

**Rural Municipality of Brenda-Waskada**

**Province of Manitoba**

**By-Law #02-2015**

**BEING a bylaw of the Municipality of Brenda-Waskada to regulate the proceedings and conduct of the Committee of the Whole to be known as the Procedural By-Law.**

**WHEREAS Council is required under Section 149(1) of The Municipal Act to establish by by-law, rules and provisions for governing the proceedings of its meetings;**

**AND WHEREAS it is deemed necessary to establish rules of procedure to regulate the conduct of business in meetings of Council, as per Section 149(2) of the Municipal Act.**

**NOW THEREFORE the Council of the Municipality of Brenda-Waskada, in open session duly assembled enacts as follows:**

In all proceedings coming before the Council of the Municipality of Brenda-Waskada, the following rules and regulations shall be observed, subject to the provision of the laws of the Province of Manitoba, in particular, the Municipal Act.

All proceedings of Council shall be governed and conducted in accordance with Section 143 of the Municipal Act, which shall form part of this by-law and which shall supersede all sections of this by-law inconsistent therewith.

**Inaugural Meeting**

The first meeting of the new Council following a general election must be held within 30 days of such election, on a day and at a time to be determined by the Head of Council. New Council will review the Procedural and Organizational by-laws at this time.

**Regular Meeting**

The Council of the Municipality of Brenda-Waskada (hereinafter referred to as the "Council") shall in each year hold an organizational meeting. The meeting shall be held at 8:30 AM at the Municipal Office. The Council shall meet thereafter on the second Wednesday of each month in the Council Chambers at the Municipal Office at 8:30 AM or at such other time and place as determined by resolution of Council.

If such day or any regular meeting day shall be a legal holiday the said meeting shall be held upon the next following day which is not a legal holiday at the same time and place.

Council may, by resolution, vary the date and time of a regular meeting as circumstances may require.

The Head of Council may, on two days written notice through the Municipal Office, postpone any regular meeting to another day or to another hour.

### **Special Meetings**

Special meetings of the Council may be convened at any time by the Head of Council with twenty-four hours notice of such meeting to all members of the Council. Such notice may be oral, in writing, or by electronic notification. The notification shall contain notice of the subjects which are to be taken into consideration.

Special meetings will be held at the ordinary place of meeting of the Council at the hour fixed for ordinary meetings, unless otherwise determined.

The Head of Council must call a special meeting of Council if he or she receives a written request for the meeting, stating its purpose, from at least two Members of Council. If the Head of Council does not call a special meeting of Council, the CAO must call the meeting in accordance with Section 151(3).

Only those subjects stated in the notice of a special meeting may be considered at the meeting unless all members of the Council are present and unanimously agree by resolution to deal with other matters.

## **Proceedings of Council**

### **Attendance**

Each councillor is required to attend the meeting unless, due to illness, they are unable to attend, or if they encounter a conflict of interest.

## **Conduct of Members**

When a member of council is addressing the Head of Council, every other member of Council must :

- a) remain quiet;
- b) not interrupt the speaker except, on a point of order; and
- c) not carry on a private conversation which disturbs the member who is speaking.

No Member of Council shall resist the rules or disobey the decision of the Chairperson or the presiding officer or, in case of appeal, of the Council on questions of order or practice or in the interpretation of the rules of the Council.

## **Conflict of Interest**

In all matters and under all circumstances, every Member of Council must be guided by and have regard to the statutory provisions of The Municipal Council Conflict of Interest Act.

## **Commencement of Meeting**

As soon as there is a quorum present and the commencement time for the meeting has arrived, the Head of Council shall call the members to order. In his or her absence, the Deputy Head of Council must chair the meeting.

When the Chairperson is called on to decide a point of order or practice, he shall do so without comment unless requested to do so.

The order of the day shall have preference to any motion before the Council.

The order of the day, unless otherwise determined by the Chairperson, shall be as follows:

- a. Calling the Council to Order
- b. Approve Agenda
- c. Confirming the Minutes
- d. Delegations

- e. Accounts
- f. Correspondence
- g. By-Laws
- h. Development Permits
- i. New and Unfinished Business
- j. Councillors Reports and Discussions
- k. Adjournment

Delegations requesting an audience with Council shall advise the CAO as to how much time they need and the topic. The CAO shall remind delegations that they use only the allotted time.

Discussion shall be limited to the question in debate.

No member shall speak to the question or in reply for longer than five minutes without leave of the Council.

Immediately before putting the question, the Chairperson shall have the privilege of summarizing the debate, but no new matter shall be introduced.

A motion that has been read may be withdrawn at any time before a decision or amendment with the permission of the mover and seconder.

A member called to order shall immediately sit down, but may afterwards be permitted by the Head of Council if appealed to, shall decide on the case without debate; if there be no appeal, the decision of the Chairperson shall be final.

A motion to adjourn takes precedence over all others and may be moved at any time, but this question cannot be received after another question is actually put and while Council is engaged in voting.

Any business which appears on the agenda for the meeting and which has not been dealt with at the time of the adjournment must be tabled until the next regular meeting or until a special meeting is called for the purpose of dealing with the unfinished items of business.

A motion to adjourn the meeting may be made at any time and if seconded, the motion must be put immediately without debate. If the motion is passed by a majority of the members present, the meeting must stand adjourned.

## **By-Laws and Proceedings Thereof**

By-Laws shall be introduced by motion for leave, or a motion to appoint committee to prepare and bring in, or by an order of the Council or on a report of a committee.

Every proposed by-law must be given three separate readings as per Section 142(1) of the Municipal Act prior to it being finally passed. Council may not give any proposed by-law more than two readings at the same meeting as stated in Section 142(2).

Each member who is present at a meeting where there a by-law is being introduced for first reading or where third reading is to take place, must be given or have had the opportunity to review the full text of the proposed by-law.

By-laws may be amended by a majority vote of council at any regular meeting.

A proposed by-law may be amended on any reading thereof.

When a by-law is read in Council, the CAO shall certify each reading.

Every passed by-law shall be signed by the Head of Council and the CAO and be sealed with the municipal seal.

A by-law comes into force and takes effect on the day after the day it is passed per Section 146(1).

DONE AND PASSED by the Council of the Municipality of Brenda-Waskada in regular session assembled this 14th day of January, 2015 A.D.

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Head of Council

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Chief Administrative Officer

Read a First time this 7<sup>th</sup> day of January, 2015.

Read a Second time this 14<sup>th</sup> day of January, 2015.

Read a Third time this 14<sup>th</sup> day of January, 2015.