

Bylaw No. 9242

The Saskatoon Municipal Review Commission Bylaw, 2014

**Codified to Bylaw No. 9657
(November 18, 2019)**

BYLAW NO. 9242

The Saskatoon Municipal Review Commission Bylaw, 2014

The Council of The City of Saskatoon enacts:

Short Title

1. This Bylaw may be cited as *The Saskatoon Municipal Review Commission Bylaw, 2014*.

Purpose

2. The purpose of this Bylaw is to establish an independent commission to periodically review:
 - (a) the conduct of all matters relating to municipal elections including the disclosure requirements respecting campaign contributions and expenses and campaign spending limits for municipal elections;
 - (b) the Code of Conduct for members of Council; and
 - (c) the remuneration and benefits and any reimbursement or allowances for expenses to be paid to members of Council.

Interpretation

3. In this Bylaw,
 - (a) **“City”** means The City of Saskatoon;
 - (b) **“City Clerk”** means the City Clerk of the City of Saskatoon, appointed pursuant to section 85 of *The Cities Act*;
 - (c) **“Commission”** means the Saskatoon Municipal Review Commission;
 - (d) **“Council”** means the council of The City of Saskatoon;

- (e) “**Councillor**” means a member of Council other than the Mayor;
- (f) “**Mayor**” means the Mayor of the City of Saskatoon.

Commission Established

- 4. The Saskatoon Municipal Review Commission is hereby established.

Appointment, Terms of Office, etc., of Members

- 5.
 - (1) Council shall appoint not less than five persons to constitute the Commission for the City.
 - (2) Appointments shall be made based upon the experience and credentials of the applicants in one or more of the following areas:
 - (a) financial services;
 - (b) business and economics;
 - (c) labour and employment relations;
 - (d) human resources;
 - (e) accounting;
 - (f) law;
 - (g) community or public service;
 - (h) other related disciplines affording the applicant expertise pertinent to the mandate of the Commission.
 - (3) A member of the Commission may be appointed to hold office for a term not exceeding four years.
 - (4) Notwithstanding subsection (3), Council may appoint a person to act as a member of the Commission for a limited term, not to exceed six months, or with respect to a particular matter.
 - (5) A member of the Commission whose term expires is eligible for reappointment.

- (6) A member of the Commission holds office at the pleasure of Council.
- (7) A member of the Commission may be suspended by Council at any time and another person may be appointed by Council to act in place of the suspended member.

Certain Persons Ineligible as Members

- 6. No person who is a member of Council, an immediate family member to a member of Council, or any employee of the City shall be appointed or hold office as a member of the Commission.

Vacancies

- 7. (1) Subject to the requirement of a quorum, a vacancy in the membership of the Commission shall not impair the power of the remaining members to act.
- (2) A vacancy caused by death, resignation or otherwise may be filled by Council for the remainder of the term of the member being replaced.
- (3) If a member of the Commission is unable at any time to perform the duties of the office by reason of absence or temporary incapacity, Council may, on any terms and conditions that it may prescribe, appoint a temporary substitute member to act in the place of that member, and that substitute member may complete any unfinished matter in which the substitute member has taken part even if the member again becomes able to act.
- (4) Subject to the requirement of a quorum, in case of the absence of a member of the Commission, or the member's inability to act, the remaining members shall exercise the powers of the Commission.
- (5) A member of the Commission continues to hold office until the end of the member's term unless it is sooner terminated by death or the written and signed resignation of the member.
- (6) Where a member resigns, the resignation takes effect on the date it is received by the chairperson of the Commission unless a later time is specified in the resignation, in which case it takes effect at the time specified.

Chairperson and Vice-Chairperson

8. (1) The members of the Commission shall choose a chairperson from among themselves.
- (2) The members of the Commission may choose a vice-chairperson, who may act in place of the chairperson.
- (3) The chairperson of the Commission shall direct and supervise all of its activities and shall preside at meetings of the Commission.
- (4) The chairperson of the Commission or of a committee shall have a vote in all matters.
- (5) A majority of the members of the Commission constitutes a quorum for the purpose of conducting the business of the Commission.
- (6) A decision of a majority of the members of the Commission in relation to any power or duty exercised or performed by the Commission is the decision of the Commission.

Remuneration and Allowance for Expenses

9. (1) The members of the Commission shall be paid any remuneration for performing their duties that may be approved by Council.
- (2) The members of the Commission shall be reimbursed for any expenses incurred in the discharge of their duties as members that may be approved by Council.

Secretary

10. (1) The City Clerk, or a person to whom the City Clerk has delegated the responsibility, shall be appointed as the secretary of the Commission.
- (2) The secretary shall:
 - (a) keep a record of all proceedings conducted before the Commission or members of the Commission;
 - (b) have the custody and care of all records and documents belonging to or pertaining to the Commission, or filed with the Commission;

- (c) call meetings and any other proceedings of the Commission and any of its committees on the instructions of the chairperson or vice-chairperson.

Committees

11. (1) The Chairperson of the Commission may appoint:
 - (a) three or more members of the Commission to sit as a committee of the Commission for the purposes of section 12;
 - (b) three or more members of the Commission to sit as a committee of the Commission for the purposes of section 13; and
 - (c) three or more members of the Commission to sit as a committee of the Commission for the purposes of section 14.
- (2) The Commission may appoint one or more committees of the Commission, in addition to those pursuant to subsection (1), consisting of three or more members of the Commission, for the purposes of investigating, making any reports and making recommendations respecting any other matter referred to the Commission by Council.
- (3) The chairperson of the Commission may designate a member of the Commission to act as the chairperson for a committee, and while so acting the designated member has all the powers and shall perform all of the duties of the chairperson pertinent to that committee.
- (4) Any number of committees may sit concurrently and conduct a review of the various matters assigned to it.
- (5) A majority of the members of a committee constitutes a quorum for the purposes of conducting the business of the committee.
- (6) A decision of a majority of the members of a committee in relation to any power or duty exercised or performed by the committee is the decision of the Commission.
- (7) The chairperson of a committee shall have a vote on all matters before the committee.

Municipal Elections Committee

12. (1) The Municipal Elections Committee shall inquire into and make recommendations with respect to any or all of the following:
- (a) the disclosure requirements respecting campaign contributions and expenses;
 - (b) the election campaign spending limits;
 - (c) the accounting records respecting campaign contributions and expenses;
 - (d) the auditing of candidate's statement of campaign contributions and expenses;
 - (e) the retention of records respecting campaign contributions and expenses;
 - (f) the election contribution period;
 - (g) the election expense period;
 - (h) the rules for fund-raising events;
 - (i) the reporting of surplus campaign funds;
 - (j) the reporting of campaign expenses incurred outside the election expense period;
 - (k) the commencement and duration of the campaign period;
 - (l) the publication of a candidate's election expenses and contributions;
 - (m) the appointment of a returning officer other than the City Clerk;
 - (n) the proper use of a member of Council's communication allowance prior to an election in which the member is a candidate;
 - (o) the rules for deferring election expenses;
 - (p) the enumeration of the names of electors and the preparation of a voter's list;

- (q) the offences and penalties for candidates in contravention of *The Campaign Disclosure and Spending Limits Bylaw, 2006*, including the role and duties of the Election Disclosure Complaints Officer;
 - (r) the public financing of municipal election campaigns including reimbursement of candidates expenses for specific forms of spending, tax benefits for contributors and allowances to candidates for expenses;
 - (s) any proposed amendments to *The Local Government Election Act*;
 - (t) any other matter relating to a municipal election in the City.
- (2) The Municipal Elections Committee shall be the first Committee of the Commission to be convened and shall convene on or before April 15, 2015, and shall prepare and submit a report to Council containing its recommendations with respect to the matters mentioned in subsection (1) on or before July 31, 2015.
- (3) Notwithstanding subsection (2), should the Municipal Elections Committee be unable to report within the time limits found in subsection (2), the Committee shall report to Council at its earliest opportunity and provide the date upon which it will be able to submit its report to Council.
- (4) The Municipal Elections Committee shall thereafter prepare and submit a report to Council containing its recommendations with respect to the matters mentioned in subsection (1):
- (a) on or before June 30, 2017;
 - (b) on or before December 31, 2021; and
 - (c) every four years thereafter on or before December 31.

Code of Conduct Committee

13. (1) The Code of Conduct Committee shall inquire into and make recommendations with respect to any or all of the following:
- (a) the roles and obligations of members of Council;
 - (b) the standards of conduct for members of Council;

- (c) the procedures for the investigation and enforcement of code of conduct standards;
 - (d) the disclosure, use and access to confidential information;
 - (e) the use of City assets and services;
 - (f) the receipt of gifts or benefits by members of Council;
 - (g) the conduct of members of Council during a general municipal election or by-election campaign, including the use of City assets and services;
 - (h) the conduct of members of Council campaigning for election in a general federal or provincial election or by-election.
- (2) The Code of Conduct Committee shall be convened concurrently to the Municipal Elections Committee or shall be the second of the Committees of the Commission to be convened and shall convene on or before April 15, 2015, and shall prepare and submit a report to Council containing its recommendations with respect to the matters mentioned in subsection (1) on or before July 31, 2015.
- (3) Notwithstanding subsection (2), should the Code of Conduct Committee be unable to report within the time limits found in subsection (2), the Committee shall report to Council at its earliest opportunity and provide the date upon which it will be able to submit its report to Council.
- (4) The Code of Conduct Committee shall prepare and submit a report to Council containing its recommendations with respect to the matters mentioned in subsection (1):
- (a) on or before December 31, 2020;
 - (b) on or before December 31, 2023; and
 - (c) every four years thereafter on or before December 31.

Remuneration Committee

14. (1) The Remuneration Committee shall inquire into and make recommendations with respect to any or all of the following:
 - (a) the salaries to be paid to the Mayor and Councillors;
 - (b) the remuneration to be paid to a Councillor appointed as deputy mayor;
 - (c) professional allowances;
 - (d) vacation leave;
 - (e) health and disability benefits;
 - (f) pension benefits and additional retirement benefits;
 - (g) general, in-town and out-of-town expenses.
- (2) The Remuneration Committee may inquire into and make recommendations with respect to the following:
 - (a) the support staff, facilities and equipment for members of Council;
 - (b) communication allowances.
- (3) The Remuneration Committee shall be convened concurrently to the Municipal Elections Committee and the Code of Conduct Committee or shall be the third of the Committees of the Commission to be convened and shall convene on or before April 15, 2015, and shall prepare and submit a report to Council containing its recommendations with respect to the matters mentioned in subsection (1) on or before July 31, 2015.
- (4) The report mentioned in subsection (3) may be accompanied by a report containing any recommendations of the Committee with respect to the matters mentioned in subsection (2).
- (5) Notwithstanding subsection (3), should the Remuneration Committee be unable to report within the time limits found in subsection (3), the Committee shall report to Council at its earliest opportunity and provide the date upon which it will be able to submit its report to Council.

- (6) The Remuneration Committee shall prepare and submit a report to Council containing its recommendations with respect to the matters mentioned in subsection (1):
 - (a) on or before June 30, 2018;
 - (b) on or before December 31, 2022; and
 - (c) every four years thereafter on or before December 31.
- (7) The report mentioned in subsection (6) may be accompanied by a report containing any recommendations of the Committee with respect to the matters mentioned in subsection (2).

Decisions

- 15. After receiving a report from the Commission or a committee pursuant to this Bylaw, Council shall, within 30 days, consider the recommendations of the Commission or committee and may:
 - (a) accept the recommendations, in whole or in part;
 - (b) modify the recommendations, in whole or in part; or
 - (c) reject the recommendations, in whole or in part, and remit the matter back to the Commission or committee for further investigation and recommendations.

Other Issues

- 16. (1) At the request of Council made at any time during the term of the members of the Commission, the Commission may inquire into and make recommendations with respect to any matter of significance to Council.
- (2) Subject to subsection (3), within six months after the day on which the matter is referred to the Commission pursuant to subsection (1), the Commission shall submit a report to Council containing any recommendations of the Commission with respect to the matter.
- (3) If a matter referred to the Commission pursuant to subsection (1) is of an urgent nature, Council may request that the Commission submit its report within the time specified in the referral.

Timing of Reports

- 16.1 Council may adjust the time limit to submit any report required pursuant to sections 12, 13, 14 and 16:
- (a) as is reasonable to accommodate unforeseen circumstances; and
 - (b) at the request of the Commission or on its own motion.

Coming Into Force

17. This Bylaw shall come into force on the day of its final passing.

Read a first time this 15th day of December, 2014.

Read a second time this 15th day of December, 2014.

Read a third time and passed this 15th day of December, 2014.

"Donald J. Atchison"
Mayor

"Joanne Sproule" "SEAL"
City Clerk