

BY-LAW
RULES OF PROCEDURE FOR THE CONDUCT OF MEETINGS
Municipality of Colinet
Effective: February 11, 2025

Authority	Section 46, Towns and Local Service Districts Act, states "A town council shall adopt rules of procedure for its town council meetings; therefore, the Council of the Town of Colinet enacts the following rules and regulations:
Regular Meetings of Council	1. Regular meetings of Council shall be held on the first or second Tuesday of each month, as determined and motioned in December of the preceding year, at 7:00 p.m. in the Town Hall, unless council, by resolution, directs 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 at least 48 hours in advance of the meeting unless otherwise agreed by a majority of elected council members.
Notice	3. <i>Notice to Council</i> for all meetings of council shall be by way of the Agenda, which shall be provided to all members of council before noon no later than the Friday (at least 48 hours) prior to each meeting. Notice shall be deemed to have been given if it is delivered by e-mail with Agenda attached to a councillor or left at their place of residence. The failure of any councillor to have received notice shall not invalidate a meeting of council. <i>Notice to the Public</i> for all meetings of council shall be by publication on the town Facebook page, the town bulletin board located at the town hall and the local store/post office.
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 Tuesday following which is not a legal holiday, or as decided by Council when the meeting schedule is decided in December of the preceding year.
Presiding Officer	5. In accordance with Section 36 of the Towns and Local Service Districts Act, the mayor, or in the mayor's absence, the deputy mayor shall preside at all meetings of the town council. Where both the mayor and deputy mayor are absent from a meeting, the other councillors shall appoint a temporary chairperson who may exercise the powers and carry out the duties of the mayor at the meeting. The mayor or other person presiding at a meeting of a town council who wishes to take part in debate may, in accordance with this section, be replaced as the presiding officer for the time period during which the mayor or presiding person is speaking.
Quorum	6. In accordance with Section 43 of the Towns and Local Service Districts Act, a quorum is required at all times for town council meetings and town council committee meetings. A majority of all councillors in office constitutes a quorum for a town council meeting provided that there are at least 3 councillors in office. Where there are less than 3 councillors in office, the minister may order that the

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	remaining councillors constitute quorum until an election or a by-election is held to fill the vacancies .
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 the 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 town clerk or designate shall attend all meetings of council.
Remote Attendance	9. Councillors, when it is necessary, may attend council meetings by electronic means from a remote location, facilitated by telephone or approved electronic application. Councillors planning to attend remotely must notify the Clerk no later than noon on the day of the meeting in order for the clerk to facilitate the meeting space.
Vacation of Office	10. A councillor shall attend no more than 2 consecutive remote meetings unless it is agreed upon in advance by the majority of council or in unexpected instances such as family emergencies or illness. 11. A councillor's office shall be considered vacated if the councillor refuses to vote on an item before council without an exemption granted by the majority. 12. A councillor's office may be vacated in the instance of acting without declaring a conflict of interest and is deemed in violation of the code of conduct. 13. A councillor who does not attend 3 consecutive meetings without approval from the majority shall consider their office vacated. 14. A councillor's office is considered vacated if the minister responsible for the administration of municipalities declares/orders it vacant or if the councillor resigns.
Meetings Open to the Public	15. In accordance with section 40 of the Towns and Local Service Districts 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 councillor's present at the meeting to be a privileged meeting. 16. Where a meeting is held as or declared to be a privileged meeting, all members of the public present at the meeting shall leave.

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	17. In accordance with section 41(3) of the Towns and Local Service Districts Act, where a decision is made by the councillors at a privileged meeting, the decision, in order to be valid, shall be ratified through the tabling of a formal motion and voted upon at the next public meeting of council.
Minutes	18. Minutes of meetings of Council shall be recorded by the Town Clerk or designate. Such minutes shall contain: <ul style="list-style-type: none"> • Call to Order; • Roll Call; • All motions and resolutions coming before Council, including the names of the movers and seconders thereof; • The names of Council members voting in favor of 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	19. 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 a majority of council members who were in attendance at that meeting agree, the motion adopting the minutes shall contain the necessary correction(s).
Agenda	20. Prior to each regular meeting of council, the clerk shall prepare an Agenda of all business to be brought before council. As indicated in Rule 3, the agenda is to be distributed to councillors forty-eight hours prior to council meetings. 21. Any member of council, up until noon of the Friday prior to the council meeting, may submit to the town clerk (by phone, e-mail or face to face communication) an item for inclusion on the agenda. Other items may be added to the agenda at the meeting if a majority of councillor's present at the meeting agree to the addition(s). 22. The format of the agenda shall be as follows: <ol style="list-style-type: none"> a. Calling of meeting to order b. Adoption of Agenda c. Adoption of Minutes d. Adoption of Financial Report d. New Business, including <ul style="list-style-type: none"> - Town Clerk Report - Committee reports - Fire Department Report e. General Business f. Round Table g. Next Meeting

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	<p>h. Privileged Items (if necessary) (For privileged items, the Chair will ask the public to leave the meeting).</p> <p>i. Adjournment</p>
-	23. When a special or privileged meeting is called for the consideration of some particular matter, the order of business as set out in Rule 22 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, unless otherwise decided by majority vote.
Order and Decorum	24. The presiding officer at any meeting shall preserve order during debate and maintain decorum at all times.
Disorderly Persons	<p>25. 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. The safety of the public and municipal officials are critical; municipal officials are required to follow OHS processes.</p> <p>26. Any member expelled from a meeting under the provisions of Rule 25 may be permitted, by a majority vote of councillors at the meeting in progress, to resume his place after making an apology to the presiding officer. Council must be aware of the Code of Conduct implications.</p>
Notice of Motion	27. Every notice respecting the passing of a by-law shall be in writing and be placed on the agenda by moving a motion at the previous meeting.
Motions during Debate	<p>28. When a question is under debate, the following non-written motions shall be in order:</p> <p>a. To extend the time of the meeting (if necessary)</p> <p>b. To refer or commit</p> <p>c. To amend</p> <p>d. To lay on the table</p> <p>e. To postpone indefinitely</p> <p>f. To move the previous question</p>
Motions to be Seconded	29. Every motion shall be seconded before being debated. The seconder shall be recorded in the minutes. If there is no seconder, then the motion fails without debate.
Withdrawal of Motions	30. When a motion has been moved and seconded, it cannot be withdrawn except with the permission of council (majority of those present) and the mover and seconder, and then only before a decision has been taken or an amendment made.
Division of Motion	31. Any motion or question which contains several distinct propositions may, by the direction of the presiding officer or upon the

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	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	32. Members of council shall always address their remarks to the presiding officer and contain themselves to the question at hand.
Entitlement to Speak	33. If two or more members speak at the same time, the presiding officer shall determine which member is entitled to speak. The presiding officer shall determine the order in which council will speak on a motion and this order can alternate in order to provide equal opportunity to speak on a matter.
Call to Order	34. 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	35. 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 of those present without debate.
Member Speaking not to be Interrupted	36. When a member is speaking or a question is being put forward, 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.
Clerk to attend meetings	37. In accordance with Section 68 of the Towns and Local Service Districts Act, the clerk or their designate shall attend all meetings of council and may, at the discretion of council, attend council committee meetings. 38. The clerk is entitled to speak at council and council committee meetings but has no vote and must follow the same rules and procedures as other council members.
Length of Debate	39. No member, without the consent of council, shall speak longer than two minutes at any one time. If the discussion involves a motion, the mover of a motion, however, may speak twice. Debate shall be closed after this second occasion.
Council Decisions	40. All decisions of council shall be made in the form of a motion, debated and voted on and recorded as such.
Rereading of Motion	41. 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	42. All decisions of council, unless otherwise specified either under the Towns and Local Services Districts Act, or under these Rules, shall be by majority vote of the members present.

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Recorded Vote	<p>43. In accordance with Section 44(4) of the Towns and Local Service Districts Act, the clerk shall record the names of those voting in favour of the motion, those voting against the motion, and those abstaining.</p> <p>44. A councillor shall not abstain from voting on a motion or resolution before council unless he/she is required to abstain from voting due to a conflict of interest under Section 44(2) of the Act or where she/he has been permitted to abstain by a majority vote of other councillors in attendance at the meeting.</p> <p>45. In accordance with section 44(5) of the Towns and Local Service Districts Act, where there is a tie vote on a question, the question shall be considered to have been defeated.</p>
No Secret Ballot	46. No vote shall be taken in council by secret ballot or by any other method of secret voting with the exception of Sections 28 and 29 of the Towns and Local Service Districts Act.
Reconsideration	<p>47. 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.</p> <p>48. 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.</p>
Motion to Adjourn	<p>49. A motion to adjourn is always in order except when:</p> <ul style="list-style-type: none"> a. A member is addressing the chair; b. A vote is being taken; and c. It has been decided that the previous question shall be taken. <p>50. 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 is open to debate. In order to adjourn a meeting, a seconder to adjourn is required.</p> <p>51. No second motion to adjourn the council meeting or the debate shall be made until some intermediate proceedings have transpired.</p>
Previous Question	52. The "previous question" shall preclude all amendments of the main question and shall be put in the following words: "That the question now 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.

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Motion to Postpone Indefinitely	53. 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	54. 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	55. A motion to suspend the rules requires a two-thirds vote of members present.
Privilege	56. Whenever a matter of privilege arises it shall be dealt with immediately by council.
Motion to Refer or Commit	57. 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	58. In accordance with Section 25 of the Municipalities Act, 1999, council may from time to time appoint committees. The mayor shall be an ex-officio member of all committees.
Standing Committees (made up entirely of Council members only)	59. Standing committees of council shall be appointed at the first council meeting of each year and can be reviewed as required by council.
Special Committees (may include citizens not on Council)	60. 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	61. Council may, by majority vote, resolve itself into a Committee of the Whole whereby it will operate under the rules for committees as set out hereunder. The mayor will assume the chair, and if the mayor is absent, the deputy mayor shall assume the chair or in the absence of both the mayor and deputy mayor, another member of council shall be elected as chairperson.
Committee Membership	62. Membership on all committees of council is limited to members of council.
Quorum of Committees	63. A majority of the members of any committee shall constitute a quorum.
Committee Chairperson	64. When council appoints a committee, it shall also appoint one of its members to be chairperson of that committee.
Committee Secretary	65. The town clerk (or designate) shall act as secretary to each committee of council unless it has been decided by council that the clerk will not attend committee meetings. In the event the clerk is not in attendance, then one of the committee members shall act as secretary and record/prepare the minutes of meetings for that committee.
Committee Minutes	66. 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.

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Committee Report	67. Following every committee meeting, if required, the secretary shall prepare for the chairperson a report on all matters which require council action.
Conduct of Business in Committees	68. The following rules and regulations shall apply to the proceedings in committees: a. The chairperson shall preside at every meeting. In the absence of the chairperson, one of the other members of the committee shall be elected by the members present to preside during the chairperson's absence; b. The chairperson may vote on all questions. In case of a tie vote on any motion, the question shall be deemed lost; c. No motion need 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; and f. The votes of members on any question shall be recorded if requested by any member.
Minority Reports	69. 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).
ROLE OF THE PUBLIC AT PUBLIC MEETINGS	
Conduct of Public at Meetings	i. Members of the public may only speak if their name or delegation has been placed on the agenda or if council is seeking clarification on an application, proposal or correspondence. ii. Delegations appearing before Council should appoint a single representative to speak on behalf of the group. iii. No member of the public in attendance shall interrupt any other person while speaking. iv. Personal comments, insulting remarks, foul language and gestures are not permitted. v. Anyone speaking should direct their comments to the chairperson of the meeting and shall immediately stop speaking when the chair calls order. vi. Cell phones and other personal communication devices should be either turned off or set to vibrate during the meeting and no cell phone conversations are to take place in the chamber during the meeting.
Failure to Comply	Infractions of the above code of public conduct at council meetings can result in the following action:

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	1st Infraction – Warning from the chairperson that further infractions will not be tolerated 2nd Infraction – Violators are directed to apologize to the chairperson, councillor or other member of the public. If they refuse, they must leave the meeting room/Chambers and Town Hall. If they refuse, Council may adjourn the meeting and request that police remove the person. 3rd Infraction – Violators are ordered to leave the meeting room/Chambers and Town Hall. If they refuse, Council may adjourn the meeting and request that police remove the person.
	CLARIFICATION AND AMENDMENT PROCEDURE
Clarification of Rules	70. In all cases where these rules and regulations do not make provision or adequate provision, then Bourinot's Rules of Order shall apply.
Amendment of Rule	71. Any motion to amend these rules must be presented to council in accordance with Rule 55, and must be passed by a two-thirds majority of members present.
Effective Date	72. These rules and resolutions shall become effective upon the date of enactment.

Reviewed and Approved by Town Council on the 11th day of February, 2025.

Signed by: V. Joan Nolan
V. Joan Nolan, Mayor

Date: February 11/2025.