

Town of New-Wes-Valley

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RULES OF PROCEDURE FOR THE CONDUCT OF MEETINGS

AUTHORITY

Whereas section 24(3) of the Municipalities Act requires that every Council shall adopt rules of procedure for its meetings. Therefore, the Council of the Town of New-Wes-Valley enacts the following rules and regulations.

REGULAR MEETINGS OF COUNCIL

1. Regular meetings of Council shall be held on the first and third Tuesday of each month at 7:30 p.m. in the Council chamber of the Town Hall, unless Council, by resolution direct 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. Notice for all meetings of council shall be by the way of the Agenda, which shall be provided to all members of council twenty-four (24) hours prior to each meeting. Notice shall be deemed to have been given if it is delivered by hand to a councillor or left at his/her place of residence. 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 next day following which is not a legal holiday.

PRESIDING OFFICER

5. In accordance with Section 22 of the *Municipalities Act*, the mayor shall preside at all meetings of council. In his/her absence, the deputy mayor shall preside. In the absence of both the mayor and deputy mayor, the clerk shall take the chair, call the members to order, and if a quorum is present, a chairperson shall be appointed from among the councillors present. Such chairperson shall preside during the meeting or until the arrival of the mayor or deputy mayor.

QUORUM

6. In accordance with section 211 of the *Municipalities Act*, a quorum shall consist of a majority of councillors in office.

IF NO QUORUM

7. If there is no quorum present within fifteen minutes after the time appointed for holding a meeting, the clerk shall call roll and take down the names of the members then present. The meeting shall then stand adjourned until the next regular meeting.

ATTENDANCE

8. In addition to the mayor and councillors, the following person's shall attend all meetings of council:
A. The clerk or designate.
B. The recording secretary or designate.

9. Department heads and other employees of council shall attend meetings of council when requested to do so by council or the town manager.

MEETINGS OPEN TO THE PUBLIC

10. 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.

11. Where a meeting is held as or declared to be a privileged meeting, all members of the public present at the meeting shall leave.

12. In accordance with section 213(3) of the *Municipalities Act*, where a 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

13. Minutes of meetings of council shall be recorded by the town clerk or designate. Such minutes shall contain:

- All motions and resolutions coming before council, including the names of the movers and seconders thereof:
- The names of all council members voting in favour or against each motion, and the names of those abstaining:
- The title or brief description of all reports, petitions, and other documents submitted to council. Reports accepted by council shall be attached to the minutes.

CORRECTION OF MINUTES

14. If any member of council 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.

AGENDA

15. Prior to each regular meeting of council, the clerk shall prepare an agenda of all business to be brought before the council. As indicated in Rule 3, the agenda is to be distributed to councillors twenty-four hours prior to council meetings.

16. Any member of Council, up until noon of Friday prior to the Council meeting, may submit to the town clerk an item for inclusion on the agenda.

17. The format of the agenda shall be as follows:

- a. Call to Order
- b. Adoption of Minutes
- c. Business Arising from Minutes
- d. Delegations
- e. Committee Reports
- f. Correspondence
- g. Regulations
- h. New Business
- i. Councillor Concerns
- j. Notice of Motions
- k. Adjournment

DELEGATIONS

18. When a person or group of people request, in writing, to address Council at a Public Meeting, they shall be given the opportunity to do so unless there is a justifiable reason for refusal. In the case of a group, one person shall be appointed as spokesperson. Any policy or procedure of Council, pertaining to the issue, shall be explained by the Mayor, Deputy Mayor, or Appointed Chairperson.

After the presentation the individual will be informed that Council will review the information and they will be informed of any decision(s) at a later date.

There shall be absolutely 'No Debate'.

AGENDA FOR SPECIAL MEETING

19. When a special or privileged meeting is called for the consideration of some particular matter, the order of business as set out in Rule 17 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.

**ORDER AND
DECORUM**

20. The presiding officer at any meeting shall preserve order during debate and maintain decorum at all times.

**DISORDERLY
PERSONS**

21. The presiding officer may expel and exclude from a meeting any member of council or other person who is guilty of improper conduct at the meeting. 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.

22. Any member expelled from a meeting under the provisions of Rule 21 may be permitted, by a majority vote of councillors at the meeting in progress, to resume his/her place after making an apology to the presiding officer.

**NOTICE OF
MOTION**

23. 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.

**MOTIONS DURING
DEBATE**

24. 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 indefinitely
- f. To move the previous question

**MOTIONS TO BE
SECONDED**

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

**WITHDRAWAL OF
MOTIONS**

26. 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 MOTION

27. 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

28. Members of council shall address their remarks to the presiding officer and continue themselves to the question at hand.

ENTITLEMENT TO SPEAK

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

CALL TO ORDER

30. 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.

APPEAL ON A POINT OF ORDER

31. The decision of the presiding officer on a point of order is subject to an appeal to council which is to be decided by majority vote without debate.

MEMBER SPEAKING NOT TO BE INTERRUPTED

32. 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

33. 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.

REREADING OF MOTION

34. 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.

VOTING

35. 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.

RECORDED VOTE

36. In accordance with section 212 (4) of the *Municipalities Act*, the clerk or designate shall record the names of those voting in favour of the motion, those voting against the motions and those abstaining.

NO SECRET

BALLOT

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

RECONSIDERATION

38. Any question, except one of indefinite postponement, or one that has resulted in a tie vote, may be reconsidered, providing a notice of motion of reconsideration is given in accordance with Rule 23.

39. If the motion to reconsider is carried by a majority of 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

40. 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**

41. 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.

42. 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 open to debate.

43. No second motion to adjourn the council meeting or the debate shall be made until some intermediate proceedings have transpired.

**PREVIOUS
QUESTIONS**

44. The “previous question” shall preclude all amendments of the main question and shall be put in the following words: “That the question shall 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.

**MOTION TO
POSTPONE
INDEFINITELY**

45. A motion to postpone indefinitely shall not be amended, and when any question before council has been postponed indefinitely, it shall not be taken up again during the same meeting.

**MOTION TO LAY
ON THE TABLE**

46. 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**

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

PRIVILEGE

48. Whenever a matter of privilege arises it shall be dealt with immediately by council.

**MOTION TO
REFER OR
COMMIT**

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

COMMITTEES

AUTHORITY TO FORM

50. In accordance with section 25 of the *Municipalities Act*, council may from time to time appoint committees. The mayor shall be an ex-officio member of all committees.

STANDING COMMITTEES

51. Standing committees of council shall remain in effect for the life of the council, and members shall be appointed at the first council meeting of each year.

SPECIAL COMMITTEES

52. Special committees of council shall remain in effect only until the purpose for which they were set up has been accomplished. Special committees will automatically expire at the end of each year, unless struck again by council.

COMMITTEE OF THE WHOLE

53. Council may, by a 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.

COMMITTEE MEMBERSHIP

54. Membership on all committees of council is limited to members of council.

QUORUM OF COMMITTEES

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

COMMITTEE CHAIRMAN

56. When council appoints a committee, it shall also appoint one of its members to be chairman of that committee.

COMMITTEE SECRETARY

57a. The town clerk (or designate) shall act as secretary to each committee of council.

57b. The Committee of the Whole shall have authority to meet to discuss employee related issues (such as positions, salaries and disciplinary action) without the Clerk/Manager

or designate present.

**COMMITTEE
MINUTES**

58. Prior to the next meeting of the committee, the secretary shall prepare minutes of the previous meeting for submission to and confirmation by the committee.

**COMMITTEE
REPORT**

59. Following every committee meeting, the secretary shall prepare for the chairman a report on all matters which require council action.

**CONDUCT OF
BUSINESS IN
COMMITTEES**

60. The following rules and regulations shall apply to the proceedings in committees:

- a. The chairman shall preside at every meeting. In the absence of the chairman, one of the other members of the committee shall be elected by the members present to preside during the chairman's absence.
- b. The chairman may vote on all questions. In case of a tie vote on any motion, the question shall be deemed lost.
- c. No motion need to be seconded.
- d. The previous question will 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**

61. 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).

CLARIFICATION AND AMENDMENT PROCEDURE

CLARIFICATION OF RULES

62. In all cases where these rules and regulations do not make provision or adequate provision, then Robert's *Rules of Order* shall apply.

AMENDMENT OF RULE

63. Any motion to amend these rules must be presented to council in accordance with Rule 23, and must be passed by a two-thirds majority of members present.

EFFECTIVE DATE

64. These rules and resolutions shall become effective upon the date of enactment.