BY-LAW NO. A-1

A PROCEDURAL BY-LAW FOR THE COUNCIL OF REGIONAL COMMUNITY OF SOUTHERN VICTORIA

PURPOSE: A By-law of **REGIONAL COMMUNITY OF SOUTHERN VICTORIA**, in the Province of New Brunswick, for the purpose of establishing the proceedings of the Council of **REGIONAL COMMUNITY OF SOUTHERN VICTORIA**.

WHEREAS: Subsection 10(2)(a) of the *Local Governance Act*, authorizes and requires local governments to establish a by-law respecting the procedures at council meetings, including any matters prescribed by regulation and

WHEREAS: The Minister of Local Government and Local Governance Reform may make or amend by-laws of a restructured local government as per *An Act Respecting Local Governance Reform*, subsection 11(2);

BE IT ENACTED by the Minister of Local Government and Local Governance Reform as follows:

1. TITLE:

a) This By-Law shall be cited as the “Proceedings of Council”.

2. APPLICATION:

a) This proceedings of council by-Law:

i. applies to the following:

I. all members of the council, including mayor, deputy mayor and councillors, and
II. all members of staff required or requested to attend council meetings, and
III. any members of the public appearing at council meetings.

ii. shall be used for the order and dispatch of business in council and committees.

3. DEFINITIONS:

a) "Clerk" means a clerk of **REGIONAL COMMUNITY OF SOUTHERN VICTORIA** appointed under Section 71 of the *Local Governance Act*;

b) “Chair” means the member of council presiding over council meetings

c) “Closed” means a meeting of Council not open to the public, so convened in accordance with the *Local Governance Act;*

d) "Council" means the mayor and councillors of REGIONAL COMMUNITY OF SOUTHERN VICTORIA:

e) "Point of information" means the procedural mechanism by which a member may rise to present or receive information of interest to the council;

f) "Point of order" means the procedural mechanism by which a member may rise where this by-law or any other procedural legislation is believed to have been infringed;

g) "Point of privilege" means the procedural mechanism by which a member may rise to address incorrect, defamatory or slanderous statements made about the council, members or civic staff;

h) "Quorum" means a majority of those members of council.

4. MEETINGS OF COUNCIL

a) The council shall hold its first meeting in accordance with Section 35 of the *Local Governance Act*.

b) At its first meeting, the council shall elect a deputy mayor from among the councillors. The deputy mayor shall be elected by majority vote of council, for a term of four years.

c) The Council shall hold its regular meetings at the Village office, 1131 West Riverside Drive, on the second Monday of every month at 6:30 pm. If that Monday is a holiday, the meeting shall be held on the following day of that week. The notice of the regular meeting shall be posted in a public place one week prior to the meeting date.

d) The clerk shall be responsible for preparing and circulating the agenda for all meetings of the council. The deadline for agenda submissions for a regular meeting of council shall be noon on the Monday prior to a meeting. The agenda of a regular council meeting shall be posted on the Thursday prior to the scheduled meeting.

e) A quorum must be present at all regular and special meetings of the council. If quorum is not present after one-half (1/2) hour, the clerk shall record the names of the Council members present and the meeting shall stand adjourned until the next scheduled regular meeting or a special meeting is scheduled in accordance with subsection 4(f).

f) The mayor or a majority of the council upon written petition, may, at any time, call a special meeting of the council on twenty-four (24) hours' notice to the clerk and members of council.

g) Notice of any special meetings shall be circulated in writing to members of council by the clerk. The notice of a meeting shall be posted to the local government's website.

h) The council shall not consider any business at a special meeting except matters specified in the notice unless all members of the council present at the special meeting agree.

i) Any meeting of the council may be closed to the public as stipulated in Section 68 of the *Local Governance Act.*

5. ELECTRONIC MEETINGS:

a) It is permitted to use electronic means of communication in a council meeting or a committee of council meeting if it allows members of council to hear and speak to each other and, in the case of a meeting that is open to the public, allows the public to hear the members.

b) Any individual participating in a meeting electronically must advise the clerk before noon of the day of the meeting.

c) If a closed session occurs, the members who are participating electronically shall, at the beginning of the meeting, confirm that the member is alone.

6. PROCEDURE FOR ALL MEETINGS OF THE COUNCIL:

a) The mayor shall chair all meetings. If the mayor is unable to chair a meeting, the deputy mayor shall act as chair for the meeting.

b) Except as otherwise provided, no member shall speak without being recognized by the chair.

c) Once a motion is made and seconded, the mover shall have the privilege of speaking first and of closing debate.

d) A member of the council may, at any time, rise on a point of order, a point of privilege or a point of information. All debate shall cease, and the matter shall be clearly stated by the member and, if applicable, ruled upon by the chair.

e) A member of council may, at any time during debate, request that the question, motion or matter under discussion be clarified or restated.

f) All members of the council shall follow the rules set forth in the Code of Conduct By-Law. No member of council shall speak disrespectfully of the council, another member of council, staff person or a member of the public, or use offensive or profane language.

g) Unless disqualified to vote by reason of conflict of interest, every member of the council present shall announce their vote openly and individually, and the clerk shall record it.

h) Members of the public shall not be entitled to address the council during the meetings unless the clerk has been notified at least five business days prior

to the council meeting, and the item has been added to the agenda of the meeting.

i) Any person, at the discretion of the chair, may be required to leave the meeting who:

   i. breaches this by-law;

   ii. behaves in a disorderly manner; or

   iii. uses threats or profane language in debate.

7. MINUTES

The minutes shall record, without note or comment:

a) the place, date and time of the meeting,

b) the name of the presiding officer and the attendance of Council members,

c) the reading, if required, correction and adoption of the minutes of prior meetings, and

d) all resolutions, decisions and proceedings of the meeting

8. COMMITTEES

a) The council may establish or abolish committees of council. The council shall appoint, to such committees, members who are qualified voters of the local government. Committees of the council shall have at least one member of the council on the committee.

b) The council shall approve the mandate of each committee.

c) The council may establish special or ad hoc committees. The council shall appoint persons who are qualified voters of the local government thereto. Special or ad hoc committees shall have at least one member of the Council on the committee.

d) The mayor may be a member of all committees or may appoint a member of the council to attend any committee meeting on the mayor's behalf.

e) The committee chair shall send notice of meetings to each member of the committee at least twenty-four (24) hours before the time of the meeting.

f) The clerk or designate shall record the minutes of all committee meetings. The minutes shall be circulated to all members of the committee. Minutes of

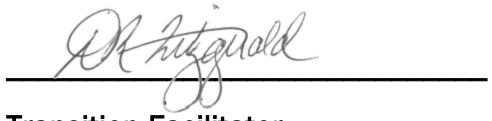
committee meetings shall be provided to the clerk within seven (7) days of the approval of the minutes.

9. OTHER PROCEDURAL MATTERS

a) For matters of procedure that arise during a meeting of the council that are not otherwise provided for in the Act or this by-law the most current version of Robert's Rules of Order shall apply.

10. EFFECTIVE DATE

Given under the hands of the Transition Facilitator, on behalf of the Minister of Local Government and Local Governance Reform, on this 27th day of October, 2022.



Transition Facilitator