

Requesting Emergency Council Meetings During an Election Period

ISSUE

Currently, Saskatoon City Council cannot meet during an Election Period. However, emergent situations or issues may arise during an Election Period in which a meeting of City Council may be required to resolve the issue(s). To address such a scenario, this report seeks the approval of the Governance and Priorities Committee (“GPC”) to recommend amendments to Bylaw No. 9170, *The Procedures and Committees Bylaw, 2014* to allow City Council to meet during an Election Period in emergent situations.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council that Bylaw No. 9170, *The Procedures and Committees Bylaw, 2014* be amended to allow City Council to meet during an Election Period in emergency situations. Emergency to be defined as per *The Cities Act*.

BACKGROUND

The GPC, at its meeting held on August 20, 2018, considered a report from the City Solicitor, which can be found [here](#), recommending:

“That the Governance and Priorities Committee recommend to City Council that Bylaw No. 9170, *The Procedures and Committees Bylaw, 2014* be amended to allow City Council to meet during the Election Period in emergent situations. Emergent to be defined in *The Cities Act*.”

GPC did not make a decision with respect to the City Solicitor’s recommendation in the August 20, 2018 report. The Committee was interested in receiving further information and resolved:

“That the Administration report back further respecting the potential to authorize someone other than the Mayor and City Councillors to call emergency meetings during an election period.”

DISCUSSION/ANALYSIS

Bylaw No. 9170, *The Procedures and Committees Bylaw, 2014* (the “Bylaw”) states at subsection 9(3) and at section 17 the following:

“Date of Meetings

9. ...
(3) No Council meetings shall be held between nomination day under *The Local Government Election Act* and the election day for a general election.”

“Special Meetings

17. (1) The City Clerk shall call a special meeting of Council whenever requested to do so by the Mayor or a majority of all councillors. A request for a special meeting of Council shall be in writing.”

As stated in the City Solicitor’s report of August 20, 2018, amending the Bylaw to allow City Council to meet between nomination day and election day to address an emergency situation accords with other practices across Canada. Defining “emergency situations” in accordance with the definition in *The Cities Act* ensures that City Council is meeting to address an imminent situation and protects Council from the perception that it is meeting during an Election Period to influence an election process.

Subsection 97(1) of *The Cities Act* (the “Act”) states that:

“Special meetings

- 97(1) The clerk shall call a special council meeting whenever requested to do so in writing by the mayor or by a majority of the councillors.”

Only the Mayor or a majority of Councillors may call a special meeting of City Council at any time. This would include during an Election Period if City Council decides to amend subsection 9(3) of the Bylaw to allow special meetings of City Council to occur during an Election Period. The *Act* does not allow City Council to authorize any city officer to request an emergency meeting of City Council, in an Election Period, or otherwise.

This is the common approach in other Canadian provinces. The only provincial legislation which would allow for delegation of this power is the Ontario legislation. Appendix 1 contains a summary of the legislative provisions in other Canadian provinces.

NEXT STEPS

The City Solicitor will bring forward the amendment to the Bylaw.

APPENDICES

1. Chart – Other Provincial Legislation

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Report Approval

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