

**CANADA
PROVINCE OF QUEBEC
MUNICIPALITY OF GROSSE ILE**

**BYLAW 2019-005
REGARDING PROCEDURES PERTAINING TO
SITTINGS OF THE COUNCIL OF THE
MUNICIPALITY OF GROSSE ILE**

WHEREAS Article 145 of the Municipal Code permits councils to adopt a bylaw pertaining to the conduct of debates and the maintenance of order at the sittings of council;

WHEREAS the council deems it necessary to adopt a bylaw to maintain order and decorum during its sittings;

WHEREAS a notice of motion was given at the regular sitting of council held May 13, 2019 and the draft bylaw was also presented at this same sitting;

WHEREAS a copy of this bylaw was given to each council member at least seventy-two (72) hours prior to the present sitting;

WHEREAS the members of council declare having read the bylaw;

WHEREAS during the course of the sitting, the Director General briefs the council on the content and scope of the bylaw;

WHEREAS copies of the bylaw have been made available for the public at the beginning of the sitting;

THEREFORE

It is moved by Steve Clarke
Seconded by Jessica Goodwin
And unanimously approved by the members present

THAT Bylaw 2019-005 is hereby adopted and ordered and decreed by the following:

Article 1: The present bylaw is entitled: "Procedures Pertaining to Sittings of the Council of the Municipality of Grosse Ile".

Section I: Ordinary Sittings of Council

Article 2: Ordinary sittings of council shall be held the second Monday of each month.

Article 3: If the prescribed date of an ordinary sitting falls on a statutory holiday, the sitting shall be held the following Monday.

Article 4: The council shall sit in the Municipal Council Chambers at the municipal office situated at 006 chemin Jerry, Grosse Ile.

Article 5: Ordinary sittings of council shall commence at 6:30 p.m.

Article 6: Each regular sitting and special sitting of council shall be open to the public and shall not exceed one sitting unless an adjournment is deemed necessary.

Article 7: All deliberations shall be carried out in a clear and concise manner.

Section II: Special Sitings of Council

Article 8: A special sitting of council may be convened by the Mayor at any given time, as he/she deems necessary, by verbal or written notice to the Director General. If the Mayor refuses to convene a special sitting and such a sitting is judged necessary by no less than two members of the council, the said members may request that the meeting be convened, by means of a written request and signed by the members requesting the sitting, to the Director General.

Article 9: Notice of a special sitting must indicate the subject of business that will be discussed.

Article 10: At a special sitting, only the items on the notice of meeting may be treated, unless unanimous consensus is given and only if all members of council are present.

Article 11: If a doubt arises indicating that council members absent from the sitting may not have been advised of the sitting, it must be immediately closed.

Article 12: All members of council must be advised of a special sitting not less than 48 hours prior to the time scheduled for the beginning of the sitting.

Article 13: The notice of meeting may be delivered by one or any of the following methods:

- i. By mailing the notice either by certified or registered mail at least two working days prior to the meeting;
- ii. By giving a copy of the notice of meeting to the concerned party, in person, or to a responsible person, at his place of residence or place of business; Notification is carried out by the person delivering the notice, by the municipal officer or by any other peacekeeping agent;
- iii. In the case where notification is delivered to the concerned party, in person, either at his place of residence or place of business at which time the doors are closed, or there is no persons available to accept the document, the notification may be posted on the door of the place of residence or place of business.

Article 14: Any council member unable to attend a special sitting must indicate his/her intent in form of written or verbal notice to the Director General.

Article 15: Unless otherwise stated in the notice of meeting, special sittings shall commence at 6:30 p.m.

Article 16: Special sittings of council shall be open to the public.

Section III: Order and Decorum

Article 17: The Mayor presides over council sittings. In the absence of the Mayor the sittings are presided over by the Deputy Mayor or a designated council member in the absence of the Deputy Mayor.

Article 18: The chair is responsible for maintaining order and decorum during council sittings. He may order the removal of any person causing a disturbance during a sitting.

Section IV: The Agenda

Article 19: The Director-General prepares a draft agenda for all ordinary sittings, which must be transmitted to all council members with all relevant documents, at least 72 hours in advance.

Article 20: The agenda may be established according to the following model:

1. Opening of the sitting:
 - a) Welcome word by the chair,
 - b) Adoption of the agenda
 - c) Adoption of the minutes
 - d) Correspondence
 - e) Business arising from the correspondence
2. Administrative acts of the council
 - a) Appointment of permanent and temporary staff,
 - b) Reports of officers, employees or council committees,
 - c) Accounting (statement of revenues and expenses)
 - d) Accounts paid
 - e) Financial statement
3. Legislative acts of the council
 - a) Adoption of by-laws
 - b) Notice of motion
 - c) Public consultation
 - d) Adoption of resolutions
4. Varia
5. Question period
6. Close

Article 21: The agenda is modified and completed before its adoption, according to the needs of each council member.

Article 22: The items on the agenda are discussed by the council, in accordance to the order in which they appear, following the adoption of the agenda.

Article 23: The agenda may, after its adoption, be modified, at any given time, but only if the majority of council members present are in agreement.

Section V: Recording Devices

Article 24: The use of all photographic equipment, video cameras, television camera etc is authorized under the following conditions:

- a) Any council member as well as all other persons present at the council sitting, except for persons intervening during the question period, may be photographed by a camera, video camera, television camera or any other piece of equipment used to capture an image.
- b) Equipment of this nature is only authorized in the areas designated and identified for such a purpose, such as along the side or at the back of the room.

The use of all photographic equipment, video cameras, television cameras, or any other piece of equipment used to capture an image is only authorized under the condition that the use of such equipment is carried out quietly and in such a way that does not disturb the normal proceeding of the sitting.

Article 25: The use of a mechanical or electronic recording device is authorized during council sittings, with the condition that the equipment is used quietly and in such a manner that does not disturb the normal proceeding of the sitting. The equipment used must stay within the possession of its owner, or be placed on a table or area designated and identified for that purpose; no recording device, microphone or any other component of the said equipment shall be placed on, or within the proximity of, the council table or in any other area besides the one designated for that purpose.

Section VI: Question Period

Article 26: Each sitting of the council includes a question period, at which time any member of the public attending the sitting may verbally present questions to council members.

Article 27: The question period lasts no longer than fifteen minutes. This may be extended an additional fifteen minutes, if the majority of the council members present approve the extension.

Article 28: Any member of the public present at the sitting, and wishing to ask a question, must:

- a. identify him/herself.
- b. address him/herself to the chair.

- c. specify to whom his/her question is being submitted.
- d. shall only ask one question (or a sub-question) pertaining to the same subject. However, any person may ask a different question (or sub-question) after all other persons wishing to ask a question has had the chance to do so and there is still time remaining in the question period.
- e. express him/herself in a polite manner without using profanities

Article 29: Each citizen shall benefit from a maximum of five minutes to ask a question after which time the chair may terminate the intervention.

Article 30: A member of the council whom is addressed a question, may choose to answer at the same council sitting, a subsequent sitting or in writing. The Mayor or a Councillor may, as need be, call upon the Director General for any information relative to the proposed question.

Article 31: Any member of council, with permission from the chair, may provide additional information to any given response.

Article 32: Only questions of a public interest will be permitted. Matters of personal interest are not the concern of municipal affairs.

Article 33: All members of the public present during a sitting of council are prohibited from shouting or causing a commotion, a disturbance or making any other gesture that may prevent the sitting from proceeding as normal.

Article 34: Any member of the public present during a sitting of council, and addressing a member of council, or administration, may only ask questions in accordance with Articles 28, 29 and 30 of the present bylaw.

Article 35: Any member of the public present during a sitting of council, must respect any measures of conduct set forth by the chair in order to maintain order and decorum during the sitting.

Section VII: Petitions

Article 36: All petitions or written requests to be presented to the council must be summarized, including the name of the person and the subject. Only the summary shall be read unless a member of council deems it necessary to read the entire document, then, if such is the case, the document shall be read.

Section VIII: Procedures for Presenting Requests, Resolutions and Draft Bylaws

Article 37: All requests pertinent to the agenda of council must be received at the municipal office no later than five working days prior to the last Monday of each month so they may reach the agenda of the same month. If not,

the request will be included in the agenda of the following month.

Article 38: Any elected official wishing to speak, must make his intention to do so, known to the chair. The chair of the sitting shall permit each officer to speak by order of request.

Article 39: Resolutions and bylaws are presented by an elected official, or upon request of the chair, an administrative officer who, in return, shall explain the proposed resolution or bylaw to the council.

Once presented, the chairperson of the sitting must ensure that any Councillors wishing to address the question have the opportunity to do so.

Once the draft resolution or bylaw is presented, a Councillor may request an amendment to the draft.

Article 40: Once a request for an amendment is made by a council member, the council must vote on the amendment presented. Once the amendment is adopted, the council then votes upon the amended draft. However, if the amendment is not approved, the council shall vote on the original draft. The regulations applicable to voting procedures for the draft are also applied to voting on the amendment.

Article 41: Any Councillor may, at any time during a debate, demand the reading of an original proposition or amendment and the administrative officer, upon request of the chair, must read the document.

Article 42: Upon the request of the chair, the Director General may offer his/her opinion, observation or suggestion that he/she judges relative to the discussion.

Section IX: Voting

Article 43: Votes are accorded vocally upon demand of a council member and are transcribed in the minutes. Unless a council member demonstrates his opposition or disagreement, the resolution is unanimously adopted by the members present.

Article 44: Except for the chair, all other members of council are obligated to vote (in accordance with the law). The mayor may vote but is not obligated to do so.

Article 45: However, a council member who is present during which time a question is asked in which he has either a direct or indirect financial interest in, he must indicate the nature of such an interest before the debate takes place and abstain from voting on the matter or influencing the vote pertaining to the said question.

Article 46: Whenever a question is taken into consideration, during a sitting at which time a Councillor is not present, the said Councilor must state the nature of any interest he may have pertaining to the said question at

the first meeting he attends, once becoming aware of the fact, all conforming to the *Act Respecting Elections and Referendums in Municipalities* (L.R.Q., c. E-2.2).

Article 47: All decisions must be taken by a majority of the members present, unless the law demands a unanimous approval or by a majority of the elected members. In such cases, the majority required is the majority of the elected officials.

Article 48: During voting, if there is an equal division among the council members, the decision shall be that of a negative one.

Article 49: Voting results of each council member are not registered in the minutes, unless requested by a member of council.

Section X: Adjournment

Article 50: All ordinary or special sittings of council may be adjourned by the council, to be continued at another time the same day or at a subsequent sitting, in order to complete unfinished business without obligation to provide notice of convocation to the members present.

No new business shall be added to the agenda or taken into consideration during any adjournment of a special sitting, unless all council members are present and are in consent.

Article 51: One member of council may, when there is not a quorum, adjourn a sitting to an ulterior date, 60 minutes after declaring a default of quorum.

Special notice of such an adjournment must be given, by the Director General, to the council members absent during the said adjournment.

The time of the adjournment, the names of the members present, and the day and the hour in which the sitting was adjourned are transcribed in the minute book of the Municipality.

Section XI: Penalty

Article 52: Any person contravening Articles 24, 25, 28, 33, 34 and 35 of the present bylaw is guilty of an offense and is subject to a minimal fine of \$100.00 for the first infraction and \$200.00 for the second infraction, although the said fines shall not exceed \$1000.00 in any case. Fees pertaining to each infraction are not included in the prescribed amounts.

By neglecting to pay the fine within the time prescribed, the offence shall become susceptible to the sanctions provided for in the Penal Code of Quebec (L.R.Q., c. C-25.1).

Section XII: General Provisions

Article 53: The dispositions of the present bylaw shall not be interpreted in a manner that shall restrict the powers granted, by law, to the members of council.

- Article 54: The above preamble is an integral part of this bylaw
- Article 55: This present bylaw repeals and replaces any other bylaws of the same nature previously adopted by the Municipality of Grosse Ile.
- Article 56: This bylaw shall come into force in accordance to the law.

Rose Elmonde Clarke
Mayor

Janice Turnbull
Director General

NOTICE OF MOTION: May 13, 2019
ADOPTION: June 10, 2019
PUBLICATION: June 18, 2019