7 A motion to rescind shall, in all cases, require a majority vote of all Council Members to pass.

56.8 A motion cannot be rescinded:

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

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

or

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

**57. Motion to Postpone**

57.1 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.

57.2 Notwithstanding Subsection 57.1, 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.

57.3 The only amendment allowed to a motion to postpone to a fixed date is to change the date.

**58. Motion to Refer**

58.1 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.

58.2 A member making a referral motion generally should include in the motion:

(a) the terms on which the motion is being referred; and

(b) the time when the matter is to be returned.



### **59. Debate on Motion**

- 59.1 No member shall speak more than once to a motion, until each member has been provided an opportunity to speak on the motion, except to explain a material part of their speech which may have been misquoted or misunderstood.
- 59.2 The mover of the motion shall be given the first opportunity to speak.
- 59.3 The mover of the motion shall be allowed a reply at the conclusion of the debate.

### **60. Legal Advice**

- 60.1 Where a majority of the members present at a Council Meeting wish to receive legal advice in private, Council may recess for a period of time sufficient to receive legal advice.

### **61. Voting of council**

- 61.1 A member attending a Council Meeting shall vote at the meeting on a matter before Council unless the member is required to abstain from voting pursuant to the Act or any other Act.
- 61.2 If a member is not required to abstain from voting on a matter before Council pursuant to Subsection 61.1 and abstains from voting, the Council Member is deemed to have voted in the negative.
- 61.3 The Administrator shall ensure that each abstention is recorded in the minutes of the meeting.
- 61.4 The Reeve shall vote with the other members on all questions unless the Reeve is required to abstain from voting pursuant to the Act or any other Act.

### **62. Majority Decision**

- 62.1 Unless a greater percentage of votes is required by any provision of this Bylaw, at every Council Meeting, all questions are to be decided by a majority vote of the members present.

### **63. Recorded Vote**

- 63.1 Before a vote is taken by Council, a member may request that the vote be recorded.
- 63.2 If a vote is recorded, the minutes must show the names of the members present and whether each voted for or against the proposal or abstained.

### **64. Tied Vote**

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

## **PART VI – COMMITTEES**

### **65. Procedure for Appointments and Terms**

- 65.1 Every two (2) years, after the general election, Council shall review appointments to Council Committees.
- 65.2 The appointments to Council Committees shall be for a two (2) year term beginning on the first meeting of Council after the next general election.
- 65.3 Notwithstanding Subsection 65.2 in a general election year, the term of appointment shall be reduced to coincide with the day of election.
- 65.4 Appointees may be reappointed from term to term with no maximum number of terms on one particular Council Committee.
- 65.5 The Administrator shall advise Council of any Council Committee Members absent for more than two (2) meetings within a calendar year and request that a written warning be forwarded to the member. As well, if the member misses three (3) meetings within a calendar year Council shall be advised to decide if the member should be removed from the Council Committee.
- 65.6 The Council may at its discretion revoke the membership of any individual who has been appointed to a Council Committee.

### **66. Committee Procedures**

- 66.1 Council may from time to time establish a Committee in response to specific issues requiring immediate or long term attention.
- 66.2 The membership and jurisdiction of a Committee shall be as provided for in the enabling legislation or as directed by Council.
- 66.3 The Reeve is an ex-officio voting member of all Committees established by Council pursuant to the Act, unless Council provides otherwise, and when in attendance, possesses all of the rights, privileges, powers and duties of other members, whether elected or appointed.



- 66.4 The Reeve's attendance shall not, however, be included for the purpose of determining a quorum.
- 66.5 Municipal Administration shall act only in an advisory capacity to Committees of Council and shall not be considered voting members or have any voting privileges in respect to participation on any Committee appointment.
- 66.6 The chair of all Committees established by Council shall be designated by Council, unless Council directs otherwise.
- 66.7 All Councillors may attend the meetings of Committees established pursuant to the Act, and may take part in the proceedings of the same, except that non-committee members shall not have a vote.
- 66.8 Each Committee shall meet as soon as possible after it has been appointed and where a chair has not been appointed by Council, members of that Committee shall select a chair and vice-chair, and if required, decide the day and time for holding its regular meetings.
- 66.9 The chair shall preside at every meeting, participate in the debate and shall vote on all motions.
- 66.10 In the absence of the chair, the vice-chair shall preside, and in the absence of both the chair and the vice-chair, one (1) of the other members of the Committee shall be elected to preside, and shall discharge the duties of the chair during the meeting or until the arrival of the chair or Vice-chair.
- 66.11 An act or proceeding of a Committee is not effective unless it is authorized or adopted by a resolution at a duly constituted public Committee Meeting.
- 66.12 The public has the right to be present at Committee Meetings that are conducted in public unless the chair expels a person for improper conduct.
- 66.13 Subject to Subsection 66.14, Committees shall conduct all Committee Meetings in public.
- 66.14 Committees may close all or part of the meeting if the matter to be discussed is within one (1) of the exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.
- 66.15 Notice of regularly scheduled Committee Meetings is not required to be given.
- 66.16 If a Committee changes the date, time or place of a regularly scheduled meeting, the Secretary shall give at least twenty-four (24) hours' notice of the change to:
- (a) any members of the Committee not present at the meeting at which the change was made; and
  - (b) the public.
- 66.17 Notwithstanding Subsection 66.16, a Committee Meeting may be held with less than twenty-four (24) hours' notice to all members and without notice to the public if all Committee Members agree to do so, in writing, immediately before the beginning of the meeting.
- 66.18 The consent to waive notice of a change in date, time or place of a meeting pursuant to Subsection 66.17 may be given in person or by facsimile, electronic mail and other similar means.
- 66.19 If a Committee cancels its regularly scheduled meeting, the Secretary of the Committee shall give at least twenty-four (24) hours' notice of the change to:
- (a) all members not present at the meeting at which the decision to cancel was made; and
  - (b) the public.
- 66.20 The Secretary shall call a special meeting of a Committee whenever requested to do so, in writing, by the chair or by a majority of the Committee Members in the same manner as set out in Subsection 66.17.
- 66.21 For Committees operating without regularly scheduled meeting, it shall be the duty of the chair, or in the chair's absence, the Secretary to call a meeting of the Committee.
- 66.22 The business of Committees shall be conducted in accordance with the rules governing the procedure of Council or as otherwise established by Council for the Committee or established by the Committee.
- 66.23 Committees may at its discretion hold its meetings electronically in accordance with Subsection 8 of this Bylaw.
- 66.24 Each Committee, whom the Administrator does not provide secretarial services to, will recommend to the Administrator the appointment of a Secretary, who will be responsible for:
- (a) tracking the attendance;
  - (b) preparing meeting agendas and minutes; and
  - (c) reporting the Committee's decisions to Council.





- 66.25 When a person, or a group of persons, wishes to bring any matter to the attention of a Committee or appear as a delegation, a communication shall be addressed to the Administrator or the Secretary and will be subject to the requirements set out in Sections 22 to 26 of this Bylaw.
- 66.26 Upon receipt of such communication, the Administrator or Secretary shall place the communication on the agenda of the next meeting of the Committee for its consideration;
- 66.27 All submissions to Committees must be received by the Administrator or Secretary within the established deadlines, usually four (4) business days prior to the meeting.
- 66.28 Reporting to Committees shall be provided through the Administrator or the Secretary.
- 66.29 Any notice respecting a Committee Meeting is deemed to have been given to a member if the notice is:
- delivered personally;
  - left at the usual place of business or residence of the member; or
  - at the request of the member, provided or sent according to the member's contact information.
- 66.30 Notice to the public of a Committee Meeting as required by Subsections 66.16 to 66.19 is sufficient if the notice is posted at the municipal office or on the Municipality's website or given in any other manner specified by Council, by bylaw, as the means by which public notice in such cases is to be provided.
- 66.31 Any unfinished business remaining at the time of the adjournment shall be considered at the next regular meeting of the Committee or at a Special Meeting called for that purpose.
- 66.32 The Administration, or Secretary as per Subsection 66.24, shall record the minutes, without note or comment.
- 66.33 The minutes of the Committee shall be distributed to each member at least twenty-four (24) hours' before the next Committee Meeting for consideration.
- 66.34 After the minutes have received approval of a majority of the members present, they shall be signed by the presiding member and Secretary. Once signed, the original minutes shall be forwarded to the Administrator for presentation to Council and for safekeeping.
- 66.35 All minutes, once approved, shall be open for inspection by the public.
- 66.36 No member shall release or otherwise make public any information considered at a closed meeting, including discussion of the content of such a meeting with persons other than with members of Council or with civic staff who are privy to that information:
- unless authorized by Council; or
  - until the matter is included on a public agenda of Council.
- 66.37 Every Committee shall report to Council, and no action of any Committee shall be binding on the municipality unless:
- power to take such action is expressly conferred on the Committee by legislation, bylaw or resolution of Council; or,
  - Council has considered the report of the Committee and if adopted, shall become the resolve of Council.
- 66.38 The conduct of delegations or the public at Committee Meetings, which they are entitled to attend, shall be subject to the requirements as set out in Section 37 of this Bylaw.
- 66.39 The conduct of members shall be subject to the requirements as set out in Section 38 of this Bylaw.
- 66.40 The chair may request any individual to be expelled from a meeting, in accordance with the guidelines as set out in Section 39 of this Bylaw.

## **PART VII – OTHER BODIES**

### **67. Procedure for Appointments**

- 67.1 The Administrator shall utilize the following procedures for appointments to Other Bodies:
- prior to November 1<sup>st</sup>, invite submissions from members of Council for appointments to which Council is entitled to make for ensuing term;
  - obtain information from various Other Bodies that Council is entitled to make appointments to for the ensuing term regarding the dates and times of their regular meetings and the attendance by Council-appointed representatives in the previous term and;
  - compile all applications and provide the complied applications to Council for appointment consideration.



## **68. Terms**

- 68.1 Appointments to Other Bodies shall be for a two (2) year term beginning on the date of appointment until the first meeting of Council after the next General Election.
- 68.2 Notwithstanding Subsection 68.1, in a general election year, the term of appointments of Council Members shall be reduced to coincide with the day of the election.
- 68.3 Council appointees may be reappointed from term to term with no maximum number of terms on particular Other Body.
- 68.4 The Administrator or Secretary shall advise Council of any members absent for more than two (2) meetings within a calendar year and request that a written warning be forwarded to the member. As well, if the member misses three (3) meetings within a calendar year, Council shall be advised to decide if the member should be removed from the Other Body.
- 68.5 Council may in its discretion revoke the membership of any individual who has been appointed to an Other Body.

## **69. Other Body Procedures**

- 69.1 Council may from time to time establish Other Bodies in response to specific issues requiring immediate or long-term attention.
- 69.2 The membership and jurisdiction of Other Bodies shall be as provided for in the enabling legislation or as directed by Council.
- 69.3 The Reeve is an ex-officio voting member of all Other Bodies established by Council pursuant to the Act unless Council provides otherwise, and when in attendance, possesses all the rights, privileges, powers and duties of other members whether elected or appointed.
- 69.4 The Reeve's attendance shall not, however, be included for the purpose of determining quorum.
- 69.5 Municipal Administration shall act only in an advisory capacity to Other Bodies and shall not be considered voting members or have any voting privileges.
- 69.6 The chair of all Other Bodies established by Council shall be designated by Council, unless Council directs otherwise.
- 69.7 All Councillors may attend the meetings of Other Bodies established pursuant to the Act, and may take part in the proceedings of the same, except that non-appointed Councillors shall not have a vote.
- 69.8 Each Other Body shall meet as soon as possible after it has been appointed and where a chair has not been appointed by Council, members of that Other Body shall select a chair and vice-chair, and if required, decide the day and time for holding its regular meetings.
- 69.9 The chair shall preside at every meeting, participate in the debate and shall vote on all motions.
- 69.10 In the absence of the chair, the vice-chair shall preside, and in the absence of both the chair and the vice-chair, one (1) of the other members shall be elected to preside, and shall discharge the duties of the chair during the meeting or until the arrival of the chair or Vice-chair.
- 69.11 An act or proceeding of an Other Body is not effective unless it is authorized or adopted by a resolution at a duly constituted public Other Body Meeting.
- 69.12 The public has the right to be present at Other Bodies' meetings that are conducted in public unless the chair expels a person for improper conduct.
- 69.13 Subject to Subsection 69.14, Other Bodies shall conduct all meetings in public.
- 69.14 Other Bodies may close all or part of the meeting if the matter to be discussed is within one (1) of the exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.
- 69.15 Notice of regularly scheduled meetings is not required to be given.
- 69.16 If an Other Body changes the date, time or place of a regularly scheduled meeting, the Secretary shall give at least twenty-four (24) hours' notice of the change to:
  - (a) any members not present at the meeting at which the change was made; and
  - (b) the public.
- 69.17 Notwithstanding Subsection 69.16, a meeting may be held with less than twenty-four (24) hours' notice to all members and without notice to the public if all members agree to do so, in writing, immediately before the beginning of the meeting.
- 69.18 The consent to waive notice of a change in date, time or place of a meeting pursuant to Subsection 69.17 may be given in person or by facsimile, electronic mail and other similar means.



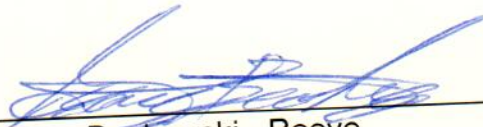
- 69.19 If an Other Body cancels its regularly scheduled meeting, the Secretary shall give at least twenty-four (24) hours' notice of the change to:
- (a) all members not present at the meeting at which the decision to cancel was made; and
  - (b) the public.
- 69.20 The Secretary shall call a special meeting whenever requested to do so, in writing, by the chair or by a majority of the members in the same manner as set out in Subsection 69.17.
- 69.21 For Other Bodies operating without regularly scheduled meeting, it shall be the duty of the chair, or in the chair's absence, the Secretary to call a meeting whenever requested in writing to do so by a majority of the members.
- 69.22 The business of Other Bodies shall be conducted in accordance with the rules governing the procedure of Council or as otherwise established by Council for the Other Body or established by the Other Body.
- 69.23 Other Bodies may at its discretion hold its meetings electronically in accordance with Subsection 8 of the Bylaw.
- 69.24 Each Other body, whom the Administrator does not provide secretarial services to, will recommend to the Administrator the appointment of a Secretary, who will be responsible for:
- (a) tracking the attendance;
  - (b) preparing meeting agendas and minutes; and
  - (c) reporting the Other Bodies' decisions to Council.
- 69.25 When a person, or a group of persons, wishes to bring any matter to the attention of an Other Body or appear as a delegation, a communication shall be addressed to the Administrator or the Secretary and will be subject to the requirements set out in Sections 22 to 26 of this Bylaw.
- 69.26 Upon receipt of such communication, the Administrator or Secretary shall place the communication on the agenda of the next meeting of the Other Body for its consideration;
- 69.27 All submissions to the Other Body must be received by the Administrator or Secretary within the established deadlines, usually four (4) business days prior to the meeting.
- 69.28 Reporting to Other Bodies shall be provided through the Administrator or the Secretary.
- 69.29 Any notice respecting Other Bodies' meeting is deemed to have been given to a member if the notice is:
- (a) delivered personally;
  - (b) left at the usual place of business or residence of the member; or
  - (c) at the request of the member, provided or sent according to the member's contact information.
- 69.30 Notice to the public of a meeting as required by Subsections 69.16 to 69.19 is sufficient if the notice is posted at the municipal office or on the Municipality's website or given in any other manner specified by Council, by bylaw, as the means by which public notice in such cases is to be provided.
- 69.31 Any unfinished business remaining at the time of the adjournment shall be considered at the next regular meeting or at a Special Meeting called for that purpose.
- 69.32 The Administration or Secretary shall record the minutes, without note or comment.
- 69.33 The minutes of the Other Body shall be distributed to each member at least twenty-four (24) hours' before the next meeting for consideration.
- 69.34 After the minutes have received approval of a majority of the members present, they shall be signed by the presiding member and Secretary. Once signed, the original minutes shall be forwarded to the Administrator for presentation to Council and for safekeeping.
- 69.35 All minutes, once approved, shall be open for inspection by the public.
- 69.36 No member shall release or otherwise make public any information considered at a closed meeting, including discussion of the content of such a meeting with persons other than with members of Council or with civic staff who are privy to that information:
- (a) unless authorized by Council; or
  - (b) until the matter is included on a public agenda of Council.
- 69.37 Every Other Body shall report to Council, and no action of any Other Body shall be binding on the Municipality unless:
- (a) power to take such action is expressly conferred on the Other Body by legislation, bylaw or resolution of Council; or,
  - (b) Council has considered the report and, if adopted, shall become the resolve of Council.



- 69.38 The conduct of delegations or the public at Other Body Meetings, which they are entitled to attend, shall be subject to the requirements as set out in Section 37 of this Bylaw.
- 69.39 The conduct of members shall be subject to the requirements as set out in Section 38 of this Bylaw.
- 69.40 The chair may request any individual to be expelled from a meeting, in accordance with the guidelines as set out in Section 39 of this Bylaw.

**70. Repealing Clause**

70.1 Bylaw 244/21 is hereby repealed.




\_\_\_\_\_  
Garry Bonkowski - Reeve



\_\_\_\_\_  
Cheryl Barrett – Chief Administrative Officer

Section 81.1 of *The Municipalities Act*

Read a third time and adopted  
this 15 day of June 2022



\_\_\_\_\_  
Chief Administrative Officer





**Bylaw # 247/22**  
**Form 1 – Request for a Special Meeting**

Date: \_\_\_\_\_

To: Chief Administrative Officer, RM of Martin No 122

Pursuant to Section 123 of the Act, I / we hereby request you to call a Special Meeting of the Council of the Rural Municipality of Martin No 122 to discuss the following matter(s):

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

Meeting Details:

Location: \_\_\_\_\_

Date: \_\_\_\_\_

Time: \_\_\_\_\_

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

SIGNED:

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

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

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

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

Office Use Only:

Members provided notice pursuant to Subsection 124 of the Act  
Notice not provided pursuant to Subsection 123 of the Act





RM OF MARTIN NO 122

Bylaw # 247/22  
Form 2 – Request for Method of Providing Notice

Date: \_\_\_\_\_

To: Chief Administrative Officer, RM of Martin No 122

From: \_\_\_\_\_  
(name of council member)

Pursuant to clause 124(1)(c) of the Act, I hereby request notice of Council or Committee meetings be provided to me by the alternate means (check one):

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

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

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

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

Two handwritten signatures in blue ink are located at the bottom right of the page. The first signature is more stylized, and the second one appears to be initials.