

RULES OF PROCEDURE

TOWN OF HUGHES BROOK

Rules of Procedure for the Conduct of Meetings

<i>Authority</i>	Whereas Section 24(3) of the Municipalities Act, 1999 requires that every Council shall adopt rules of procedure for its meetings; therefore, the Council of the Town of Hughes Brook enacts the following rules and regulations:
<i>Regular Meetings of Council</i>	Regular meetings of Council shall be held every second Wednesday starting at 7:00pm at the Town Hall, unless Council, by resolutions, direct otherwise.
<i>Special Meetings of Council</i>	Special meetings of Council may be called by either the Mayor or any two members of Council by giving written notice to the Clerk.
<i>Privileged Meetings of Council</i>	In accordance with Section 213 of the Municipalities Act, 1999, all meetings of Council must be open to the public, unless a meeting is held as a privileged meeting or unless a motion is passed at a public meeting to declare that meeting, or a portion of it, privileged. If a meeting is declared privileged, attendance at a meeting is no longer a general right, but becomes a privilege whereby attendance is limited to elected members of Council along with the Town Clerk, and Town Manager, and to anyone by way of special invitation. A privileged meeting may be called by the majority in attendance at the present or previous meeting. If a privileged meeting is called, the public are to be notified within 48 hours of the privileged meeting assuming that meeting was originally scheduled as a public meeting.
<i>Meetings Open to the Public</i>	Where a meeting is held as or declared to be a privileged meeting, all members of the public present at the meeting shall leave.
	In accordance with section 213(3) of the Municipalities Act, 1999 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.
<i>Notice</i>	Notice for all meetings of Council shall be by way of the Agenda, which shall be provided to all members of Council 48 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.
<i>Meeting on a Legal Holiday</i>	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	In accordance with Section 22 of the Municipalities Act, 1999 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	In accordance with Section 211 of the Municipalities Act, 1999 a quorum shall consist of a majority of Councillors in office.
If No Quorum	If there is no quorum present within fifteen minutes after the time appointed for holding a meeting, the Clerk shall call the roll and take down the names of the members then present. The meeting shall then stand adjourned until the next regular meeting.
Attendance	<p>In addition to the Mayor and Councillors, the Town Clerk or designate shall attend all meetings of Council.</p> <p>Employees of the Council shall attend meetings of Council when requested to do so by Council.</p>
Remote Attendance	<p>Section 24 and 51 of the Municipalities Act, 1999 has been amended to authorize the following: "...Council may allow a Councillor to participate in a meeting by electronic means where the electronic means enables the Councillor to listen to the proceeding and to be heard" Procedures to follow are:</p> <ol style="list-style-type: none"> 1. Any Councillor wishing to participate remotely must notify the Town Clerk three working days prior to the meeting. 2. Remote meeting attendance shall only occur when in-person attendance is either impossible or impractical. 3. Technology that can be used is either Facetime, Skype or speaker phone. 4. Any operational costs associated with technology used to allow remote meeting attendance will be reimbursed by the Municipality. 5. The Chair must always attend in person. 6. The maximum number of remote meeting attendance for a Councillor in a given year shall be three. 7. There shall be only one Councillor per meeting remotely attending. 8. If communication is lost, a ten minute recess will be called to try and re-establish the link. If the link cannot be re-established after the recess, the electronic participant is deemed to have left the meeting. If this means there is no longer a quorum of Councillors in attendance, then the meeting will be adjourned.

Minutes	<p>Minutes of meetings of Council shall be recorded by the Town Clerk or designate. Such minutes shall contain:</p> <ol style="list-style-type: none"> 1. All motions and resolutions coming before Council, including the names of the movers and seconders thereof; 2. The names of all Council members voting in favour or against each motion, and the names of those abstaining; 3. 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. 4. All minutes are to be signed by the Mayor and the Town Clerk.
Correction of Minutes	<p>If any Councillor 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.</p>
Agenda	<p>Prior to each regular meeting of Council, the Town Clerk shall prepare an agenda of all business to be brought before Council.</p> <p>Any member of Council, up until 3:30pm of the Monday prior to the meeting, may submit to the Town Clerk an item for inclusion on the agenda.</p> <p>The format of the agenda shall be as follows:</p> <ol style="list-style-type: none"> 1. Calling the meeting to order 2. Adoption of minutes 3. Delegations 4. Correspondence 5. Finances 6. Regulations 7. New business 8. Notice of motion 9. Adjournment
Order and Decorum	<p>The presiding officer at any meeting shall preserve order during debate and maintain decorum at all times.</p> <p>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.</p> <p>Any member expelled from a meeting under the provisions of the above rule 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.</p>

<i>Request to Speak</i>	Any member of the public wishing to speak at a regular meeting of Council, must give the Town Clerk at least 48 hours notice in writing, and give a description of what he/she will be speaking about. Speaking time for anyone requesting to speak at a regular Council meeting is 15 minutes maximum. If three or more members of the public are requesting to speak at the same regular Council meeting, the time is reduced to 10 minutes per speaker.
<i>Motions During Debate</i>	When a question is under debate, the following non-written motions shall be in order: 1. To extend the time of the meeting 2. To refer or commit 3. To amend 4. To lay on the table 5. To postpone indefinitely 6. To move the previous question
<i>Motions to be Seconded</i>	Every motion shall be seconded before being put or debated.
<i>Withdrawal of Motions</i>	When a motion has been moved and seconded, it cannot be withdrawn except with the permission of Council and the mover and the seconder, and then only before a decision has been taken or an amendment made.
<i>Addressing the Motion</i>	Members of Council shall address their remarks to the presiding officer and continue themselves to the question at hand.
<i>Entitlement to Speak</i>	If two or more members speak at the same time, the presiding officer shall determine which member is entitled to speak.
<i>Call to Order</i>	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.
<i>Appeal of a Point of Order</i>	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.
<i>Member Speaking Not to be Interrupted</i>	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.
<i>Voting</i>	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.
<i>Recorded Vote</i>	In accordance with Section 212(4) of the Municipalities Act, 1999 the Clerk shall record the names of those voting in favour of the motion, those voting against the motion, and those abstaining.

No Secret Ballot	No vote shall be taken in Council by ballot or by any other method of secret vote.
Tie Vote	In accordance with the Municipalities Act, 1999 where there is a tie vote on a question, the question shall be considered to have been defeated.
Motion to Adjourn	A motion to adjourn is always in order except when: <ol style="list-style-type: none"> 1. A member is addressing the Chair; 2. A vote is being taken; and 3. It has been decided that the previous question shall be taken. <p>A motion to adjourn the Council meeting or adjourn the debate cannot be amended and is not debateable.</p>
Motion to Postpone Indefinitely	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 Suspend the Rules	A motion to suspend the rules requires a two-thirds vote of members present.
Privilege	Whenever a matter of privilege arises it shall be dealt with immediately by Council.
Motion to Refer or Commit	A motion to refer or commit a matter under discussion shall preclude all amendments of the main question until it is decided.
Authority to Form	In accordance with Section 25 of the Municipalities Act, 1999 Council may appoint committees. The Mayor shall be an ex-officio member of all committees.
Standing Committees	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 or as the need arises.
Special Committees	Special committees of Council shall remain in effect until the purpose for which they were set, are accomplished. Special committees will automatically expire at the end of each year, unless struck again by Council.
Committee Membership	Membership on all committees of a Council is limited to members of Council.
Conflict of Interest	For a conflict of interest to exist, a Councillor must have an individual or specific interest in the matter distinct from an interest arising from his or her functions as a Councillor and distinct from an interest held in common with the other citizens or classes of citizens of the municipality. <p>Section 209 of the Municipalities Act, 1999 provides that where a Councillor is unsure about whether a conflict of interest actually exists, the fact of the situation should be made known to Council. Council can then decide the question by majority vote.</p>

<i>Conflict of Interest Continued</i>	In accordance with Section 206(2) of the Municipalities Act, 1999 Council must declare vacant the office of an elected Councillor if that person fails to disclose a conflict of interest in a matter being discussed by Council or discusses or votes on a matter in which he or she has a conflict of interest.
	If the Councillor has no doubt that a conflict of interest does exist, the Councillor must state the nature of the interest at the beginning of discussion of the matter. If the Mayor or presiding officer has such a conflict of interest, he/she must leave the chair. Further, a Councillor who has declared a conflict of interest must leave the meeting while the matter is being discussed.
	Under the Municipalities Act, 1999 the onus is clearly on the individual Councillor to declare a conflict of interest.
<i>Clarification of Rules</i>	In all cases where these rules and regulations do not make provision or adequate provision, then Roberts <i>Rules of Order</i> shall apply.
<i>Amendment of Rules</i>	Any motion to amend these rules must be presented to Council as a Notice of Motion and must be passed by a two-thirds majority vote of members present.
<i>Effective Date</i>	These rules and resolutions shall become effective upon the date of enactment. November 23rd, 2017