

RULES OF PROCEDURE

GOVERNING Town of Reidville MUNICIPAL COUNCIL MEETINGS

AUTHORITY

Whereas section 24(3) of the Municipalities Act requires that every council shall adopt rules of procedure for its meetings. Therefore the Town/Community Council of Reidville enacts the following rules and regulations effective from the 7th day of December 2010.

REGULAR MEETINGS OF COUNCIL

1. Regular meetings of Council shall be held on the second Monday of each month at 7:00 pm in the council chamber of the Town Hall, unless Council, by resolution, directs otherwise.

SPECIAL MEETINGS OF COUNCIL

2. Special meetings of Council may be called by either the Mayor or any two members of Council by giving written notice to the clerk.

NOTICE

3. All meetings of Council shall be called by the Clerk upon the request of the Mayor or any two Councillors. Notice for all meetings of Council shall be by way of the agenda, which shall be provided to all members of council forty-eight hours prior to each meeting. Notice shall be deemed given once the Clerk has delivered a copy of the agenda to each councillor's household. The failure of any Councillor to have received notice shall not invalidate a meeting of Council.

MEETING ON A LEGAL HOLIDAY

4. When the day fixed for a meeting of Council falls on a legal holiday, the said meeting shall be held on the following Monday which is not a legal holiday.

PRESIDING OFFICER

5. (1) Every meeting of Council shall be presided over by a presiding officer who shall be:
 - (a) The Mayor, if present, or
 - (b) The Deputy Mayor, if the Mayor be absent.
- (2) If both the Mayor and Deputy Mayor be absent, the Clerk shall take the Chair and call the members to order and if a quorum be present, a presiding officer shall be chosen from among the Councillors present who shall preside during the meeting or until the arrival of the Mayor or the Deputy Mayor.

QUORUM

6. (1) A majority of the number of Councillors that may be elected or appointed for The Municipality, constitutes a quorum for the purpose of a meeting of Council Present, the Clerk shall record the names of the Councillors so present.
- (2) As soon after the hour appointed for holding the meeting as there shall be a quorum present, the presiding officer shall take the Chair, and call the meeting to order.

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ABSENCE OF QUORUM

7. If there be no quorum present within fifteen (15) minutes of the time appointed for holding a meeting, the Clerk shall call the roll and record the names of the Councillors then present and the meeting shall stand adjourned until the next regular meeting.

ATTENDANCE

8. (1) In addition to the Mayor and Councillors, the Town Clerk or designate shall and the Town manager or designate shall attend all meetings of Council.
- (2) Department heads and other employees of Council shall attend meetings of council when requested to do so by Council or Town manager.

PUBLIC MEETINGS

9. (1) In accordance with section 213(1) of the ***Municipalities Act***, every meeting of Council shall be open to the public, unless it is held as a privileged meeting or Declared by a vote of the Councillors present at the meeting to be a privileged meeting.
- (2) Where a meeting is held as or declared to be privileged meeting, all members of the public present at the meeting shall leave.
- (3) In accordance with section 213(3) of the ***Municipalities Act***, where the decision is made by the Councillors at a privileged meeting, the decision, in order to be valid, shall be ratified at the next public meeting of Council.

MINUTES

10. Minutes of meetings of Council shall be recorded by the Town Clerk or Designate. Such minutes shall contain:
 - (a) All motions and resolutions coming before Council, including The names of the movers and seconders thereof.
 - (b) The names of all Council members voting in favor or against each motion, and the names of those abstaining or declared in conflict of interest.
 - (c) The title or brief description of all reports, petitions, and other documents submitted to Council. Reports accepted by Council shall be attached to the public record minutes.
 - (d) If any member objects to any portion of the minutes of the preceding meeting, that member shall state the grounds of objection, and if Council agrees, the motion adopting the minutes shall contain the necessary corrections.

AMENDING MINUTES

11. If all members of Council present do not consent to an alteration to the Minutes, then a motion must be duly made and seconded to amend the Minutes to meet the objection, which shall then be debatable.

AGENDA

12. (1) Prior to each regular meeting of Council, the clerk shall prepare an agenda of all business to be brought before Council. As indicated in Rule 3, the agenda is to be distributed to Councillors forty-eight hours prior to Council meetings.

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AGENDA CONT'D

12. (2) Any member of Council, up until noon of the Friday prior to the Council meeting may submit to the Town Clerk an item for inclusion on the agenda.
- (3) The format of the agenda shall be as follows:
 - (a) Calling the meeting to order
 - (b) Delegations
 - (c) Adoption of minutes
 - (d) Business arising from minutes
 - (e) Finances
 - (f) Committee reports
 - (g) Correspondence
 - (h) New business
 - (i) Round table
 - (j) Notice of motion
 - (k) Schedule of next meeting
 - (l) Adjournment

**AGENDA FOR
SPECIAL MEETING**

13. When a special or privileged meeting is called for the consideration of some particular matter, the order of business as set out in Rule 12 shall not apply. Council shall proceed immediately to consideration of the business for which the meeting was called, and only the business specified in the notice calling the meeting shall be dealt with, unless otherwise decided by majority vote.

DECORM

14. (1) The presiding officer may expel and exclude from a meeting any member of Council or other person who has been guilty of improper conduct at such meeting and in the case of the exclusion of a member of Council an entry shall be made in the Minutes of the reason for such exclusion.
- (2) If any member of Council or other person uses insulting or improper language to the presiding officer or any member and refuses to apologize when so directed by the presiding officer or willfully obstructs the conduct of business, he may be ordered by the presiding officer to retire from the Chamber for the remainder of that meeting, and if he refuses to do so, he by order of the presiding officer, may be removed from the Chamber and the Municipal Hall by any member of the Royal Canadian Mounted Police.
- (3) Any member removed from a meeting under the provisions of paragraph (2) of this Rule, may be permitted, by majority vote of the meeting in progress, to resume his/her place on making an apology to the presiding officer and to any member or members insulted by him/her.

NOTICE OF MOTION

15. Every notice respecting the passing of a regulation shall be in writing and be placed on the agenda by moving a motion at the previous meeting.

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MOTIONS DURING DEBATE

16. When a question is under debate, the following non-written motions shall be in order:
- (a) To extend the time of the meeting
 - (b) To refer or commit
 - (c) To amend
 - (d) To lay on the table
 - (e) To postpone
 - (f) To move the previous question

MOTION TO BE SECONDED

17. Every motion shall be seconded before being put or debated.

WITHDRAWAL OF MOTION

18. When a motion has been moved and seconded, it cannot be withdrawn except with the permission of Council and the mover and seconder, and then only before a decision has been taken or an amendment made.

DIVISION OF MOTIONS

19. Any motion or question which contains several distinct propositions may, by the direction of the presiding officer or upon the request of any member, be divided if the sense of the motion permits. The vote on each such division shall be taken separately. If a motion cannot reasonably be so divided, any request to do so shall be declared out of order by the presiding officer.

ADDRESSING THE MOTION

20. Members of Council shall address their remarks to the presiding officer and Confine themselves to the question at hand.

ENTITLEMENT TO SPEAK

21. If two or more members speak at the same time, the presiding officer shall determine which member is entitled to speak.

CALL TO ORDER

22. The presiding officer may call a member to order while debate is in progress. The debate shall then be suspended and the member called to order shall not speak again until the point of order has been decided.

POINT OF ORDER

23. (1) The decision of the presiding officer on a point of order is subject to an appeal to the Council which is to be decided without debate.
- (2) The procedure for appealing a decision of a point of order is as follows:
- (a) The councillor wishing to appeal the ruling shall state: "I appeal the ruling of the presiding officer."
 - (b) The presiding officer shall then immediately put the question, Without debate, as follows: "It is moved that the presiding officer's ruling be upheld."
 - (c) The motion is carried or defeated by majority vote in the same Manner as other disputed motions are decided.

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REREADING OF MOTION

24. Any member of Council may require the question or motion under discussion to be read for information at any period during the debate, but not so as to interrupt a member speaking.

MEMBER SPEAKING NOT TO BE INTERRUPTED

25. When a member is speaking or a question is being put, no member shall hold any private discourse or make any noise or disturbance or interrupt a speaker, except to raise a point of order, explain, or ask a question.

LENGTH OF DEBATE

26. No member, without the consent of Council shall speak longer than five minutes at any one time, or more than once on any motion or amendment thereto. The mover of a motion, however, may speak twice. Debate shall be closed after this second occasion.

VOTING

27. All decisions of Council, unless otherwise specified either under the *Municipalities Act* or under these Rules, shall be by majority vote of the members present.

NO SECRET BALLOT

28. No vote shall be taken in Council by ballot or by any other method of secret voting.

RECONSIDERATION

29. (1) Any question, except one of indefinite postponement, or one that has resulted in a tied vote, may be reconsidered, providing a notice of motion of reconsideration is given in accordance with Rule 15 of these rules.
- (2) If the motion to reconsider is carried by a majority of the members present and voting, the main question shall then be read and will be open to debate the same as an original motion.

TIE VOTE

30. In accordance with section 212 (5) of the *Municipalities Act*, where there is a tie vote on a question, the question shall be considered to have been defeated.

MOTION TO ADJOURN

31. (1) A motion to adjourn is always in order except when:
- (a) A member is addressing the chair;
 - (b) A vote is being taken
 - (c) It has been decided that the previous question shall be taken.
- (2) A motion to adjourn the Council meeting or adjourn the debate cannot be amended and is not debatable, however, a motion to adjourn the Council meeting or the debate to a given day may be amended and is open to debate.
- (3) No second motion to adjourn the Council meeting or the debate shall be made until some intermediate proceedings have transpired.

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PREVIOUS QUESTION

32. The "Previous Question" shall preclude all amendments of the main question and shall be put in the following words: "That the question now be put." If the motion is resolved in the affirmative, the original question shall be voted on immediately without amendment or debate. If the motion is defeated, then the main question may then be debated and amended.

AMENDMENTS

33. (1) Every amendment shall be decided or withdrawn before the main question is voted on.
- (2) Amendments shall be voted on in the reverse order to that in which they are moved.

MOTION TO POSTPONE

34. A motion to postpone shall not be amended and shall not be taken up again during the same meeting.

MOTION TO LAY ON THE TABLE

35. A motion to lay a question on the table shall not be debatable, however, a motion to "lay on the table" with addition, qualification or opinion, shall be subject to amendment and debate.

MOTION TO SUSPEND THE RULES

36. A motion to suspend the rules requires a two-thirds vote of members present.

PRIVILEGE

37. Whenever a matter of privilege arises it shall be dealt with immediately by Council.

MOTION TO REFER OR COMMIT

38. A motion to refer or commit a matter under discussion shall preclude all amendments of the main question until it is decided.

COMMITTEES

39. Council may from time to time appoint committees. The Mayor shall be an ex-officio member of all committees.

COMMITTEE OF THE WHOLE

40. Council may, by majority vote, resolve itself into a Committee of the Whole whereby it will operate under the rules for committees as set out hereunder. The deputy mayor will assume the chair, and if the deputy mayor is absent, another member of Council shall be elected as chairman.

QUORUM OF COMMITTEES

41. A majority of the members of any committee shall constitute a quorum.

CHAIRPERSON OF COMMITTEES

42. When Council appoints a committee, it shall also appoint one of its members to be Chairperson of that committee.

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**MINUTES AND REPORT
OF COMMITTEES**

43. (1) Council shall appoint a person to act as secretary to the committee
- (2) Following every committee meeting, the secretary shall prepare for confirmation by the committee a report on the proceedings of the meeting and all matters arising there from which require Council action.
- (3) Following confirmation of the report of a committee meeting, the Clerk shall prepare minutes of the meeting from such a report.

**CONDUCT OF BUSINESS
IN COMMITTEES**

44. The following rules and regulations shall apply to the proceedings in committees:
- (a) The Chairperson shall preside at every meeting. In the absence of the Chairperson, one of the other members of the committee shall be elected to preside during the chairperson's absence.
 - (b) The Chairperson may vote on all questions submitted. In case of a tie vote on any motion, the question shall be deemed lost.
 - (c) Motions need to be seconded.
 - (d) The previous question shall not be allowed.
 - (e) There shall be no limit on the number of times a member may speak.
 - (f) The votes of members on any question shall be recorded if requested by any member.

MINORITY REPORTS

45. Members of a committee dissenting from a report which has been adopted by the majority of a committee, may make and present to Council a minority report. Such report must be presented at the same meeting of Council to which the majority report is submitted and must be signed by the dissenting member(s).

AMENDMENT OF RULES

46. Any motion to amend these rules shall be submitted to Council in accordance with Rule 15, and must be passed by a two-thirds majority of members present.

Mayor

Clerk

