

- b) Approval of the Minutes: adoption of minutes as read or circulated and, if necessary amended;
- c) Business Arising from the Minutes: unfinished business or items tabled;
- d) Delegations & Petitions: reception of guest speakers;
- e) Correspondence: correspondence requiring council's direction;
- f) Reports: reports submitted by the Mayor, Officers, Department Heads, Council members, Commissions, Boards, Delegates or any reports or presentations requested by Council and business starting therefrom;
- g) Committees: correspondence or reports arising from various committee meetings;
- h) By-laws: introduction, consideration or reconsideration and adoption or rejection of by-laws and resolutions;
- i) Mayor's List: issues, reports, correspondence requiring immediate action that were not included in the Regular council agenda prior to production;
- j) New Business: new business brought forth by Council members;
- k) Public Question Period: questions from the public on agenda items or business discussed at the meeting; and
- l) Adjournment.

3.3 CALL TO ORDER

- 1.) In the event the Mayor does not attend within 10 minutes after the time appointed for a meeting the Acting Mayor shall take the chair or in his/her absence the Chief Administrative Officer shall call the Council members to order and if a quorum is present, the Council members shall appoint a member to preside during the meeting, or until the arrival of the Mayor or Acting Mayor. Such person appointed as Acting Mayor shall have all the powers and be subject to the same rules as the Mayor.
- 2.) Should there be no quorum present within 15 minutes after the time appointed for the meeting, the Chief Administrative Officer shall record the names of the members present at the expiration of such 15 minutes and the meeting of the Council shall stand adjourned to the next regular meeting.

3.4 APPROVAL OF THE MINUTES

Approval of minutes is subject to all additions, erasures and corrections that members by resolution decide are necessary in order to record accurately the proceedings of the previous meeting or meetings and the Chief Administrative Officer shall make all such changes in order to conform to the terms of the resolution.

3.5 DELEGATIONS & PETITIONS

No petition may be presented to or delegation received by the Council unless:

- a) The Chief Administrative Officer has been informed of the subject matter of the petition or delegation and of the name and address of the spokesperson of each delegation prior to preparation of the agenda;
- b) In the case of a petition, the petition must include the name and address of each petitioner;
- c) Communications and petitions from an individual or delegation wishing to address Council must be legibly written, printed or typed and shall clearly outline the topic, include concerns of the individual or delegation and identify any requested action;
- d) Notwithstanding paragraphs a, b and c above, Council may, by resolution, agreed to by an unanimous vote of the members present, grant an individual or delegation not listed on the agenda an opportunity to address Council;
- e) An individual or a delegation may be afforded a maximum of five (5) minutes to make their presentation. If more than five (5) minutes are required, additional time may be granted by Council upon resolution passed by a unanimous vote of the members of Council who are present.
- f) Members of Council will be provided the opportunity to ask questions of the presenters.
- g) Council may take action following a presentation or postpone consideration to a later time or meeting.
- h) If consideration is postponed, the spokesperson for the presentation will be informed by the Chief Administrative Officer when the topic will be placed on a future agenda.

3.6 REPORTS

A Council member may report to Council on any matter which relates to his/her council appointed committee.

3.7 BY-LAWS

- 1.) Before the Council considers any proposed by-law, the Chief Administrative Officer shall provide each member with a copy of the proposed by-law; and
- 2.) The Council may not consider a proposed by-law unless it is on the agenda.
- 3.) By-laws shall be introduced and read upon a motion "that the By-law entitled (short title) be now introduced and read a first time". If the motion is passed, the Chief Administrative Officer shall read the by law by reciting the intended object and short title thereof and the question shall be decided without amendment or debate.
- 4.) After a By-law has been introduced and read a first time, a motion to read the By-law a second time may be made and, if passed the Chief Administrative Officer shall read such parts thereof as the Council may desire to have read, or if directed to do so by Council he/she shall give a short synopsis of the By-law. Any amendment to the by law shall be made by motion of the Council after the By-law has been read a second time, and before it receives third reading.
- 5.) After a By-law has been read a second time, and amendments, if any, have been made, a motion may be made to read the By-law a third time, or to pass the By-law as amended as the case may be, and if the motion is carried, the By-law shall be deemed to have had third reading.
- 6.) The Council may give any By-law, other than By-laws which require a public hearing to be held after first reading and before third reading, three readings at the same Council meeting, or the third reading may be given at a meeting subsequent to the meeting at which the By-law received first and second readings.
- 7.) Except where permitted by the Community Charter Municipal Act, a By-law, must be adopted not less than one clear day after it has received third reading
- 8.) The Chief Administrative Officer shall endorse on all By-laws read in Council the dates of the readings, and the adoption thereof.
- 9.) Every By-law adopted by the Council shall be signed by the Mayor or other member of Council presiding at the meeting at which the by law has been adopted, and the Chief Administrative Officer.

- 10.) In the event of the inability, neglect or failure of the Mayor or other presiding person or of the Chief Administrative Officer to sign a by-law, the Acting Mayor and Acting or Deputy Chief Administrative Officer may sign it.
- 11.) The Council shall not reconsider any question more than once, following which the question shall not be introduced for a period of six (6) months, except with the unanimous consent of the members.
- 12.) Despite Subsection (11), the Mayor may, under to Section 219[EL3] of the Municipal Act at any time within one month after its adoption, return for consideration a By-law, resolution or proceeding of the Council which has not had the assent of the electors, has not been reconsidered by the Council or has not been acted on by an officer, employee or agent of the municipality.
- 13.) A bylaw must not be read or adopted at an In-Camera meeting.

3.8 MAYOR'S LIST

Any correspondence or reports that have been received after the assembling of the agenda but require action prior to the next council meeting may be brought by the Mayor to Council at its next meetings for consideration.

3.9 NEW BUSINESS

Any member desiring to bring a new matter before Council, other than a point of order, a point of privilege or a matter purely informational in nature, may do so in the form of a motion during the "New Business" section of the Agenda.

3.10 PUBLIC QUESTION PERIOD

- 1.) There shall be a maximum period of ten (10) minutes where members of the audience will be afforded an opportunity to ask questions on any matter that was on the agenda or any business discussed at the meeting by Council.
- 2.) A person shall give their name to Council, prior to asking their question;
- 3.) A person will be allowed two (2) minutes, in which to ask questions of Council;
- 4.) The Mayor or a member of Council may answer the question;
- 5.) There will be no rebuttal or debate on the questions asked.

3.11 LATE ITEMS

- 1.) Except under Section 3.8, an item not included on the Agenda shall not be considered at a meeting unless introduction of the late item is approved at the time allocated on the Agenda (~~Item J New Business~~), by way of a motion carried by a majority vote of the members present.
- 2.) Information pertaining to late items shall be given to the Chief Administrative Officer prior to the commencement of the meeting for copying and distribution.

PART 4 - RULES OF CONDUCT AND DEBATE

4.1 RECOGNITION

A member of Council may speak in a meeting after:

- a) the member has raised his/her hand; and
- b) the Mayor or Acting Mayor has recognized him/her.

4.2 CONTROL AND CONDUCT OF COUNCIL MEETINGS

Subject to an appeal to the other members of the Council then present, the Mayor or other presiding person:

- a) Shall maintain order and preserve decorum of the meeting;
- b) Shall decide points of order without debate or comment other than to state the rule governing;
- c) Shall determine which member has a right to speak;
- d) Shall ascertain that all members who wish to speak on a motion have spoken thereon and that the members are ready to vote by asking the question "is the Council ready for the question?" and shall thereafter call for the vote;
- e) Shall rule when a motion is out of order; and
- f) May call a member to order.

4.3 MEMBERS ADDRESSING THE CHAIR

- 1.) Members shall address the chair as "Your Worship" and shall refer to each other as "Councillor _____"

- 2.) A member shall not speak disrespectfully of Her Majesty the Queen, her official representatives or her government.
- 3.) A member shall address the chair before speaking to any question or motion.
- 4.) A member shall not shout or immoderately raise his/her voice or use profane, vulgar or offensive language.
- 5.) When a member wishes to leave the Council Chambers while a meeting of Council is in progress, he/she shall obtain the Mayor's silent acknowledgement before leaving his/her place.
- 6.) No member shall leave the Council Chamber after a question is put to a vote until the vote is taken.
- 7.) Members of the public who constitute the audience in the Council Chambers during a Council meeting may not address Council without permission of the Mayor, shall maintain order and quiet, and shall not interrupt any speech or action of the members of Council.
- 8.) The Mayor may direct the removal of any person in the audience who creates any disturbance during a meeting.

4.4 CONDUCT OF SPEAKER

A member may not speak:

- a) unless in relation to the matter in debate;
 - b) to a matter already decided upon at the meeting;
 - c) for more than five minutes at a time;
 - d) twice to the same matter, except to:
 - i. Explain a material part of the member's speech which may have been misconceived, but then only to correct the matter; or
 - ii. Ask a question for purposes of clarification; or
 - e) When called to order
- except as the Council otherwise resolves.

4.5 GENERAL CONDUCT

Members shall not interrupt a member who is speaking except to raise a point of order and shall not make any disturbance during the meeting.

4.6 IMPROPER CONDUCT

If any person resists or disobeys a presiding member's order to leave a meeting, that person may on the order of the presiding member be removed from the meeting.

4.7 MATTERS OPEN TO DEBATE

Members may debate any motion except a motion to table, to adjourn or to refer, or to give first reading to a By-law.

4.8 VERBAL ENQUIRIES BY THE PUBLIC

A verbal enquiry by a member of the public relating only to an item on the agenda may only be heard when the Council so resolves or as listed in 3.2 (k).

4.9 PRIVILEGE

Every member may:

- a) At any time during the debate require that the matter under discussion be read for the member's information, but shall not exercise this right by interrupting a member of council speaking without the approval of that member;
- b) Require the presiding member to state the rule applicable to a point of order and the presiding member shall then state the rule without argument or comment but subject to appeal to a vote of the members present; or
- c) By means of a question to the presiding member, seek information relating to any matter connected with the business of the Council or the affairs of the Village council and the question shall be in writing if so required by the presiding member.

4.10 PARLIAMENTARY PROCEDURE

All points of order or procedure not provided for in this By-law shall be decided in accordance with Robert's Rules of Order, Newly Revised, Ninth Edition.

PART 5 - MOTIONS AND AMENDMENTS

5.1 CONFLICT OF INTEREST

1.) If a Council member attending a Council or committee meeting considers that he or she is not entitled to:

- a) participate in the discussion of a matter, or
- b) vote on a question in respect of a matter

because the member has a direct or indirect pecuniary interest in the matter or for any other reason, the member must declare this and state the general nature of why the member considers this to be the case.

2.) After making the declaration required in Section 100 of the Community Charter²³⁴ the member shall not take part in the discussion of the matter and is not entitled to vote on any question on the matter and shall immediately leave ~~the~~^{the} meeting and shall not attempt in any way to influence the voting on any question in respect of the matter.

3.) When a declaration required under section 100²³⁴ is made, the person recording the minutes of the meeting shall record the member's declaration, the general reasons given for it and the time of the member's departure and return to the meeting room.

5.2 NOTICE OF MOTION

1.) All resolutions and all By-law readings shall be by motion duly moved and seconded by members.

2.) A motion that has been seconded shall be read by the Mayor or Chief Administrative Officer before debate if so requested by any member of Council.

3.) With the permission of Council, a motion may, at any time before decision or amendment, be withdrawn.

4.) When the Mayor is of the opinion that a motion offered to the members is contrary to the subject being discussed or relates to matters beyond the powers of the members, the Mayor may inform the members immediately, giving reasons for the Mayor's opinion, and the Mayor may refuse to put the question.

5.) A member may make any of the following procedural motions at any time notwithstanding the members are actively considering another

motion and these motions take precedence over one another in the following order:

- a) To adjourn;
- b) To table;
- c) To vote on previous question;
- d) To postpone;
- e) To refer; and
- f) To amend.

5.3 MOTION TO ADJOURN

A member at any time may make a motion to adjourn and the members shall promptly decide the motion without debate and no member shall make a second adjournment motion if the first is defeated unless other proceedings intervene.

5.4 MOTION TO TABLE

Except when a motion to adjourn has been made, a member may make a motion to table and the members may debate the motion to table when it is made but shall not debate the content of the motion that is the subject of the tabling motion.

5.5 MOTION TO VOTE ON A PREVIOUS QUESTION

- 1.) Except when a motion to adjourn or to table has been made, a member shall move "That the question now be put" in order to vote on a previous question, which motion precludes all amendments to the main motion until the previous question has been decided and, if this motion is passed, the motion shall be put forthwith without any amendment or debate; or if defeated, the main motion shall not be put or debated further at that meeting.
- 2.) A member may not move a motion to vote on a previous question when members are considering an amendment to the main motion.

5.6 MOTION TO POSTPONE

Other than in respect of a motion to postpone to a time within the same meeting, members may debate a motion to postpone and, if they pass it, the members may not again raise the motion being postponed during the meeting.

5.7 AMENDMENT OF MOTION

- 1.) No member shall move any motion to amend that negates the purpose of the main motion.
- 2.) Members shall withdraw or decide any amendment to a motion before the main question is put to a vote.
- 3.) If the mover or seconder of the main motion states that a proposed amending motion would negate the main motion, the Mayor shall immediately rule whether it does and the ruling is subject to an appeal by the members.
- 4.) If an amendment to a motion is:
 - a) Carried, the previous motion is then voted on as amended or,
 - b) Defeated, the previous motion is again before the members.
- 5.) Members may make only one motion to amend an amendment.
- 6.) Any member may move only one amendment to any main motion.

PART 6 - VOTING

6.1 PUTTING OF THE QUESTION

- 1.) When a debate on a question is closed the Mayor shall immediately put the question to a vote.
- 2.) Members shall signify on every question openly and individually by raising of hands and members shall not vote by ballot or by any method of secret voting.

6.2 RECORDING OF VOTES

- 1.) Any member may call for his or her vote on any issue to be recorded and each time this request is made, the Chief Administrative Officer shall record in the minute book the name of the member and the way in which a member voted.
- 2.) Immediately upon the announcement of the result of a vote by the Mayor, any member may call for a division whereupon each member present shall orally announce his or her vote upon the question and the Chief Administrative Officer shall record the result in the minute book.

- 3.) The Chief Administrative Officer shall record in the minute book immediately following entry of any motion the name of any member who votes in the negative if requested by that member.
- 4.) Should any member refrain from voting when any question is put, for any other reason than mentioned in section 5.1, the member shall be regarded as having voted in the affirmative and his or her vote shall be counted accordingly.
- 5.) If the votes of the members present at a meeting at the time of the vote are equal for and against a question, the question is negative and the presiding officer must declare this result.

PART 7 - COMMITTEES

7.1 SELECT COMMITTEES

- 1.) The Council may from time to time appoint a Select Committee to enquire into any matter and to report its findings and opinions to the Council. The Select Committee is created by Council for one specific task, and it ceases to exist when the task is completed and the final report is submitted.
- 2.) All members of Council may attend meetings of any Select Committee and may take part in any discussion by permission of a majority of the vote of the Select Committee, provided that only members of the Select Committee may vote on a matter.
- 3.) A Select Committee must carry out the instructions of the Council expressed by resolution in regard to any matter referred by the Council to any Select Committee for immediate action thereupon.
- 4.) In any Select Committee a majority of members appointed to that Committee shall be a quorum.
- 5.) The Chair and the Deputy Chair of a Select Committee may be appointed by the Mayor or be elected by a majority of the committee members and the election is to be approved by Council resolution.
- 6.) A meeting of a Select Committee shall be called by resolution of the Select Committee which specifies the day, hour and place of the meeting, except that the first meeting shall be called by resolution of the Council which specifies the day, hour and place of the meeting.
- 7.) The Select Committee shall report its actions to Council thereafter by providing copies of meeting minutes or reports to Council on a regular basis.

7.2 STANDING COMMITTEE

- 1.) The Mayor at his/her discretion may appoint Standing Committees pursuant to Sections 116, 141 and 144 of the Community Charter 218 and 239. A Standing Committee is a permanent Committee, and exists to deal with specific issues or departmental functions or services.
- 2.) At least 1/2 of the members of a Standing Committee must be Council members.

7.3 COMMITTEE OF THE WHOLE

- 1.) Council can meet as a Committee of the Whole, or during any meeting of the Council, the Council may by motion, resolve itself into Committee of the Whole to consider specific matters and may exclude the public in accordance with Section 2.1.
- 2.) When all matters referred to Committee of the Whole have been considered, a motion to rise and report the Committee's recommendations to Council shall be adopted.
- 3.) On resumption of business in Council, the Chair of the Committee of the Whole, shall report to the Council and the Council may:
 - a) adopt the report, or;
 - b) reject the report, or;
 - c) adopt the report with amendments, or;
 - d) commit the subject matter for further consideration, either in part or in total, or;
 - e) postpone action on the report, or;
 - f) approve a request of Committee to sit again, the Committee having reported progress after partial consideration of the subject.

7.4 PROCEDURE FOR COMMITTEES

- 1.) The members shall observe the rules of procedure of the Council in any meeting;
- 2.) The number of times members are permitted to speak is at the discretion of the chair;

- 3.) Members may hear a verbal enquiry from a member of the public on any matter taken up at the meeting whenever a majority of the members so wish^[EL4];
- 4.) A request for a delegation to appear before the committee must be considered by the committee and, if the request is granted, the time and date of the committee meeting at which the delegation will be heard is decided;
- 5.) A delegation is allowed one speaker and a maximum of five minutes to make its presentation to the committee;
- 6.) The Mayor is a member of all committees and is entitled to vote at all committee meetings;
- 7.) Members of the Council may attend meetings and participate in discussion of committees of which they are not members but only those members of Council who are members of the committee may vote on deliberation of that committee;
- 8.) Each committee shall meet at the discretion of its chair and shall also meet when directed to do so by Council, or a majority of members of that committee;
- 9.) The Chief Administrative Officer shall convene a meeting of a committee when requested in writing to do so by the Chair or a majority of the members of that committee;
- 10.) When a Committee desires to submit a written report to the Council, the Chair of the Committee shall deliver the report to the Chief Administrative Officer and the Chief Administrative Officer place the report on the next available regular Council agenda subject to the timelines established by Section 3.1;

And except that in the Committee of the Whole:

- 11.) The Chair of the Committee of the Whole shall be the Mayor;
- 12.) The Chair of the Committee of the Whole shall maintain order in the Committee and shall report proceedings thereof;
- 13.) Motions are not required to be seconded;
- 14.) An adjournment shall not be allowed until Committee of the Whole has resolved to report to the Council or in the case of an emergency;
- 15.) In taking the Ayes and Nays the names of the members shall not be recorded;

16.) In the case of a division being called the question shall be decided by a show of hands.

17.) Sections 2.1, 6.2(4) and (5) apply to meetings of a committee and Section 5.1 to Council members at committee meetings.

PART 8 - REPEAL

By-laws 374-00, 407-04, 432-07 and 491-14 are repealed.

PART 9 - CITATION AND READINGS

READ a first time this 18th day of September, 2018
READ a second time this 18th day of September, 2018.
READ a third time this ___th day of _____, 2018.
ADOPTED this ___th day of _____, 2018

CERTIFIED A TRUE AND CORRECT COPY of "COUNCIL PROCEDURAL BY-LAW NO. 518, 2018".

Meredith Starkey, Corporate
Officer

THE CORPORATE SEAL OF THE VILLAGE OF
ZEBALLOS WAS HERETO AFFIXED IN THE
PRESENCE OF:

Mayor

Corporate Officer

