

THE RURAL MUNICIPALITY OF SPRINGFIELD

---

Being a by-law to regulate the proceedings and conduct of the council of the Rural Municipality of Springfield and the committees thereof.

---

WHEREAS section 149(1) of The Municipal Act provides that a council must establish by by-law rules of procedure, and review the by-law at least once during the term of office;

THEREFORE BE IT RESOLVED that the council of the Rural Municipality of Springfield, in open meeting assembled enacts as follows:

**TITLE**

- 1.0 This by-law may be referred to as "The Rural Municipality of Springfield Procedures By-Law".
- 1.1 The following rules and regulations shall be observed in council, and in all committees thereof.
- 1.2 All Points of Order or procedures for which rules have not been provided in this by-law shall be decided by the Chair in accordance with, as far as is reasonably practicable, the rules of parliamentary procedure in Robert's Rules of Order.

**DEFINITIONS**

- 2.0 In this by-law:
  - a) "Agenda" means the agenda for a regular or special meeting of council or committee of council.
  - b) "CAO" means the Chief Administrative Officer or a designated officer delegated to perform duties as the Chief Administrative Officer by the CAO in their absence.
  - c) "Chair" means the person presiding at the meeting of council or committee.
  - d) "Closed Meeting (In Camera)" means in private or to the exclusion of the public.
  - e) "Committee" means a committee or other body established under The Rural Municipality of Springfield Organizational By-Law, but does not include a Committee of the Whole council or a Local Urban District.
  - f) "Council" means the duly elected Mayor and Councillors of The Rural Municipality of Springfield.
  - g) "Council Meeting" means a regular meeting or special meeting of the council but does not include a public hearing held by the council.
  - h) "Disorderly Conduct" means conduct which results in any obstruction to the deliberations of or impedes the proper action of Council.
  - i) "Emergency Meeting" means a meeting of Council called to address circumstances that arise suddenly and require immediate consideration.

## SUSPENSION

- 3.0 Any rule contained in this by-law may be suspended by a vote of the majority of the members present, except in cases where the Act or this by-law, determines some other vote is required.

## COUNCIL INAUGURAL MEETING

- 4.0 Following a general election, the Mayor must call the Inaugural Meeting of Council within 30 days, and the meeting shall be held in Council Chambers in Oakbank at 7:00 p.m.

## QUORUM

- 5.0 A majority of the members of council constitutes a quorum. A quorum of council for the Rural Municipality of Springfield shall be four members.
- 5.1 If a position on council is vacant, the quorum will be the majority of the remaining members of council provided that the minimum number for a quorum cannot be less than 3 members. In the case of a council committee, the minimum number for a quorum is 2.
- 5.2 Lack of quorum - If no quorum is present within 10 minutes after the time scheduled for a meeting, the council shall stand adjourned, and the CAO shall enter into the minutes the names of the members present at the meeting.

## COMMUNICATION FACILITY

- 6.0 Any member of council participating in a meeting of council by means of a communication facility shall do so only with prior approval of council and on terms and conditions set by council.
- 6.1 Members of council participating in a meeting of council by means of a communication facility are deemed to be present at the meeting.

## AGENDA

- 7.0 An agenda of each regular meeting of council, together with copies of supporting materials shall be available to the members of council at least 96 hours preceding the meeting of council. A copy of the agenda shall be posted in the municipal office and on the municipal website at the same time.
- 7.1 The Mayor, in conjunction with the CAO, shall review and approve the agenda prior to publishing or distributing an agenda to ensure there is sufficient information provided for each item to facilitate Council deliberations.
- 7.2 All items to be placed on the agenda of the next regular meeting of council must be provided to the CAO at least 96 hours prior to the scheduled time of the regular meeting.

- 7.3 Items may be added to the agenda at a regular meeting of council by a majority vote of the members present.
- 7.4 In preparing the council agenda, the CAO shall state the business for consideration in accordance with the following order of business:
- Call the meeting to order and Invocation
  - Approval of Agenda
  - Conflict of Interest Declaration
  - Adoption of the minutes
  - Reports – Elected Officials/Standing Committees
  - Question Period
  - By-Laws
  - Delegations
  - Reception of petitions (as required)
  - Unfinished Business
  - Consent Agenda
  - New Business
  - Matters arising from Delegations
  - In Camera
  - Any other Business
  - Adjournment
- 7.5 Notwithstanding the provisions under 7.4, it shall always be in order for the council to vary the order in which business on the agenda shall be dealt with by a majority vote of the members present.

#### REGULAR MEETING

- 8.0 Regular meetings of council shall be held on the 1st and 3rd Tuesdays of each month in the council chambers of the Rural Municipality of Springfield at the hour of 6:30 p.m. A meeting to consider all matters under The Planning Act will be held on the 4th Thursday of each month in the council chambers of the Rural Municipality of Springfield at the hour of 6:00 p.m.
- 8.1 All meetings of Council shall be chaired by the Mayor, or in the absence of the Mayor, by the Deputy Mayor. If the Mayor or Deputy Mayor is not present at the time scheduled for a meeting, the council may appoint one of its members to chair the meeting.
- 8.2 Council may by resolution vary the date and time of a regular meeting as circumstances may require.
- 8.3 Notice of any change of day or time of a regular meeting of council must be posted in the municipal office at least 6 days before the regularly scheduled date of the meeting.
- 8.4 At the hour set for a meeting to commence, and providing that a quorum is present, the Mayor shall take the chair and shall call the meeting to order.

- 8.5 The council shall observe a curfew whereby the item on the agenda under discussion at 11:00 p.m. will be the last item dealt with on that day unless by majority vote the council decides to extend the time of adjournment. In any case, only one half hour extension is allowed.
- 8.6 Council shall hold its meetings openly and no person shall be excluded, except for improper conduct.
- 8.7 Despite clause 8.6 of this by-law, council or council committee may adjourn to Closed Meeting (In Camera) if:
- a) the members decide during the meeting to meet as a committee to discuss a matter; and
  - b) the decision and general nature of the matter are recorded in the minutes of the meeting; and
  - c) the matter to be discussed relates to:
    - i) an employee, including the employee's salary, duties and benefits and any appraisal of the employee's performance
    - ii) a matter that is in its preliminary stages and respecting which discussion in public could prejudice the municipality's ability to carry out its activities or negotiations
    - iii) the conduct of existing or anticipated legal proceedings
    - iv) the conduct of an investigation under, or enforcement of, an Act or by-law
    - v) the security of documents or premises, or
  - vi) a report of the Ombudsman received by the head of the council under clause 36(1)(e) of The Ombudsman Act.
- 8.8 No resolution or by-law may be passed at a meeting that is closed to the public, except a resolution to reopen the meeting to the public.

#### SPECIAL MEETINGS OF COUNCIL

- 9.0 A special meeting of the council of the Rural Municipality of Springfield may be called at any time by the Mayor, and must be called by the Mayor, if the Mayor receives a written request from at least two members of council, stating the purpose. A copy of the written or verbal request must also be served on the CAO.
- 9.1 Should the Mayor not call a special meeting within 48 hours of receiving written request by two members of council, the CAO must call the meeting in accordance with section 9.2 of this by-law.
- 9.2 The notice of the special meeting to all members of council may be oral, in electronic or written form, and must state the purpose of the meeting, and must be provided to all members of council and be posted in the municipal office at least 24 hours before the scheduled time of the meeting.
- 9.3 Should the Mayor be unavailable, the Deputy Mayor may call a special meeting only if requested in writing by 2 members in accordance with this part.
- 9.4 Any member of council may waive the right to be given notice by giving written notice to the CAO and having done so shall be deemed to have been given notice of a special meeting of council.

- 9.5 At a special meeting, no subjects or matters, other than those mentioned in the notice calling the meeting, shall be taken into consideration, unless all members of council are present, and the members unanimously agree by resolution to add items to the agenda.

#### EMERGENCY MEETINGS

- 10.0 An emergency meeting of Council to deal with an emergency or extraordinary situation may be called by the Mayor at any time and at any location within or outside the Municipality as may be convenient.
- 10.1 Only business dealing directly with the emergency shall be transacted at the meeting and shall be taken up in the order in which it appears on the agenda unless otherwise decided by a majority vote of the members present.
- 10.2 Notice of the emergency meeting shall be as soon as practical after the meeting is called and in the most expedient matter.
- 10.3 The notice of the emergency meeting to all members of council may be oral, in electronic or written form, and must state the date, time, location, and purpose of the meeting, and must be provided to all members of council and be posted in the municipal office and website at least 12 hours before the scheduled time of the meeting.

#### DELEGATIONS

- 11.0 The Chair may limit the time taken by a delegation to 15 minutes. The delegation must appoint a spokesperson.
- 11.1 To allow members of council to prepare for delegations, all presenters shall register with the CAO at least 120 hours before the council meeting and advise the CAO of the topic and scope of the presentation, providing a copy of their presentation material to the CAO. If using presentation software, such as PowerPoint, delegations shall provide an electronic version which shall be uploaded onto a municipal laptop for use during the meeting. Presentation materials shall be attached to the meeting agenda.
- 11.2 There shall not generally be a limit to the number of delegations included on the agenda of a council meeting, but the CAO is granted authority to schedule delegations as deemed appropriate.
- 11.3 Delegation requests may be denied under the following circumstances:
- a) The subject matter is deemed to be beyond the jurisdiction of Council.
  - b) The issue is specific to a labour/management dispute, matters relating to litigation or potential litigation affecting the Municipality, including matters which are before and under the jurisdiction of any court.
  - c) Council has previously considered or made a decision on the issue and a delegation has appeared before Council with respect to the same issue within a period of twelve months following the date on which the issue was considered by Council.
- 11.4 The Chair may allow non-scheduled delegations while a meeting is in progress as deemed appropriate and if approved by a majority of the members present.

## VOTING

- 12.0 A member has one vote each time a vote is held at a council meeting at which the member is present.
- 12.1 The minutes of a meeting at which council votes on the third reading of a by-law must show the name of each member present, the vote or abstention of each member, and the reason given for any abstention.
- 12.2 The CAO must record in the minutes the name of any member who exercises the right to abstain from voting on any resolution.
- 12.3 If an equal number of members vote for and against a resolution or by-law, the resolution or by-law is defeated.
- 12.4 Council may not reconsider or reverse a decision within one year after it is made unless:
- a) at the same meeting at which the decision is made, all the members who voted on the original resolution are present and agree to reconsider and vote again: or
  - b) a member gives written notice to the council, from at least one regular meeting to the next regular meeting, of a proposal to review and reverse the decision, providing that an attempt is made to ensure that all the members who voted on the original resolution are present at the following meeting.
- 12.5 When council reconsiders and reverses a decision, the minutes must show the original decision and the decision made on reconsideration.
- 12.6 A recorded vote shall be taken for every motion. The Mayor shall call upon each member of Council to vote on the motion, to answer "support" or "opposed".

## PROCEDURE AT PUBLIC HEARING

- 13.0 Each member of Council must attend a public hearing called by council unless the member:
- a) is excused by the other members from attending the hearing;
  - b) is unable to attend owing to illness
  - c) is required under The Municipal Council Conflict of Interest Act to withdraw from the hearing.
- 13.1 The Chair of the public hearing has the right to limit the time taken by any person after which council may wish to ask questions of the person. All questions must be channelled through the Chair of the hearing.
- 13.2 The Chair of the public hearing may decline to hear further presentations, questions or objections if satisfied that the matter has been addressed at the public hearing.
- 13.3 The Chair of the public hearing may decide which presenters will be heard, if satisfied presentations are the same or similar.

- 13.4 The Chair of the public hearing may require any person, other than a member of council, who is in the opinion of the Chair conducting himself or herself in a disorderly or improper conduct, to leave the public hearing and if that person fails to do so, may cause that person to be removed.
- 13.5 If a public hearing is to be adjourned, the council shall provide the date, time and place of the continuation of the hearing within 48 hours of the hearing adjournment.

#### BY-LAWS AND RESOLUTIONS

- 14.0 Council may act only by resolution or by-law.
- 14.1 No motion shall be debated or put unless it is in writing and is seconded, excepting a motion to adjourn which need not be in writing.
- 14.2 Every proposed by-law must be given three separate readings, and each reading must be put to a separate vote.
- 14.3 Council may not give a proposed by-law more than two readings at the same council meeting.
- 14.4 Only the title or an identifying number must be read at each reading of a proposed by-law.
- 14.5 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.
- 14.6 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.

#### CONDUCT

- 15.0 Every member previous to speaking on any matter before the meeting shall address the Chair.
- 15.1 When two or more members address the Chair at the same time, the Chair shall name the member who is to speak first.
- 15.2 When the Chair is putting a question, no member shall leave his or her chair.
- 15.3 Discussion shall be limited to the question in debate.
- 15.4 No member shall speak to a question or in reply for longer than 5 minutes without approval of council.
- 15.5 A motion to adjourn takes precedence over all others and may be moved at any time, but the question cannot be received after another question is actually put and while council is engaged in voting.

- 15.6 Immediately before putting the question, the Chair shall have the privilege of summarizing the debate, but no new matter shall be introduced.
- 15.7 Where at a council meeting, any person other than a member of council is, in the opinion of the Chair, conducting himself in a disorderly or improper manner; the Chair may require that person to leave the meeting and if that person fails to do so, may cause that person to be removed.
- 15.8 Where at a council meeting a member of the council is conducting himself or herself in a disorderly or improper manner, the council may, by resolution passed by the majority of the other members present, require the member to leave the meeting, and if the member fails to do so, may cause the member to be removed.
- 15.9 Persons in the council chambers are not permitted to display signs or placards or applaud participants in debate or engage in conversation or other behaviours, which may disrupt council proceedings.
- 15.10 Council may limit the number of persons allowed in the council chambers.
- 15.11 The Municipality will audio/video tape all regular and special meetings, except for Closed Meeting (In Camera) sessions, and will make available to the public within 48 hours, notwithstanding any unforeseen circumstances.
- 15.11 The media may audio/video tape meeting proceedings, including public hearings, providing that arrangements are made with the CAO at least 72 hours prior to the meeting or public hearing.
- 15.12 A member must keep in confidence any matter that is discussed in a Closed Meeting (In Camera) under subsection 152(3) of the Act until the matter is discussed at a council meeting conducted in public.
- 15.13 A member who breaches the requirement of confidentiality under clause 14.12 becomes disqualified from council.

#### QUESTION PERIOD

- 16.0 15 minutes will be allowed for a Question Period during a regular council meeting agenda.
- 16.1 A speaker must be a property owner, resident of the municipality and/or a person who is deemed to be directly affected by the matter to be addressed.
- 16.2 Speakers must respect the need for the Question Period to proceed in a timely fashion and must proceed according to these guidelines:
  - a. Address the Chair when speaking.
  - b. Clearly state their name and address prior to presenting their question.
  - c. Agree to speak for no more than 3 minutes and to speak only once during the meeting unless agreed by Council to extend the discussion.

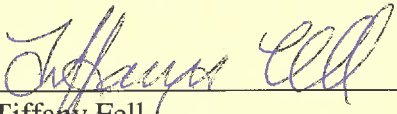


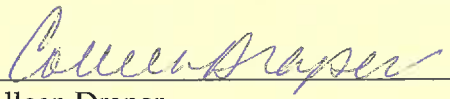
- 16.3 A question will be ruled out of order if speaking to matters of current legislation or legal action against the municipality. A speaker making political statements, using rude and/or obscene language or defamatory comments will also be ruled out of order.
- 16.4 Council reserves the right to defer responding to a question in order to obtain the information required to provide a comprehensive and accurate response. Responses will be provided within 30 days.

All points of order and procedures not resolved by rules provided in this by-law shall be resolved by a majority decision of council.

By-Law No. 10-26 is hereby repealed.

DONE AND PASSED as a by-law of The Rural Municipality of Springfield at Oakbank in the Province of Manitoba this 15<sup>th</sup> day of January, 2019.

  
\_\_\_\_\_  
Tiffany Fell  
Mayor

  
\_\_\_\_\_  
Colleen Draper  
Assistant Chief Administrative Officer

Read a first time this	25 <sup>th</sup>	day of April, A.D. 2017.
Read a second time this	15 <sup>th</sup>	day of January, A.D. 2019.
Read a third time this	15 <sup>th</sup>	day of January, A.D. 2019.