

Rural Municipality of Brenda-Waskada

Province of Manitoba

By-Law #02-2021

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.

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 the Municipal Act, which shall form part of this by-law and which shall supersede any sections of this by-law inconsistent with The Municipal Act.

1 Inaugural Meeting

1.1 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.

2 Regular Meeting

- 2.1 The Council shall meet thereafter on the third Monday of each month in the Council Chambers at the Municipal Office at 5:30 PM or at such other time and place as determined by resolution of Council.
- 2.2 If such day or any regular meeting day shall be a legal holiday the said meeting may be held upon the next following day, which is not a legal holiday, at the same time and place.
- 2.3 Council may, by resolution, vary the date and time of a regular meeting as circumstances may require.
- 2.4 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.

3 Special Meeting

- 3.1 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.
- 3.2 Special meetings will be held at the ordinary place of meeting of the Council at the hour fixed for ordinary meetings, unless otherwise determined.
- 3.3 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 The Municipal Act.
- 3.4 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.

4 Attendance

- 4.1 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. Councillors who are absent for the full duration of three consecutive council meetings are disqualified from council.

5 Conduct of Members

- 5.1 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.
- 5.2 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.

6 Conflict of Interest

- 6.1 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.

7 Commencement of Meeting

- 7.1 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.
- 7.2 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.
- 7.3 The order of the day shall have preference to any motion before the Council.
- 7.4 The order of the day, unless otherwise determined by the Chairperson, shall be as follows:
1. Call Council to Order
 2. Approve the Agenda
 3. Adopt the Minutes
 4. Delegations to Meetings
 5. Business arising from the Minutes
 6. Accounts
 7. Correspondence
 8. By-Laws and Policies
 9. Development Permits
 10. Conditional Use and/or Variation Permits
 11. In Camera (if required)
 12. Municipal Employees / Office
 13. Municipal Property
 14. New Business
 15. Councillors Reports and Discussion
 16. Adjournment
- 7.5 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.
- 7.6 Discussion shall be limited to the question in debate.
- 7.7 No member shall speak to the question or in reply for longer than five minutes without leave of the Council.
- 7.8 Immediately before putting the question, the Chairperson shall have the privilege of summarizing the debate, but no new matter shall be introduced.
- 7.9 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.
- 7.10 A member called to order shall immediately sit down but may afterwards be permitted by the Head of Council to explain, and the Council if

appealed to, shall decide on the case without debate; if there be no appeal, the decision of the Chairperson shall be final.

- 7.11 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. 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.
- 7.12 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.

8 By-Laws and Proceedings Thereof

- 8.1 Council may act only by resolution or by-law.
- 8.2 No motion shall be debated unless it is in writing and is seconded, excepting only a motion to adjourn which does not need to be in writing.
- 8.3 Every proposed by-law must be given three separate readings and each reading must be put to a separate vote.
- 8.4 Only the title or an identifying number must be read at each reading.
- 8.5 Council may not give a proposed by-law more than two readings at the same council meeting.
- 8.6 Each member present at the meeting at which first reading is to take place must be given, or have had, the opportunity to review the full text of the proposed by-law before the by-law receives first reading.
- 8.7 Each member present at the meeting at which third reading is to take place must before the proposed by-law receives third reading, be given, or have had, the opportunity to review the full text of the proposed by-law and any amendment passed after first reading.
- 8.8 A by-law comes into force and takes effect on the day after the day it is passed.

DONE AND PASSED by the Council of the Municipality of Brenda-Waskada in regular session assembled this 15th day of March 2021.

Head of Council

Chief Administrative Officer

Read a First time this 16th day of February 2021

Read a Second time this 16th day of February 2021

Read a Third time this 15th day of March 2021