

**BY-LAW # 10-2004**  
**A BY-LAW REGULATING THE PROCEEDINGS OF**  
**THE COUNCIL OF THE VILLAGE OF BELLEDUNE**

The Council of the Village of Belledune, duly assembled and under authority vested in it by subsection 10.3(1) of the Municipalities Act, hereby enacts as follows:

**INTERPRETATION**

- A. Definitions
- B. Application
- C. Roles & Duties
  - Mayor
  - Deputy Mayor
  - Election
  - Councillor
  - Chairperson
  - Clerk
- D. Meetings of Council
  - Regular
  - Special
  - Cancellation / Rescheduled
  - Emergency
  - Closed
- E. Quorum
- F. Agenda
  - Regular
  - Special
- G. Public Participation
  - Presentations / Petitions / Delegations
  - Audience
- H. Conflict of Interest
- I. Committees
- J. Procedure - Regular and Special Meetings
  - Motions
    - Reconsideration
    - Rescind
  - Debate
  - Voting
- K. Appeal Ruling of Chair
- L. Improper Conduct
- M. Procedural Reference Text
- N. Enactment
- O. Repeal

## **A. Definitions**

“Chairperson” means the Mayor or in his absence the Deputy Mayor or in the absence of both of them, the member appointed to act in their absence, while presiding at meetings of Council.

Clerk” means a clerk appointed pursuant to section 74 (2) of the Municipalities Act; or his or her designate.

“Committee” means a committee provided for or created by Council.

“Committee of the Whole” means a committee of Council composed of all of the members sitting in committee as Committee of the Whole.

“Council” means the Mayor and Councillors.

“Councillor” means a member of Council other than the Mayor.

“Deputy Mayor” means the member of Council who has been elected to act in the place or stead of the Mayor in the absence or incapacity of the Mayor.

“Mayor” is the member of Council holding the office of Mayor.

“Masculine – Feminine” words importing male persons include female persons.

“Meeting” means any regular, special, committee or other meeting of the Council.

“Member” means any person elected to the Council and includes the Mayor.

“point of information” means the procedural mechanism by which a member may rise to present or receive information of interest to council;

“point of order” means the procedural mechanism by which a member may rise where this by-law or any other procedural legislation is believed to have been infringed;

“point of procedure” is a question directed to the Chairperson to obtain information on a matter of the procedural rules or the rules of the Council bearing on the business at hand in order to assist a member to make an appropriate motion, raise a point of order, or understand the parliamentary situation or the effect of a motion.

“question of privilege” means the procedural mechanism by which a member may rise to address incorrect, defamatory or slanderous statements made about the Council, members or civic staff;

“quorum” means a majority of those members of Council holding office at the time of the meeting, including the Mayor.

## **B. Application**

1. The rules and regulations contained in this by-law:

- a) shall be used for the order and dispatch of business in Council;
- b) may be suspended by unanimous consent of the members present; and
- c) shall apply to Council, employees of the Village of Belledune, and members of the general public.

### **C. Roles & Duties**

#### 1. The Mayor shall:

- a) chair at all meetings of Council, except as provided for otherwise in this by-law,
- b) provide leadership to Council,
- c) communicate information and recommend actions to Council for the improvement of the municipality's finances, administration, and governance,
- d) speak on issues of concern to the municipality on behalf of Council, and
- e) perform any other duties conferred upon him or her by this by-law or any Act or by Council.

#### 2. The Deputy Mayor shall:

1. In the absence or inability of the Mayor to act, or if the office of Mayor is vacant, act in the place of the Mayor, and while so acting, he possesses the powers and shall perform the duties of the Mayor as designated under the Municipalities Act and this by-law.

2. Council shall elect a Deputy Mayor at its second regular meeting in June, at which all elected members are present, and the term and position will be re-evaluated and re-elected biennially in June.

The process for election of Deputy Mayor is:

- a) Interested Councillors will submit their name for the position of Deputy Mayor and give a brief presentation, not to exceed two minutes,
- b) Councillors, by open vote, will vote for their candidate of choice,
- c) Votes will be tabulated,
- d) A motion put on the floor accepting the successful candidate and Council will vote on the motion,
- e) Majority rule, Deputy Mayor will be elected.
- f) If there is a tie between candidates after Section C subsection 2. 2c), then the names of the tied candidates will be put in a container and one name drawn as the successful candidate,
- g) A motion put on the floor accepting the successful candidate and Council will vote on the motion,
- h) Majority rule, Deputy Mayor will be elected.

#### 3. A Councillor shall:

- a) consider the welfare and interests of the entire municipality when making decisions,
- b) bring to the attention of Council matters that may promote the welfare or interests of the municipality,
- c) participate in developing and evaluating the policies and programs of the municipality,
- d) participate in meetings of Council, Council committees and any other body to which he or she is appointed by Council, and
- e) perform any other duties conferred upon him or her by this or any other Act or by Council.

4. It is the duty of the Chairperson to:
  - a) open meetings of Council by taking the chair and calling the meeting to order.
  - b) receive and submit, in the proper manner, all written motions presented by members.
  - c) put to a vote all questions which are regularly moved and seconded or necessarily arise in the course of proceedings.
  - d) determine what motions or amendments are in order, subject to an appeal to Council, and decline to put any motion or amendment before Council which he deems to be out of order or contrary to law.
  - e) state every question coming before the Council, and announce the decision of the Council on all subjects.
  - f) follow the rules of procedure and keep the members, when engaged in debate, within the rules of procedure.
  - g) observe and enforce on all occasions order and decorum among the members and the public.
  - h) call by name any member persisting in breach of the rules of procedure and order him or her to vacate the Council chamber
  - i) respond to Council regarding points of order, when so requested by a member or members.
  - j) represent and support Council, declaring its will and implicitly obeying its decisions in all things.
  - k) if he or she considers it necessary because of grave disorder, to adjourn the sitting.
  
5. The clerk or his or her designate shall take minutes of each Council meeting, which minutes shall record, without note or comment:
  - a) the place, date and time of meetings;
  - b) the name or names of the presiding member or members and the record of attendance of the members and senior staff members;
  - c) the adoption of the minutes of prior meetings, and if requested, correction and;
  - d) all resolutions, decisions and other proceedings of Council.

#### **D. Meetings of Council**

1. A newly elected Council shall not transact any business at its first meeting until the Oaths of Office have been taken and subscribed to by persons present who have been elected to office, and in the event of a recount, a quorum is present.
  
2. Unless otherwise specifically set out in notice of meetings, all Meetings of Council will be held at the Belledune Municipal Council Chamber at 2330 Main Street, Belledune, N.B. and commence at 7:00 p.m.
  
3. A regular or special meeting of Council shall adjourn at the hour of 10:00 p.m. if in session at that time and shall reconvene at such other day and time as Council by resolution may direct.
  
4. Council may agree to an extension of a meeting beyond 10:00 p.m., but not beyond 11:00 p.m. if a majority vote of the members agree to do so.

5. Council meetings which are not closed to the public in accordance with the provision of this by-law may be taped, televised or otherwise electronically or mechanically recorded by a cable television company or by any other licensed telecommunications company or any applicable platform approved by Belledune Council.

### **Regular Meeting**

1. Except for its first meeting in a term of Council or otherwise provided, regular meetings shall be held, on the Third Monday of each month.
2. If a regular meeting falls on a holiday, the meeting shall be at the same hour on the following day not being a holiday, unless otherwise determined by Council.
3. The Clerk shall make every reasonable effort to notify the public by posting notice of the meeting in the municipal newsletter (The Messenger) and on the Village of Belledune website ([www.belledune.com](http://www.belledune.com)) at least 24 hours preceding the date and hour of the meeting.

### **Special Meeting**

1. The Mayor or any three -(3) members of Council upon written petition, may, at any time, call a Special Meeting of council on twenty-four-(24) hours' notice to the clerk and members of Council.
2. Notice of any Special Meetings so called shall be circulated in writing to members of Council by the clerk and distributed;
  - a) by leaving a copy of the notice in the Council members municipal mailbox, or
  - b) by leaving a voice mail message on the municipal voice mail system, or
  - c) by leaving a copy of the notice at the place of residence of the Council member.
3. Council shall not consider any business at a Special Meeting except matters specified in the notice. Council may determine with the unanimous consent of the members present to suspend this provision.
4. The clerk shall make every reasonable effort to notify the public by posting notice of the special meeting on the Village of Belledune website ([www.belledune.com](http://www.belledune.com)) as soon as possible after council members have been notified of the date and hour of the meeting.

### **Cancellation- Rescheduled**

Whenever possible, the clerk shall make every reasonable effort to give public notice of a cancelled or rescheduled meeting or of the change of time or location by posting notice to the public on the Village of Belledune website ([www.belledune.com](http://www.belledune.com)) before the date and time on which the Council meeting was to have been held.

### **Emergency Meeting**

1. The Mayor, or in the absence of the Mayor, the Deputy Mayor, may call an emergency meeting of Council when deemed necessary.  
In the absence of the Mayor and Deputy Mayor, any two -(2) of the remaining Council members may call an emergency meeting. The clerk shall call the meeting to order and a Chairperson

shall be chosen from the members present, who shall preside during the meeting or until the arrival of the Mayor or Deputy Mayor.

- a) When such an emergency meeting is called, it shall be considered a Special Meeting, except that the time requirements for notice of Special Meetings shall not apply, and only the subject matter of the emergency shall be considered.
- b) The clerk shall use his or her best efforts to give notice of the emergency meeting and the purpose or purposes of the meeting to each member, either verbally or in writing, and notice shall be given as far in advance of the meeting as practicable.
- c) An emergency meeting may be conducted in person or from remote locations by use of telecommunications.

### **Closed Meeting**

1. Council may hold Closed Meetings, to be called at the discretion of the Mayor or upon written petition of any three -(3) members of Council, when the subject matter of the meeting includes any of the following as stated in Section 10.2(4) of the Municipalities Act;

- a) information the confidentiality of which is protected by-law;
- b) personal information;
- c) information that could cause financial loss or gain to a person or the municipality or could jeopardize negotiations leading to an agreement or contract;
- d) the proposed or pending acquisition or disposition of land for a municipal purpose;
- e) information that could violate the confidentiality of information obtained from the Government of Canada or from the Province;
- f) information concerning legal opinions or advice provided to the municipality by a municipal solicitor, or privileged communications as between solicitor and client in a matter of municipal business;
- g) litigation or potential litigation affecting the municipality or any of its agencies, boards or commissions, including a matter before an administrative tribunal;
- h) the access to or security of particular buildings, other structures or systems, including computer or communications systems, or the access to or security of methods employed to protect such buildings, other structures or systems;
- i) information gathered by police, including the Royal Canadian Mounted Police, in the course of investigating any illegal activity or suspected illegal activity, or the source of such information; or
- j) labour and employment matters, including the negotiation of collective agreements.

2. Before a meeting or part of a meeting is closed to the public, the Council must state, by resolution, the fact that the meeting is to be closed, and the basis under Section 10.2(4) of the Municipalities Act on which the meeting is to be closed.

3. If a meeting of Council is closed to the public, no decisions shall be made at the meeting except for decisions related to;

- a) procedural matters,
- b) directions to an officer of the municipality, or
- c) directions to a solicitor for the municipality.

4. A record of the closed meetings shall be prepared and signed by the clerk containing only the following:

- a) the type of matter under subsection 10.2(4) of the Municipalities Act that was discussed during the meeting; and
- b) the date of the meeting

4.1 The record made shall be available for inspection in the office of the clerk during regular business hours.

### **Electronic Meetings**

1. A member, other than the Presiding Officer, shall be permitted to attend a meeting using electronic communication, subject to the provisions of the Local Governance Act and this by-law, if that location is able to support its use and it allows members to hear and speak to each other and, in the case of a meeting that is open to the public, allows the public to hear the member.

2. Only members who, at the time of the meeting, are outside of the Municipality or are physically unable to attend the meeting may participate in the manner referred to in this Section.

3. Except for reasons of disability, a member shall not participate in the manner referred to in this Section at more than 25% of the Regular Council meetings held in one year or at more than four Special Council meetings held in a one-year period.

4. A member who intends to participate in a meeting in the manner referred to in this Section shall provide sufficient notice to the Municipal Clerk to ensure that the relevant materials may be sent to the member and to ensure that the appropriate electronic means of communication are available and, if applicable, that the public notice referred to in this section is given.

5. A member who participates in a meeting that is Closed to the public in the manner referred to in this Section shall, at the beginning of the meeting, confirm that he or she is alone.

6. A member who participates in a meeting in the manner referred to in this Section shall be deemed to be present at the meeting for whatever period of time the connection via electronic communications remains active.

7. If a Council meeting or a Council committee meeting is open to the public, use of an electronic means of communication is permitted only if a notice of the meeting is given to the public that includes the following information:

- a) a statement that an electronic means of communication will be used at the meeting and;
- b) location where the public may see or hear the meeting.

8. The Presiding Officer shall announce to those in attendance at the meeting that a member is attending the meeting by means of electronic communications.

9. When a vote is called, members attending the meeting by means of electronic communication shall be asked to state their vote only after all other members present at the meeting have cast their vote.

## **E. Quorum**

1. When there are sufficient members present to constitute a quorum at the time set for the commencement of the meeting, the Mayor, or if the clerk has been advised that the Mayor will be absent or late, the Deputy Mayor, shall take the chair and call the meeting to order.
2. In the event the Mayor does not attend within five -(5) minutes after the time appointed, the Deputy Mayor shall assume the chair, call the members to order, and if a quorum is present preside during the meeting or until the arrival of the Mayor.
3. In the absence of the Mayor and Deputy Mayor, if a quorum is present within fifteen - (15) minutes after the appointed time, the clerk shall call the meeting to order and Council will select a Councillor to act as presiding officer of the Council for that meeting.
4. If there is no quorum within fifteen-(15) minutes after the time appointed for the meeting, the clerk shall record the names of all members present at that time and the meeting shall be deemed to be adjourned until the next regular meeting, unless a special meeting is called for that purpose in the meantime.

## **F. Agendas**

### **Regular Meetings**

1. The clerk shall have prepared for the use of the members at all regular Council meetings an agenda and Council kit, which shall include all items in respect of the agenda matters.
2. Motions and statements by members of Council shall be submitted to the clerk from the Council members in writing or by fax or known email address and shall provide sufficient background information, for inclusion in the Council kit for the meeting of the Council not later than 4:00 p.m.;
  - a) on the Thursday prior to the Monday meetings
3. The deadline for receipt of Agenda materials by the clerk, from the Council members, for inclusion in the agenda for regular meetings of Council shall be submitted to the clerk not later than 4:00 p.m.;
  - a) on the Thursday prior to the Monday meetings
- 3.1 Any additional matter not included on the agenda shall only be considered with the unanimous consent of all members of Council present at the meeting.
4. The clerk shall have prepared and printed for regular meetings of Council, an agenda reflecting the matters to be considered, under the following headings, referred to as the Order of Business:
  - 1) Call to Order & Moment of Reflection, Oath of Office
  - 2) Adopt the Agenda
  - 3) Statement of Conflict of Interest
  - 4) Adoption of Minutes & Business Arising from Minutes
  - 5) Presentations / Petitions/ Delegations
  - 6) Statements by Members of Council
  - 7) Reports
  - 8) By-laws and Policies



- 9) Motions & Resolutions
- 10) General Correspondence
- 11) Adjournment
- 12) Public Comments & Questions

5. The clerk shall assure that copies of the agenda and Council kit for regular meetings of Council are delivered, to each member, in printed format, to each Council members' municipal mailbox;  
 a) by Friday at 4:00 p.m. for Monday meetings.

6. Copies of the agenda shall be made available to the general public at the Office of the clerk, during office hours or on the website of the Village of Belledune (www.belledune.com) by 9:00 a.m. of the day of the meeting.

7. Upon notification to the clerk, each member of Council shall be added to the agenda to address Council, under the heading "Statements by Members of Council", and shall limit their statements to their written submission and for a total of four - (4) minutes. Members may have their time extended only by leave of the chair.

**Special Meetings**

1. For special meetings, the agenda shall be prepared as the Mayor, or in the case of a petition the clerk, may direct.

**G. Public Participation - Presentations / Petitions/ Delegations**

1. Members of the public may be entitled to address Council, under the agenda heading "Presentations / Petitions/ Delegations", on matters of municipal jurisdiction.

2. When a member of the public or a representative of any group of persons wishes to address Council, he or she shall submit a written request, to the clerk, addressed to the Mayor and Councillors, which includes their name, address, telephone & and topic of discussion:  
 a) not later than 2:00 p.m. on the Wednesday prior to the Monday meetings

3. When a member of the public or a representative of any group wishes to address Council, a written copy of their presentation and relevant background information regarding the topic of discussion shall be submitted to the clerk:  
 a) not later than 2:00 p.m. on the Wednesday prior to the Monday meetings

4. Upon receipt of information in accordance with the preceding two -(2) subsections, (G 2. & 3.), the clerk shall include the Presentations / Petitions/ Appearances on the agenda of a regular meeting of Council and notify the representative of the approval of appearance and date and time of meeting.

5. Except with consent of Council, no member of the public shall address Council for more than fifteen -(15) minutes, exclusive of the time required to answer questions put to him or her by Council, except that a group of persons may have more than one spokesperson provided that the total length of time such spokespersons address Council shall not exceed fifteen -(15) minutes, exclusive of the time required to answer questions put to them by Council.

6. Each member of the public or spokesperson on behalf of a delegation addressing the Council shall give his or her name. All remarks shall be addressed to the Council as a body through the Chairperson and not to any member thereof. No person, other than the person having the floor, shall be permitted to enter into any discussion without the permission of the Chairperson. No question shall be asked except through the Chairperson.

### **Audience**

1. Members of the public who constitute the audience in the Council Chamber during a Council meeting:
  - a) may not address Council without permission of the Council through the Chairperson; and
  - b) shall maintain order and quiet.

### **H. Conflict of Interest**

1. Council members shall be expected to maintain high ethical standards appropriate to their public office, and shall be expected to report any conflict of interest, as required in the Municipalities Act, Sections 90.1 to 90.91.
2. Upon assuming office, each member shall file with the clerk in the form prescribed, a statement disclosing any conflict of interest of which he or she has knowledge or should reasonably have knowledge; but a member need not disclose particulars of his or her financial interest or the extent of any interest in any matter giving rise to a conflict of interest.
3. Each member shall forthwith make a disclosing, any conflict of interest, where a conflict of interest arises while he or she is in office.
4. Every disclosure of interest filed shall be recorded and kept in a file by the clerk, and that file shall be open during regular office hours for inspection or examination by any person qualified to vote under the Municipal Elections Act.
5. Where a member has a conflict of interest with respect to any matter in which the Council is concerned and he or she is present at a meeting of Council, or any other meeting at which the business of Council is conducted, at which the matter is a subject of consideration he or she shall,
  - a) as soon as the matter is introduced, disclose that he or she has a conflict of interest in the matter; and
  - b) forthwith withdraw from the meeting room while the matter is under consideration or vote.
6. After making the declaration, the member must not attempt in any way, whether before, during or after the meeting, to influence the voting on any question in respect of the matter.
7. The clerk or designate is to record in the minutes of the meeting the member's declaration, the reasons given for it, and the times of the member's departure from the meeting room and, if applicable, of the member's return.
8. The Chairperson at the meeting must ensure that the member is not present at the meeting at the time of any discussion, debate or vote on the matter.

9. Where the number of members who, by reason of the provisions of the Municipalities Act, are required to withdraw from a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, notwithstanding any other general or special Act the remaining members shall be deemed to constitute a quorum if there are not fewer than three.

### **I. Committees**

1. Council may by by-law or resolution create or abolish such Standing Committees as are necessary or expedient for the orderly and efficient handling of the affairs of the Corporation and shall establish generally or in detail the duties and responsibilities, composition, and duration of a committee established.
2. Council may by resolution appoint a Special Committee and its members to consider and report on a specific subject, project or undertaking and appoint persons thereto.
3. When a Special Committee has been appointed by Council, Council shall:
  - a) name the member of that Special Committee who is to act as Committee Chair, and
  - b) in the absence of such direction the committee shall appoint its own chair.
4. When a Special Committee has completed its work and made its report to Council, that committee shall be deemed to be dissolved.
5. The Mayor shall be an ex-officio member of all committees and may, with leave of the chair, take part in any discussion or debate in the committee, but shall not vote.
6. A Councillor may attend meetings of any committee, whether or not a member of that committee, and may, with leave of the chair, take part in any discussion or debate in the committee, but shall not vote.

### **J. Procedure for Regular and Special Meetings**

#### **Motions**

1. A motion shall have no standing and debate on it shall not commence until it has been moved and seconded and has been stated by the Chairperson as pending before the Council.
2. After a motion has been moved and seconded and stated by the Chairperson it is in the possession of Council for consideration but, with the consent of the majority of Council and without debate, it may be withdrawn at any time before it has been voted on.
3. When a motion has been moved and seconded and is being considered by Council, no motion shall be received except a motion:
  - a) to set the time to adjourn; (may be debated, but only as to the time)
  - b) to adjourn the meeting; (may be debated, but only as to the time)
  - c) to lay the question on the table or remove from the table; (close to debate)
  - d) to put the previous question (close to debate);
  - e) to defer the question to a certain time or date; (may be debated)
  - f) to refer the question to some other person or group for consideration; (may be debated)
  - g) to amend the amendment; (may be debated) or

**h)** to amend the main motion; (may be debated) which shall have precedence in the order in which they are named .

4. All motions, which properly are before Council for consideration, are open to debate and may be amended excepting as specifically provided elsewhere in this by-law.

5. An amendment is a motion that the wording of another motion be changed before the vote on it is taken. The following main rules apply to amendments:

**a)** An amendment must be in one of these three forms:

- 1) to amend by inserting or adding text; or
- 2) to amend by striking out text; or
- 3) to amend by striking out text and inserting other text in its place.

**b)** An amendment is debatable, and requires a majority vote to adopt.

**c)** An amendment must be germane to (closely related to, or in some way involve) the motion which it seeks to modify and shall not be directly contrary to the main motion.

6. There may be up to two amendments pending at the same time, while the resolution or by-law is on the floor:

**a)** a primary amendment (an amendment to the main motion);

**b)** a secondary amendment (an amendment to the amendment).

**c)** only one amendment at a time shall be presented to the main motion and only one amendment at a time shall be presented to an amendment.

7. The Chairperson shall put amendments in the reverse order to which they have been moved and when all amendments are voted upon, the Chairperson shall put the main motion, incorporating any adopted amendments.

### **Reconsideration**

1. After a matter has been decided by Council, that matter may be reconsidered during the term of that Council any time **after six months** after the matter was decided, without the need for a Council resolution that the matter may be reconsidered. The motion can only be made by a member who voted with the prevailing side and can be applied to the vote on any motion except **a)** an affirmative vote whose provisions have been partly carried out; **b)** an affirmative vote in the nature of a contract when the party to the contract has been notified of the outcome; **c)** any vote which has caused something to be done that it is impossible to undo.

2. After a matter has been decided by Council, that matter may be reconsidered during the term of that Council **within six months** after the matter was decided, only if Council by majority vote determines that the matter may be reconsidered and if notice for reconsideration has been given by a member who voted with the prevailing side and included in the agenda and can be applied to the vote on any motion except **a)** an affirmative vote whose provisions have been partly carried out; **b)** an affirmative vote in the nature of a contract when the party to the contract has been notified of the outcome; **c)** any vote which has caused something to be done that it is impossible to undo.

### **Rescind.**

1. A motion to rescind (annul a motion already adopted) any action taken by the Council may be made at any time but only if no action has been taken on the motion. Such motion can be made and seconded by any member, take precedence over nothing, may be made at any time, requires a two thirds vote of the members present and it shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same or any other motion at a subsequent meeting of the Council.

### **Debate**

1. Except as otherwise provided, no member shall speak without recognition of the Chair.
2. Once a motion is made and seconded, the mover shall have the privilege of speaking first, and have the privilege of closing debate.
3. A member shall speak for a maximum of three -(3) minutes each time speaking on a main motion and three -(3) minutes each time speaking on any amendment.
4. The member who has made a motion (other than a motion for an amendment or a procedural motion) shall be allowed to close the debate for a maximum of an additional three -(3) minutes after all other members have been given an opportunity to speak.
5. When two or more members wish to speak, the Chairperson shall name the member who is to speak first.
6. No member shall speak a second time unless all members have had an opportunity to speak once.
7. No member will speak on any subject other than the subject in debate.
8. Members shall not speak more than twice on a motion except with the consent of the Chairperson.
9. A member of Council may, at any time, rise on a point of order, a question of privilege or a point of information. All debate shall cease and the "point" shall be clearly stated by the member and, if applicable, ruled upon by the Chair.
10. A member may interrupt the person who has the floor to raise a point of order or a point of procedure when such member feels that there has been a deviation or departure from the rules of procedure and upon hearing such point of order or point of procedure, the ruling of the Chairperson shall be final unless a challenge is made pursuant to. If a member, while speaking, be called to order, he or she shall cease speaking until the question of order is determined, and, if in order, he or she shall be permitted to proceed.
11. A member of Council may, at any time during debate, request that the question, motion or matter under discussion be clarified or restated.

12. A member may ask a question of a previous speaker only through the Chairperson and the question must relate to the speaker's remarks but, in any event a member may ask a question of the Chairperson or of staff through the Chairperson prior to the motion being put to a vote.

13. If any member uses insulting or improper language to the Chairperson or any member, and refuses to apologize or withdraw his or her remarks when so directed by the Chairperson, or willfully obstructs the conduct of business, and refuses to desist when called upon to do so by the Chairperson he or she may be ordered by the Chairperson to leave the Council Chamber for that meeting, and, if he or she refuses to do so, he or she may, on the order of the Chairperson, be removed; and on making an apology to the Chairperson and to any member insulted by him or her, may by a majority vote of the Council be permitted to resume his or her place at such meeting.

### **Voting**

1. The Chairperson shall put a motion to a vote immediately after all members desiring to speak on the motion have spoken.

2. After the Chairperson puts a motion to a vote, no member shall speak to that motion.

3. No member shall leave his or her seat or make any noise or disturbance while a vote is being taken or until the result is declared.

4. Unless disqualified to vote by reason of conflict of interest or otherwise, each member present, excluding the Mayor, shall announce his or her vote openly and individually, by show of hands, and the clerk shall record it, and no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

6. The Mayor shall not vote except in the case of equal votes upon a question.

7. The Chairperson shall announce the result of every vote.

### **K. Appeal Ruling of Chair**

A ruling of the Chair may be appealed to Council by a non-debatable motion. The member shall make a motion substantially as follows: "That the decision of the Chair be overruled." A majority vote of the members of Council in attendance shall be required to overturn a ruling of the Chair and this decision shall be final.

### **L. Improper Conduct**

1. No member of Council shall speak disrespectfully of the Council, another member of Council, staff person or a member of the general public, or use offensive or profane language.

2. Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while in the Council Chamber or addressing the Council and refuses to apologize or withdraw his or her remarks when so directed by the Chairperson, or willfully obstructs the conduct of business, and refuses to desist when called upon to do so by the Chairperson, may be ordered by

the Chairperson to leave the Council Chamber for that meeting, and, if he or she refuses to do so, he or she may, on the order of the Chairperson, be removed from that meeting. If necessary the Chairperson shall seek the appropriate assistance from the Police.

3. Any person who:
- a) breaches this by-law;
  - b) behaves in a disorderly manner; or
  - c) uses threats or profane language in debate,
- may be required to leave the meeting at the discretion of the Chair.

**M. Procedural Reference Text**

When any matter or proceeding is not contemplated by this by-law or provincial legislation the Chair shall use the 21<sup>st</sup> Century of Robert’s Rules of Order as a guide.

**N. Enactment**

This by-law shall come into force on the 1<sup>st</sup> day of November, 2004.

**O. Repeal**

A by-law of the Village of Belledune enacted on the 12<sup>th</sup> day of November, 1985 entitled “A By-law of the Municipality of Belledune Respecting the Procedure and Organization of Council” and all amendments thereto is repealed on the coming into force of this by-law.

IN WITNESS WHEREOF the Village of Belledune has caused the Seal of the said Village to be affixed to this by-law the 25<sup>th</sup> day of October, 2004 and signed by:

\_\_\_\_\_  
Mayor Nick Duivenvoorden

\_\_\_\_\_  
Clerk Brenda Cormier

First Reading in its Entirety	<u>October 18, 2004</u>
Second Reading by Title:	<u>October 18, 2004</u>
Third Reading by Title and Enactment:	<u>October 25, 2004</u>

**THE COUNCIL OF THE VILLAGE OF BELLEDUNE  
BY-LAW # 10-2004 -1**

**AN AMEMDMENT TO BY-LAW REGULATING THE PROCEEDINGS OF**

IN WITNESS WHEREOF the Village of Belledune has caused the Seal of the said Village to be affixed to this by-law the 22<sup>th</sup> day of November, 2004 and signed by:

\_\_\_\_\_  
Mayor Nick Duivenvoorden

Clerk Brenda Cormier

First Reading in its Entirety November 15, 2004  
Second Reading by Title: November 15, 2004  
Third Reading by Title and Enactment: November 22, 2004

**THE COUNCIL OF THE VILLAGE OF BELLEDUNE  
BY-LAW # 10-2004 -2  
AN AMEMDMENT TO BY-LAW REGULATING THE PROCEEDINGS OF**

IN WITNESS WHEREOF the Village of Belledune has caused the Seal of the said Village to be affixed to this by-law the 4<sup>th</sup> day of April, 2005 and signed by:

\_\_\_\_\_  
Mayor Nick Duivenvoorden

\_\_\_\_\_  
Clerk Brenda Cormier

First Reading in its Entirety March 21, 2005  
Second Reading by Title: March 21, 2005  
Third Reading by Title and Enactment: April 4, 2005

**THE COUNCIL OF THE VILLAGE OF BELLEDUNE  
BY-LAW # 10-2004 -3  
AN AMEMDMENT TO BY-LAW REGULATING THE PROCEEDINGS OF**

IN WITNESS WHEREOF the Village of Belledune has caused the Seal of the said Village to be affixed to this by-law the 3<sup>rd</sup> day of October, 2005 and signed by:

\_\_\_\_\_  
Mayor Nick Duivenvoorden

\_\_\_\_\_  
Clerk Brenda Cormier

First Reading in its Entirety September 19, 2005  
Second Reading by Title: September 19, 2005  
Third Reading by Title and Enactment: October 3, 2005

**THE COUNCIL OF THE VILLAGE OF BELLEDUNE  
BY-LAW # 10-2004 - 4  
AN AMEMDMENT TO BY-LAW REGULATING THE PROCEEDINGS OF**

IN WITNESS WHEREOF the Village of Belledune has caused the Seal of the said Village to be affixed to this by-law the 5<sup>th</sup> day of May, 2008 and signed by:

\_\_\_\_\_  
Mayor Nick Duivenvoorden



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Clerk Brenda Cormier

First Reading in its Entirety April 21, 2008  
Second Reading by Title: April 21, 2008  
Third Reading by Title and Enactment: May 5, 2008

**THE COUNCIL OF THE VILLAGE OF BELLEDUNE  
BY-LAW # 10-2004 - 5  
AN AMEMDMENT TO BY-LAW REGULATING THE PROCEEDINGS OF**

IN WITNESS WHEREOF the Village of Belledune has caused the Seal of the said Village to be affixed to this by-law the 19<sup>th</sup> day of April, 2010 and signed by:

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Mayor Nick Duivenvoorden

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Clerk Brenda Cormier

First Reading in its Entirety April 6, 2010  
Second Reading by Title: April 6, 2010  
Third Reading by Title and Enactment: April 19, 2010

**THE COUNCIL OF THE VILLAGE OF BELLEDUNE  
BY-LAW # 10-2004 - 6  
AN AMEMDMENT TO BY-LAW REGULATING THE PROCEEDINGS OF**

IN WITNESS WHEREOF the Village of Belledune has caused the Seal of the said Village to be affixed to this by-law the 31<sup>st</sup> day of May, 2002 and signed by:

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Mayor Ronald Bourque

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Clerk/ Brenda Cormier

First Reading in its Entirety December 19, 2012  
Second Reading by Title: December 19, 2012  
Third Reading by Title and Enactment: December 31, 2012

**THE COUNCIL OF THE VILLAGE OF BELLEDUNE  
BY-LAW # 10-2004 - 7  
AN AMEMDMENT TO BY-LAW REGULATING THE PROCEEDINGS OF**

IN WITNESS WHEREOF the Village of Belledune has caused the Seal of the said Village to be affixed to this by-law the 18<sup>th</sup> day of July, 2016 and signed by:

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Mayor Joe Noel

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Clerk/ Brenda Cormier

First Reading in its Entirety June 20, 2016  
Second Reading by Title: June 20, 2016  
Third Reading by Title and Enactment: July 18, 2016

**THE COUNCIL OF THE VILLAGE OF BELLEDUNE  
BY-LAW # 10-2004 - 8  
AN AMEMDMENT TO BY-LAW REGULATING THE PROCEEDINGS OF**

IN WITNESS WHEREOF the Village of Belledune has caused the Seal of the said Village to be affixed to this by-law the 20<sup>th</sup> day of February, 2017 and signed by:

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Mayor Joe Noel

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Clerk/ Brenda Cormier

First Reading in its Entirety January 16, 2017  
Second Reading by Title: January 16, 2017  
Third Reading by Title and Enactment: February 20, 2017

**THE COUNCIL OF THE VILLAGE OF BELLEDUNE  
BY-LAW # 10-2004 - 9  
AN AMEMDMENT TO BY-LAW REGULATING THE PROCEEDINGS OF**

IN WITNESS WHEREOF the Village of Belledune has caused the Seal of the said Village to be affixed to this by-law the 19<sup>th</sup> day of October, 2020 and signed by:

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Mayor Joe Noel

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Clerk/ Brenda Cormier

First Reading in its Entirety September 21, 2020  
Second Reading by Title: September 21, 2020  
Third Reading by Title and Enactment: October 19, 2020