

New Municipal Council Members: What you need to know?

Congratulations on your election to sit on your local municipal council. This information will help you as you enter office to represent residents in your municipality.

What are council's roles and powers?

Council's main role is to provide leadership and to make policy. Council members make decisions about the services a municipality will provide to its citizens, how services will be provided, and at what level. Once decided, administration is responsible for implementing the policies.

A municipality has powers similar to individuals and corporations that allow them to handle day-to-day operations. These powers include the authority to buy and sell land or enter into contracts for services or tendering work. Saskatchewan's municipal legislation is available through the Queen's Printer and is separated into *The Cities Act*, *The Municipalities Act*, and *The Northern Municipalities Act, 2010*.

The laws made at a municipal level are called bylaws. Actions of council are not effective unless authorized or adopted by bylaw or resolution at an official public meeting.

What is municipal administration's role?

The administrator ensures council's policies are carried out while administration (i.e. municipal employees) looks after day-to-day operations. Administration also provides notice of council and committee meetings to members of council and the public.

One of the most important aspects of good municipal governance is an effective working relationship between council and the administration. Administration should keep council informed and up-to-date on current and pending issues. The experience and knowledge of the administrator and staff may enable you as a council member to do your job more efficiently.

What are your responsibilities once elected?

You must take an *Oath of Office* before assuming any powers, duties or functions as a council member.

The *Oath of Office* is the official declaration or promise that you:

- Are qualified to hold office;
- Promise to perform the duties of your office;
- Have read, understood and will observe the council's Code of Ethics and other rules of conduct and procedures;
- Are not receiving payment or reward for the exercise of your office or for corrupt practices; and
- Will disclose any conflict of interest.

As well, you must complete and sign *Public Disclosure Statement* within 30 days of being elected.

This statement identifies your employer, and lists any land holdings, business interests and contracts you may have. You must review this statement annually and update it when required to ensure its accuracy.

Your *Oath of Office* and *Public Disclosure Statement* are documents accessible by the public.

All council decisions must be made at a meeting that is open to the public with a majority of council members present. Anyone can attend these meetings and cannot be expelled except for improper conduct. During these meetings, it is important for you to listen to the other members on council and collectively reach decisions that are in the best interest of your municipality. Individual council members—including the mayor or reeve—do not have the authority to commit the municipality to any expenditure or independently direct the activities of municipal employees.

What do new municipal council members need to know?

What are the additional responsibilities of the mayor or reeve?

In addition to performing the duties of a councillor, mayors and Reeves have the following duties as set out in section 93 of *The Municipalities Act*, section 66 of *The Cities Act*, and section 107 of *The Northern Municipalities Act*:

- To preside when attending council meetings unless on the municipal Acts or a bylaw of council provides that another councillor is to preside; and
- To perform any other duty imposed on a mayor or reeve by this or any other Act, local bylaw or resolution.

A mayor or reeve may also be required to:

- Sign all bylaws of the municipality, along with the administrator;
- Sign the securities, along with the administrator, unless another person has been designated to do so;
- Request the administrator call a special meeting;
- Call a public meeting when authorized to do so by council resolution, or within 30 days after council receives a signed petition that requests a public meeting to discuss a municipal matter; and
- Appoint a person as an acting member of the board of revision (if needed).

What is conflict of interest on council?

A conflict of interest occurs when an elected official's private interests, or a closely connected person's interests may, or may appear to, be affected by a council decision.

A financial interest is always a conflict of interest.

If you think you may have a conflict of interest, you must declare the nature and material details of the interest, before any discussion occurs. You must leave council chambers and not vote or discuss the matter with other council members before, during, or after the matter is being considered or decided.

What is the Local Authority and Freedom of Information and Protection of Privacy Act?

Citizens correspond with council or municipal administration on a variety of issues. Some of these issues, such as bylaw enforcement, may contain personal information about citizens. There is legislation in place that requires municipalities to protect personal information of citizens, employees and others, as well as ensure this information is not routinely or widely shared.

The Local Authority Freedom of Information and Protection of Privacy Act (also referred to as LAFOIP) is an Act respecting a right of access to a local authority's documents and a right of privacy with respect to personal information held by a local authority. A municipality may only collect, use and disclose personal information that is authorized under this legislation.

Under LAFOIP, the mayor or reeve makes all decisions and takes all actions concerning the release of information under this Act, unless this authority has been delegated to a municipal employee.

What is the role of Ombudsman Saskatchewan?

If a citizen is not satisfied with how their municipality dealt with a complaint about a decision or action, the matter can be raised with Ombudsman Saskatchewan.

The role of the Ombudsman is to promote and protect fairness in the design and delivery of government services. The Ombudsman has significant legal authority and can require a municipality or any person to provide information relating to an investigation and to produce that information if requested.

The Ombudsman's findings are set out in an investigation report that may contain recommendations to address issues raised by the complaint.

More information, including *The Council Member's Handbook*, can be found on saskatchewan.ca

Answers to any questions, or concerns may also be obtained by contacting a municipal advisor.

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