

RULES OF PROCEDURE

Pursuant to the powers vested in it by virtue of Section 24(3) (1) of the Municipalities Act, 1999, and all other powers it enabling, the Town Council of the Town of Wabush in regular session convened on the 29th day of May, 2001, hereby passes and enacts the following rules of procedure for the conduct of its meetings.

RULES

1. Short Title

These rules may be cited as the Wabush Town Council (Rules of Procedure for its Meetings) Regulations, 2001.

2. Interpretations:

- a) “Act ” means The Municipalities Act, 1999.
- b) “Council” means the Town Council of the Town of Wabush.
- c) “Town” means the Town of Wabush as defined by paragraph 2 of Order-In-Council, dated the 11th day of April, A.D., 1967, and made under the provisions of the said Act.
- d) “Roberts Rules of Order” shall mean Roberts Rules of Order Revised.

3. Time and Place of Meetings

- a) Except as otherwise decided, the regular meetings of Council will generally be held on the last Tuesday of each month. Special meetings may be called upon the request of the Mayor or any two Councillors.
- b) The meetings generally will be held in the Town Hall between 1:00PM and 4:00PM.
- c) Every meeting of Council is open to the public, unless it is held as a privileged meeting or declared by vote of the Councillors present at the meeting to be a privileged meeting.

4. Presiding Officer at Meetings

- a) The Mayor, and in his absence, the Deputy Mayor shall preside at all meetings of the Council.
- b) If both the Mayor and Deputy Mayor are absent from a meeting the other

Councillors shall appoint a temporary Chairman who has and may exercise the powers and carry out the duties of the Mayor at the meeting.

5. Quorum

A majority of the number of Councillors that may be elected or appointed for a Municipality constitute a quorum for the purposes of a meeting of the Council.

6. Order of Business

- a) Minutes of Previous Meeting
- b) Petitions, Delegations, or Visitors.
- c) Business Arising Out of Minutes
- d) Business Deferred from Previous Meetings
- e) Reports of Committees
- f) Applications
- g) Correspondence
- h) Staff reports and business raised by the staff
- i) Invoices
- j) New Business
- k) Notice of motions and of questions requiring study or detailed answers

Notes:

1. Delegations and visitors will be welcome to all open meetings, with Council reserving the right to recess for discussion or to defer the matter as necessary. Delegations and others should be advised by the staff of the desirability to submit their concerns in writing, prior to the meeting.
2. Staff reports should be, when possible, in written form and the recommendation or required action clearly stated. The presiding officer should as quickly as possible indicate that a formal discussion and decision should be undertaken.
3. All Committee reports should be in written form and the recommendations clearly identified.

4. All business or issues should, wherever, and as quickly as possible, be put to a motion or formal discussion.

7. Conduct of Meetings

- a) Business should be taken up in the order as specified on the agenda, but may be altered by majority discussion.
- b) When a special meeting is called, only the particular business specified for the meeting should be taken up unless otherwise determined by majority vote of those present.
- c) The presiding officer at any meeting:
 1. Shall preserve order during debate and shall decide all points of order, stating his reasons for any such decisions, without unnecessary comment.
 2. Shall decide which member has right of precedence to speak during debate.
 3. May state his opinion but should avoid debate.
 4. Is subject to the direction and control of the Council and shall abide by any decision of the Council.
 5. May expel and exclude from any meeting any person who has been guilty of improper conduct or who refuses to apologize when so directed by the Chairman. In such cases entry in the minutes shall be made as to the reason for the exclusion. The excluded person may resume his seat subject to the chairman's discretion.

8. Points of Order

- a) A point of order will take precedence over all the other business and debate shall be suspended until the point of order has been determined.
- b) The decision of the presiding officer on a point of order is subject to an appeal to the Council that is to be decided without debate.
- c) The procedure for appealing a decision on a point of order is as follows:
 1. The Councillor wishing to appeal the ruling shall state: "I appeal the ruling of the Presiding Officer.";
 2. The Presiding Officer shall then immediately put the question, without debate, as follows: "It is moved that the Presiding Officer's ruling be upheld.";

3. The motion is carried or defeated by majority vote in the same manner as other disputed motions are decided.

9. Motions

- a) A motion must have a “Proposer” and a “Secunder” before it can be debated.
- b) Any motion of particular importance, or which is known to be controversial, or that which would require study, should be submitted in writing as a “Notice of Motion” during the meeting preceding the date when the motion is to be made. This will allow due consideration of the matter prior to debate.
- c) When a motion is being debated, the only other motions in order are:
 1. To amend the motion
 2. To refer the question to a Committee or other source of reference
 3. To postpone debate to a specific time. These must be decided before returning to debate of the initial motion or proceeding with other business. A motion to postpone may be debated only with reference to time.
- d) The number of amendments to a main motion should be limited. If the motion as it then stands is still generally unacceptable, it should be brought to a vote in its finally amended form with the expectation that it will be lost by vote. A new main motion may then be placed for debate.
- e) Any motion or question which contains several distinct propositions may, by direction of the Chairman or on the request of any member, be divided into its separate parts for debate. If the mover or questioner is unable or unwilling to separate the propositions, it shall be declared out of order by the Chairman.
- f) Once a motion has been moved and seconded, it cannot be withdrawn except with permission of Council, and then only before decision or amended thereof. This ensures motions not being made in order to present one side of a question and then, by withdrawal, preventing others being heard on the matter.
- g) Normally, each member of Council is entitled to speak once to a motion, with the mover being entitled to speak twice - once in presenting the motion and once at the end of debate. Additional discussion may be permitted with permission of the Chairman.

10. Committees

The Council by majority decision, may establish standing committees and/or special

committees. Minutes and or written reports of all committee meetings shall be presented to Council and whenever possible prior to discussion of Committee recommendations.

11. General Policy

To allow for orderly resolution of all issues a member of Council shall, generally speak only once on any issue. The member who raises the issue may speak, initially on the subject and again in summation, after the other Council members have spoken. If a consensus is not reached quickly, in this manner, the issue shall be put in motion form. All discussions shall be brief and to the point.

The rules of procedure must not be allowed to prevent the efficient operation of Council. The rules may be suspended when a motion is duly made to this effect and received assent from the majority of members present.

The rules may be amended through prior "Notice of Motion" and assent by a majority of members present.

Where there is conflict between these Rules of Procedure and the Municipalities Act, 1999; the Municipalities Act, 1999, shall take precedent.

Where it is necessary to refer matters of procedure they shall be referred to Roberts Rules of Order and Roberts Rules of Order shall apply.

12. Effective Date

These rules will become effective immediately.

In Witness Thereof the seal of the Town of Wabush has been affixed herewith and the Mayor and the Town Clerk have signed these Regulations on behalf of the Wabush Town Council this 29th day of May, 2001.

Jim Farrell
Mayor

Witness

Florence Harnett, CMC
Town Clerk/Treasurer