

RULES OF PROCEDURE FOR THE CONDUCT OF MEETINGS
Municipality of Mount Carmel-Mitchell's Brook-St. Catherine's
Effective: October 2017

Authority	Section 24(3) of the Municipalities Act requires that every council shall adopt rules of procedure for its meetings; therefore, the Council of the Town of Mount Carmel-Mitchell's Brook-St. Catherine's enacts the following rules and regulations:
Regular Meetings of Council	1. Regular meetings of Council shall be held on the second Monday of each month at 7:00 P.M. in the 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 notice to the clerk 48 hours in advance of the meeting unless otherwise agreed by a majority of elected council members.
Notice	3. Notice for all meetings of council shall be by way of the Agenda, which shall be provided to all members of council before 5:00 pm on the Friday (est. seventy-two 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 his/her place of residence. The failure of any councillor to have received notice shall not invalidate a meeting of council.
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 Monday following which is not a legal holiday.
Presiding Officer	5. In accordance with Section 22 of the Municipalities Act, the mayor shall preside at all meetings of council. In his 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 councillor's present. Such chairperson shall preside during the meeting or until the arrival of the mayor or deputy mayor.
Quorum	6. In accordance with section 211 of the Municipalities Act, a quorum shall consist of a majority of councillors in office .
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.
Meetings Open to the Public	9. In accordance with section 213(1) of the Municipalities 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. 10. Where a meeting is held as or declared to be a privileged meeting, all members of the public present at the meeting shall leave. 11. In accordance with section 213(3) of the Municipalities Act, where a decision is made by the councillors at a privileged meeting, the

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	decision, in order to be valid, shall be ratified at the next public meeting of council.
Minutes	<p>12. Minutes of meetings of council shall be recorded by the town clerk or designate. Such minutes shall contain:</p> <ul style="list-style-type: none"> • All motions and resolutions coming before council, including the names of the movers and seconders thereof; • The names of all council members voting in favour or against each motion, and the names of those abstaining; • The title and brief description of all reports, petitions, and other documents submitted to council. Reports and documents etc. accepted by council shall be attached to the minutes.
Correction of Minutes	<p>13. 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 agrees, the motion adopting the minutes shall contain the necessary correction(s).</p>
Agenda	<p>14. 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 seventy-two hours prior to council meetings.</p> <p>15. 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).</p> <p>16. The format of the agenda shall be as follows:</p> <ol style="list-style-type: none"> a. Calling of meeting to order b. Adoption of minutes c. Business arising from minutes d. Delegations e. Committee reports f. Correspondence g. Finances h. Regulations i. General Business j. Notices of motion k. Adjournment
Agenda for Special Meetings	<p>17. When a special or privileged meeting is called for the consideration of some particular matter, the order of business as set out in Rule 16 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.</p>

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Order and Decorum	18. The presiding officer at any meeting shall preserve order during debate and maintain decorum at all times.
Disorderly Persons	19. 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. 20. Any member expelled from a meeting under the provisions of Rule 19 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.
Notice of Motion	21. Every notice respecting the passing of a <u>regulation</u> shall be in writing and be placed on the agenda by moving a motion at the previous meeting.
Motions during Debate	22. When a question is under debate, the following non-written motions shall be in order: a. To extend the time of the meeting (if necessary) b. To refer or commit c. To amend d. To lay on the table e. To postpone indefinitely f. To move the previous question
Motions to be Seconded	23. Every motion shall be seconded before being put or debated. If there is no seconder, then the motion fails without debate.
Withdrawal of Motions	24. 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	25. Any motion or question which contains several distinct propositions may, by the direction of the presiding officer or upon the 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	26. Members of council shall always address their remarks to the presiding officer and continue themselves to the question at hand.
Entitlement to Speak	27. If two or more members speak at the same time, the presiding officer shall determine which member is entitled to speak.
Call to Order	28. 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	29. 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.

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Member Speaking not to be Interrupted	30. 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.
Clerk to attend meetings	31. In accordance with Section 62 of the Municipalities Act, the clerk shall attend all meetings of council and may, at the discretion of council, attend council committee meetings. 32. 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	33. No member, without the consent of council, shall speak longer than five minutes at any one time, or more than once on any issue, motion or amendment thereto. 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	34. All decisions of council shall be made in the form of a motion, debated and voted on and recorded as such.
Rereading of Motion	35. 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	36. 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.
Recorded Vote	37. In accordance with Section 212(4) of the Municipalities Act, the clerk shall record the names of those voting in favour of the motion, those voting against the motion, and those abstaining. 38. 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 207 of the Act or where she/he has been permitted to abstain by a majority vote of other councillors in attendance at the meeting. 39. In accordance with section 212(5) of the Municipalities Act, where there is a tie vote on a question, the question shall be considered to have been defeated.
No Secret Ballot	40. No vote shall be taken in council by ballot or by any other method of secret voting except when council is holding an election for the position of mayor and /or deputy mayor where a secret ballot is required if there is more than one nominee for the position(s).
Reconsideration	41. 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 in accordance with Rule 22.

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	42. 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.
Motion to Adjourn	43. A motion to adjourn is always in order except when: <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>44. 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.</p> <p>45. No second motion to adjourn the council meeting or the debate shall be made until some intermediate proceedings have transpired.</p>
Previous Question	46. 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.
Motion to Postpone Indefinitely	47. 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	48. 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	49. A motion to suspend the rules requires a two-thirds vote of members present.
Privilege	50. Whenever a matter of privilege arises it shall be dealt with immediately by council.
Motion to Refer or Commit	51. 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	52. In accordance with Section 25 of the Municipalities Act, council may from time to time appoint committees. The mayor shall be an ex-officio member of all committees.
Standing Committees	53. 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.
Special Committees	54. 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	55. Council may, by majority vote, resolve itself into a Committee of the Whole whereby it will operate under the rules for committees as

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	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	56. Membership on all committees of council is limited to members of council.
Quorum of Committees	57. A majority of the members of any committee shall constitute a quorum.
Committee Chairperson	58. When council appoints a committee, it shall also appoint one of its members to be chairperson of that committee.
Committee Secretary	59. 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	60. 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.
Committee Report	61. Following every committee meeting, the secretary shall prepare for the chairperson a report on all matters which require council action.
Conduct of Business in Committees	62. 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	63. 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).

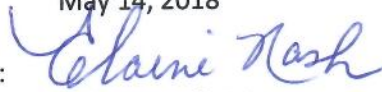
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	CLARIFICATION AND AMENDMENT PROCEDURE
Clarification of Rules	64. In all cases where these rules and regulations do not make provision or adequate provision, then Bourinot's Rules of Order shall apply.
Amendment of Rule	65. Any motion to amend these rules must be presented to council in accordance with Rule 21, and must be passed by a two-thirds majority of members present.
Effective Date	66. These rules and resolutions shall become effective upon the date of enactment.
Citizen Concerns and Presentations to Council	67. Refer to Policy and Procedure regarding Citizen Concerns and Presentations to Council.

Reviewed and Approved by Town Council

May 14, 2018

Signed by:



Elaine Nash, Mayor