



# Village of Teslin

## By-Law # 21-246

### A Bylaw to regulate the proceedings of the Council of the Village of Teslin

**WHEREAS** section 210 of the Municipal Act (RSY 2015) requires council to enact a bylaw to make rules for calling meetings, governing its proceedings, and the appointment of members of council to council committees, and generally for the transaction of its business;

**NOW THEREFORE** the council of the municipality of the Village of Teslin, in open meeting assembled hereby ENACTS AS FOLLOWS:

#### 1. SHORT TITLE

This bylaw may be cited as the “COUNCIL PROCEEDINGS BYLAW”

#### 2. DEFINITIONS

In this bylaw:

- 1) “CHAIRPERSON” means the presiding officer at any meeting of Council or Council Committee.
- 2) “COMMITTEE OF THE WHOLE” means a committee of the whole council where no bylaw or resolution, apart from the resolution necessary to revert back to an open meeting or the resolution to go in camera, may be passed.
- 3) “MEMBER” means a duly elected member of the Municipal Council or a duly appointed member of a committee as the context warrants.
- 4) “MOTION” means a standard term used by Council to describe the original statement whereby business is brought before a meeting, and may also mean resolution.
- 5) “SPECIAL MEETING” means a meeting of Council held outside of the regular schedule of Council meetings.

#### 3. APPLICATION

- 1) The following rules shall be observed and shall be the rules and regulations for the order and conduct of business in all regular or special meetings of council, all in camera meetings of council, all committee for the whole meetings and all council committee meetings.

#### 4. GENERAL PROVISIONS - MEETINGS

- 1) **Meeting Location.** Meetings shall be held in the council chambers at the Municipal office or at another location from time to time. A meeting may be held outside the municipality if a majority of Council receives a notice to that effect.
- 2) **Attendance of public at meetings.** Subject to Section 213(3) of the Municipal Act all Council meetings must be open to the public, and nobody may be excluded other than for improper conduct.
- 3) **Closed meetings.** When Council wishes to close a meeting to the public, it may do so by adopting a resolution stating the nature of the matter to be discussed as authorized by Section 213(3) of the Municipal Act.
- 4) **Committee Meetings.** The rules of procedure herein established shall apply to meetings of all committees and all advisory bodies established by Council.

#### 5. PARTICIPATION IN MEETINGS BY ELECTONIC MEANS

- 1) Provided the conditions set out in Section 215 of the Municipal act are met, a Regular or Special Council meeting or Committee meeting may be conducted by means of visual and audio or audio electronic or other communication equipment.
- 2) There is no restriction on the number of Members that may participate electronically, in a Regular or Special Council meeting or the Chair in a Committee meeting, provided the quorum requirements are met.
- 3) All Members participating in a meeting electronically shall be deemed to be present in the meeting as though they were physically present.
- 4) Those participating electronically at an in camera meeting must confirm to the members physically present at the meeting that there is, and will not be, any opportunity for anyone other than authorized participants to hear or view the discussions. Electronic participation will not be permitted without this confirmation being provided.
- 5) If technological problems prevent participation, the member shall be marked absent.
- 6) If communications are lost during the meeting and the member cannot be reconnected, the minutes will reflect when the member left the meeting.
- 7) If there is an interruption in the communication link resulting in the loss of a quorum:
  - a) Members may decide on a short recess until it is determined that the link can be restored, or
  - b) The meeting shall be dissolved and rescheduled.

#### **6. MAYOR**

Subject to the Municipal Act, the Mayor shall preside over the conduct of the meeting and:

- 1) Shall maintain order and preserve the decorum of the meeting;
- 2) Shall decide points of order without debate or comment other than to state the rule governing;
- 3) Shall determine which member has the right to speak;
- 4) Shall rule when a motion is out of order;
- 5) May call a member to order;
- 6) Shall be permitted to participate in the debate of any matter without the need to relinquish the Chair; and
- 7) Shall vote on every matter unless they are excused or disqualified from voting pursuant to the provision of the Municipal Act.

#### **7. DEPUTY MAYOR**

- 1) Council shall by resolution appoint from among its members a Deputy Mayor who shall, in the absence, illness or inability of the Mayor, be acting Mayor and have all the powers and perform all the duties of the Mayor.

#### **8. REGULAR MEETINGS**

- 1) **Meeting Schedule.** The Council shall hold its regular meetings on the second and fourth Monday of each month in Council Chambers at the municipal office. All regular meetings shall be scheduled from 6:30 pm – 9:00 p.m. Council may, by resolution extend the hours of a regular meeting by one hour.
- 2) **Unfinished business.** Any unfinished business shall be dealt with at the next regular meeting of Council.
- 3) **Previous Minutes.** At every regular meeting of Council the minutes of the previous regular meeting and any special meeting held more than 48 hours prior to the current meeting shall be considered by Council and adopted by resolution either as presented or as amended.

#### **9. SPECIAL MEETINGS**

- 1) **Meeting Times.** Except as provided otherwise in this section, a Special Meeting may be scheduled subject to notice pursuant to section 10 of this Bylaw as such times as may be agreed to by the majority of Council.

- 2) **Special Meeting Request.** The Mayor and a Councilor, or two Councilor may, in writing request the Chief Administrative Officer to call a special meeting stating the purpose of the meeting.
- 3) **Unfinished Business.** Any unfinished business shall be dealt with at the next regular or special meeting of Council.
- 4) **Closed Special Meetings.** A closed special meeting may be scheduled with sufficient notice under section 9 of this bylaw, subject to the matter to be discussed being authorized by Section 213(3).

## 10. PROCEDURE OF MEETINGS

- 1) **Notice of Meeting.** Notice of regular, special and committee meetings must be given as follows:
  - a) Not less than 24 hours before a meeting the Chief Administrative Officer must give public notice of the time, place, and date of any meeting by way of notice posted on the public notice board in the municipal office.
  - b) Not less than 24 hours before a meeting the Chief Administrative Officer must deliver a notice of the time, place, and date of any meeting and in addition a copy of the agenda of such meeting to each Member at the place to which the Member has directed notices to be sent.
- 2) **Postponement for Statutory Holidays.** When the day fixed for a regular meeting of Council falls on a statutory holiday, the meeting must be held at the usual time and place on the following day.
- 3) **Postponement if No Quorum.** If there is no quorum of Council present at a regular meeting or special meeting within 30 minutes after the scheduled time of a meeting, the meeting shall be postponed to the same hour on the next regular business day or to a time mutually convenient to the majority of Members.
- 4) **Cancellation of Meetings.** Council may, by resolution, cancel any Regular meeting. The Chief Administrative Officer shall give public notice of cancellation of a Regular Meeting by posting notice of cancellation on public notice boards around Teslin.
- 5) **Mayor to Open Meetings.** When a quorum is present, the Mayor, or Deputy Mayor in the Mayor's absence, must call the meeting to order and shall serve as Chairperson of that meeting.
- 6) **Appointment of Chairperson.** When a quorum is present but neither the Mayor nor the Deputy Mayor are present within fifteen minutes after the time at which the meetings is scheduled to begin, the Chief Administrative Officer shall call the meeting to order and, by resolution, the Council shall appoint a Councilor to act as Chairperson for that meeting until the Mayor or Deputy Mayor arrives. The Chairperson of a meeting has the powers, duties, and responsibilities of the Mayor in respect of that meeting.
- 7) **Late Arrival.** If a Council Member arrives late at a regular meeting, special meeting, or committee meeting, no prior discussion shall be reviewed for that member's benefit except with unanimous consent of all members present.
- 8) **Order of Procedure at Regular Meetings.** Unless Council otherwise directs, by resolution, the business at a Regular Meeting shall be conducted in the following order.
  - a) Adoption of Agenda as presented or as amended,
  - b) Adoption of the minutes of regular and special meetings of Council,
  - c) Hearing of delegations and individuals,
  - d) Consideration of reports from village administration and any standing or special committees of Council,
  - e) Receipt of notices of motions to be considered at a subsequent meeting of Council,
  - f) Consideration of correspondence,
  - g) Consideration of statements of accounts payable by the Village,
  - h) Introduction and consideration of first, second, and third reading of bylaws,
  - i) New and unfinished business,

- j) Question Period,
- k) Adjournment
- 9) **Regular Meeting Agenda.** The Chief Administrative Officer shall prepare an agenda for each regular meeting that is in the order set out in this section and states the general nature of each item of business to be dealt with at the regular meeting.
- 10) **Special and Committee Meeting Agenda.** The Chief Administrative Officer shall prepare an agenda for each Special Council Meeting or Committee meeting that states the general nature of each item of business to be dealt with at the meeting. The order of business at a Special Council Meeting or Committee Meeting shall be determined by the Chief Administrative Officer.
- 11) **Notice of Presentations and Delegations.** Not later than 4:30 p.m. on the third business day prior to a Council Meeting at which a person or a delegation wishes to make a presentation to Council, that person or spokesperson for the delegation shall inform the Chief Administrative Officer of the subject of the presentation. Council may, by resolution, agree to waive the notice required for presentations and delegations.
- 12) **Agenda Addendums.** Emergency or time sensitive items may be added to the agenda of a Regular or Special meeting without prior notice if agreed by unanimous vote. Failing unanimous approval such items shall be referred to the next meeting of Council and dealt with at that time.

## 11. MINUTES

- 1) **Recording of Minutes.** The Chief Administrative Officer shall ensure that Minutes for meetings of Council and Committees, are legibly recorded, made available, and preserved in accordance with sections 211 and 212 of the Municipal Act.
- 2) **Adoption of Minutes.** The Minutes of Council or Committee Meetings shall be adopted by resolution of Council. Minutes may be adopted by resolution without being read to the meeting if every Member has received a copy of the Minutes. Minutes shall not be adopted until the Chief Administrative Officer has made such changes to the Minutes as Council may, by resolution, direct. Once adopted by resolution, the Minutes shall constitute the definitive record of the meeting.

## 12. RULES OF CONDUCT AND DEBATE

- 1) **Recognition of Speaker.** Councilors may speak at a meeting after having raised their hand and being recognized by the Chairperson. If two or more Councilors simultaneously raise their hands the Chairperson shall designate the order in which Councilors may speak.
- 2) **Manner of Address.** Members shall address each other as “Mayor” or “Councilor” as the context warrants.
- 3) **Rules when Speaking.** Except as otherwise approved by resolution, Councilors may:
  - a) Speak only to a matter under consideration;
  - b) Speak for no more than five minutes at a time;
  - c) Not speak to a matter already dealt with by Council at the same meeting.
- 4) **No Interruptions.** Members shall not interrupt a member who is speaking except to raise a point of order, and shall not make a disturbance during the meeting.
- 5) **Removal for improper Conduct.** If the Chairperson deems a person to be guilty of improper conduct, the Chairperson may expel and exclude such person from the meeting.
- 6) **Robert’s Rules of Order.** Where rules for Council or Committee Meeting procedures are not provided in this Bylaw, the rules established in the Municipal Act shall apply, and where the Act is silent the latest version of Robert’s Rules of Order, shall apply.

## 13. MOTIONS & AMENDMENTS

- 1) Motions, other than routine motions, shall be submitted in writing before being debated. Routine motions such as motions to adopt, to receive, to file, to refer or defer, to table, to introduce, or adopt, or to adjourn need not be in writing. All

written motions shall be read by the Chairperson before being debated and again before being voted on.

- 2) The Council may debate and vote on a motion only if it first made by one Council member and then seconded by another.
- 3) A Council member may make only the following motions when the Council is considering a question:
  - a) To refer to committee;
  - b) To amend;
  - c) To lay on the table;
  - d) To postpone indefinitely;
  - e) To postpone to a certain time;
- 4) A motion made pursuant to section 13(3) (c) to (e) is not debatable.
- 5) Council must vote separately on each distinct part of a question that is under consideration at a council meeting if requested to do so by a Council member.
- 6) A Council member may, without notice, move to amend a motion that is being considered at a council meeting.
- 7) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- 8) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.
- 9) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote.
- 10) An amendment defeated by vote of Council may not be reintroduced.

#### **14. PROCEEDINGS OF COMMITTEE OF THE WHOLE**

- 1) **Resolving into Committee of the Whole.** Council may appoint a Committee of the Whole in the course of a Regular or Special Meeting with the adoption of a resolution "That Council do now resolve itself into a Committee of the Whole Meeting to discuss and make recommendations on ..." specifying the matter to be dealt with. If the matter to be discussed is one referred to in section 213(3) of the Municipal Act the Committee of the Whole meeting shall be closed to the public.
- 2) **Rise and Report.** When all matters referred to a Committee of the Whole have been considered, a motion to revert to Council shall be adopted.

#### **15. BYLAWS**

- 1) Council may not consider a proposed bylaw unless the Chief Administrative Officer has provided all Members with a copy of the bylaw along with the agenda for the meeting, and unless consideration of the bylaw is included on the agenda of the meeting.
- 2) When so determined by resolution, every part and clause of the bylaw shall be read aloud.
- 3) Where it has not been determined that every part and clause of bylaw is to be read aloud in accordance with section 15 (2), the Chairperson shall in turn make reference to each paragraph in the preamble; to each clause in the bylaw; and to each schedule or appendix to the bylaw.
- 4) Upon reference to any part or clause in a bylaw by the Chairperson, any member of the Committee may request that the part or section be read aloud, in which case it shall be so read.
- 5) Subject to section 15 (3), upon reference to each part or clause by the Chairperson, each member shall indicate his agreement or otherwise by clearly stating "agreed" or "disagree" as the case may be.

#### **16. FINANCIAL REPORTS**

- 1) The Chief Administrative Officer shall, for the second Regular Meeting in each month, produce and include with the agenda provided to Members copies of

statements of actual and budgeted revenue and expenditures for the current fiscal year and other data as may be requested by Council from time to time.

**17. ACCOUNTS PAYABLE**

- 1) The Chief Administrative Officer shall, for the first Regular Meeting in each month, produce and include with the agenda provided to Members copies of a list of accounts payable accumulated over the period since the previous report, and that list shall include the name of the payees, a brief description of the goods or services purchased from each payee, and the amount payable.

**18. ENACTMENT**

- 1) Bylaw #18-232 and all amendments thereto are hereby repealed.
- 2) This Bylaw shall take effect on final adoption.

Read a first and second time this 8<sup>th</sup> day of November, 2021  
Read a third time and finally passed this 22<sup>nd</sup> day of November, 2021

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**Mayor, Gord Curran**

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**CAO, Shelley Hassard**