



**Rural Municipality of Brackley, PEI**  
**A Bylaw to Regulate the Proceedings of Council**  
**Bylaw # 2024-XX**

**BE IT ENACTED** by the Council of the Rural Municipality of Brackley as follows:

**PART I – INTERPRETATION AND APPLICATION**

**1. Title**

1.1. This Bylaw shall be known as, and may be cited as, the “Procedural Bylaw”.

**2. Authority**

2.1. The *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1.

**3. Application**

3.1. This bylaw applies to all members of Council, the Chief Administrative Officer (CAO), members of Council Committees, Rural Municipality of Brackley employees, those who appear before Council and members of the general public.

3.2. When any matter relating to proceedings arise which is not covered by a provision of this bylaw or the Act, the matter shall be decided by reference to the latest edition of Robert’s Rules of Order.

3.3. In the event of any conflict between the provisions of the Act and this bylaw, the Act will prevail.

**4. Definitions**

4.1. “Act” means the *Municipal Government Act*, RSPEI 1988, c.M-12, as amended from time to time.

4.2. “Chief Administrative Officer” or “CAO” means the administrative head of the Municipality as appointed by Council.

4.3. “Council” means the Mayor and other members of the Council of the Municipality.

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

4.5. “Municipality” means the Rural Municipality of Brackley.

4.6. “Place” includes, in respect of information or a notice or other document to be posted, or a meeting to be held, by electronic means, the electronic location where the information, notice or document may be found or the electronic meeting may be accessed.

4.7. “Point of information” means the procedural mechanism by which a member may present or receive information of interest to Council.

- 4.8. "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.
- 4.9. "Point of privilege" means the procedural mechanism by which a member may rise to address incorrect, defamatory or slanderous statements made about the Council, councillors, or employees of the Municipality.
- 4.10. "Quorum" is a majority of all the members of council or a council committee. Vacancies are not counted in determining quorum except where the remaining number of council members is not less than four.
- 4.11. "Regulations" means the regulations adopted by the Lieutenant Governor in Council pursuant to the *Municipal Government Act*.

## **PART II – MEETINGS OF COUNCIL**

### **5. First Meeting**

- 5.1. A newly elected Council shall not transact any business until the Oaths of Office have been taken and subscribed to by persons present who have been elected to the Council.
- 5.2. Subject to subsections 81(1) and 81 (2) of the Act, a person who is elected or appointed to the Council shall swear or affirm the oath of office within 20 days after the 7<sup>th</sup> day of December immediately following the election.
- 5.3. The first meeting of a newly elected Council following a general municipal election shall be held no later than the first regularly scheduled Council meeting in December.
- 5.4. At the first meeting of Council following a municipal general election, Council shall establish by resolution a schedule of meeting dates for the next 12 months subject to the requirements of the Act.
- 5.5. At the first meeting of Council following a municipal general election, the Mayor shall appoint Council members to standing committees in accordance with Part IV of this bylaw.

### **6. Scheduling of Meetings**

- 6.1. Council shall, by resolution, establish an annual schedule of meeting dates providing for no fewer than 6 council meetings open to the public.
- 6.2. The CAO will ensure that the schedule of regular meetings is published in accordance with subsection 110 (3) and (4) of the Act, the requirements of the Regulations, and subsection 7.2 below.
- 6.3. If a regularly scheduled meeting of Council falls on a day that is a Statutory Holiday, the regular Council meeting will be held the following day unless rescheduled to another day or cancelled by resolution of Council.
- 6.4. A regular meeting of Council may be rescheduled:
  - (a) by resolution of Council;
  - (b) in accordance with this bylaw; or
  - (c) by the CAO if it is apparent that quorum will not be achievable.

6.5. Council may, by resolution, establish a time limit for any meeting and may extend the time limit for any regular Council meeting with a unanimous vote in favour of the motion to extend the meeting.

## **7. Notice of Meetings**

7.1. Notice of regularly scheduled Council meetings will be included in an annual schedule of meetings.

7.2. Pursuant to 110(3) of the Act and section 2 of the Procedural Bylaw Regulations, Council shall post the annual schedule of Council meetings, including the date, time, and place of each meeting on:

- (a) the municipality's website being [www.brackleypei.ca](http://www.brackleypei.ca) ;
- (b) a poster located at the Municipality's Office;
- (c) a poster located at the community notice boards; and
- (d) by any other method and at any other locations the Council or CAO deem appropriate.

7.3. Pursuant to subsection 121(2) of the Act and section 3 of the Procedural Bylaw Regulations, notice of the date, time, and place of a special meeting and the nature of the business to be transacted at a special meeting must be provided at least 24 hours in advance of the meeting:

- (a) to the public on the municipality's website and by sign or poster that is posted in a place that is accessible to the general public; and
- (b) to the Council members by providing a copy of the notice to each council member at the place to which the member has directed such notices be sent.

7.4. Pursuant to subsection 121(3) of the Act and section 4 of the Procedural Bylaw Regulations, if Council changes the date, place or time of a regular or special meeting, the CAO must give at least 24 hours notice of the change:

- (a) to each Council member at the place, in the manner, which the member has directed such notices be sent;
- (b) to the public on the Municipality's website and by sign or poster that is posted in a place that is accessible to the general public; and
- (c) to all members of Council by providing a copy of the notice to each Council member by telephone, e-mail or text message, as directed by each council member.

7.5. Pursuant to clause 4(1)(a) of the Procedural Bylaw Regulations, the notice referred to in section 7.4 of this bylaw shall specify the type of meeting and the new date, place and time of the meeting.

7.6. The requirements of the Act and the General Regulations must be met if, and when, giving Notice of a meeting or hearing, at which any of the following matters is to be considered:

- (a) a proposal by Council to transfer or otherwise dispose of Municipal land, or any interest in Municipal land, below fair market value;

- (b) a local improvement to which one or more objections were made to the CAO within 30 days of receipt of notice thereof; or
- (c) a permanent street closure.

7.7. Any other forms of notice required by Council or a bylaw shall be given in accordance with this bylaw.

7.8. Where a provision of this Act requires council or a committee to make information available to the public or for public inspection, the council or committee, as the case may be, may comply with the provision during a state of emergency declared by the Minister under the *Emergency Measures Act*, a state of local emergency declared by the Mayor under section 146 or a public health emergency

- (a) by making the information available electronically through e-newsletters and on the website of the Council or committee or on any other website where the Council or committee considers the information is likely to be easily found by the public; or
- (b) if requested to do so by a person, by sending the information to the person by email, mail or facsimile.

## **8. Special Meetings**

8.1. Pursuant to section 121 of the Act, a special meeting of Council will be called by the CAO when requested in writing by:

- (a) the Mayor; or
- (b) a majority of the councillor members.

8.2. The request for a special meeting shall include a statement of the purpose of the meeting.

8.3. A special meeting of Council shall be held at:

- (a) the first available date where quorum can be achieved; or
- (b) no later than 21 days after the date that the CAO receives the request.

8.4. A special Council meeting shall be held on the first available date requested where Quorum can be achieved, but in no case shall a special meeting be called later than 21 days after the date that the CAO receives the request.

8.5. Pursuant to subsection 121(4) of the Act, no business other than the business that Council has stated in the meeting notice will be transacted at a special meeting unless all members are present and unanimously agree to deal with other matters.

## **9. Closed Meetings**

9.1. Council or a Council committee may, by resolution passed at a public meeting of the Council or committee, hold a meeting that is closed to the public when the subject matter of the meeting is considered to be confidential in accordance with section 119(1) of the *Municipal Government Act*.

9.2. Council may, by resolution, establish a regular schedule of standing closed meetings, and notice of the schedule of closed meeting shall be provided through a sign posted in a prominent location available to the public.

- 9.3. No resolution or bylaw shall be passed during a meeting closed to the public other than for the following:
- (a) giving instructions to the lawyer for the Municipality;
  - (b) giving instructions to any person negotiating a contract on behalf of the Municipality;
  - (c) giving directions to employees on matters enumerated in subsection 119(1) of the Act;
  - (d) adjourning the closed meeting; or
  - (e) opening the meeting to the public.
- 9.4. A resolution to close a meeting to the public must state the reason(s) for closing the meeting, in accordance with section 119(3) of the *Municipal Government Act*.
- 9.5. The Council or committee shall, in accordance with subsection 119(4) of the Act, make any matter considered at a closed meeting public when confidentiality is no longer required.
- 9.6. No Council member, Council committee member or employee of the Municipality shall, subject to subsection 119(5) of the Act, disclose or act on any information acquired at a closed meeting of Council or a Council committee respecting a matter or report disclosed or discussed at the meeting, prior to the matter or report being dealt with at an open meeting of Council or the Council committee.

## **10. Meeting by Electronic Means**

- 10.1. Pursuant to section 122 of the Act, Council hereby authorises meetings to be conducted by electronic means including but not limited to a teleconference, a video conference or a live publicly streamed broadcast, in accordance with the Act, the regulations, and the provisions of this bylaw.
- 10.2. Council shall hold a meeting by electronic means upon passage of a resolution to that effect, where the majority of Council members are unable to meet in person.
- 10.3. Pursuant to subsection 122(2) of the Act and subject to section 10.5 of this bylaw, a Council committee may hold a meeting by electronic means upon passage of a resolution by the committee to that effect.
- 10.4. A meeting shall only be conducted by electronic means if the electronic means by which the meeting is conducted enables, at a minimum:
- (a) the Council or Council committee members participating in the meeting to hear and speak to each other; and
  - (b) where the meeting is open to the public, the public to see and hear the meeting's participants at a place specified in the notice of the meeting.
- 10.5. The CAO shall ensure that at least 24 hours' notice of an electronic meeting is given to all Council members or committee members and to the public of a meeting, advising:
- (a) that the meeting will be conducted by electronic means and the information necessary to enable the public to access the electronic meeting;

- (b) where the meeting is open to the public, of the location of the facilities where the public can see and hear the meeting; and
  - (c) The CAO shall ensure that a municipal employee is present at the location specified in the notice to facilitate the viewing of the meeting and to ensure that the public can see and hear the meeting.
- 10.6 During a state of emergency declared by the Minister under the *Emergency Measures Act*, a state of local emergency declared under section 146 or a public health emergency, a public meeting of council or a council committee may be held by electronic means that do not comply with the requirements of clause 10.5 if:
- (a) members of the public are able to hear the meeting as it occurs; and
  - (b) any members of the public who would be entitled to make submissions at the meeting if the meeting were being held in person are able, before and during the meeting, to make submissions by email or any other method that the Council or committee considers appropriate.

### **11. Electronic Participation in Meetings**

- 11.1. Pursuant to subsection 122(4) of the Act, a Council or Council committee member who is unable to attend a meeting of Council or the Council committee in person may participate in the meeting by telephone or by electronic means.
- 11.2. A Council or Council committee member may only participate by telephone or by electronic means if the Council or Council committee members are able to hear and speak to each other.
- 11.3. Where a Council or Council committee member is participating in a meeting conducted by electronic means or is participating by telephone or electronic means and there is a report or recommendation to be considered in respect of a matter before the Council or Council committee, the Council or Council committee member shall take part in the debate and vote on that matter only if the member has before him or her a copy of the report or recommendation to be considered, in accordance with subsection 122(6) of the Act.
- 11.4. Pursuant to subsection 122(4) of the Act, Council members participating by telephone or electronic means are considered to be present at the meeting.

### **12. Electronic Participation in Closed Meetings**

- 12.1. Pursuant to subsection 122(7) of the Act, electronic access to the meeting may be restricted or suspended in order to close all or part of the meeting to the public in accordance with section 119 of the Act.
- 12.2. The presiding member of a closed Council or a Council committee meeting shall require every Council or Council committee member participating by telephone or electronic means to confirm that there is no one else present in their location who is able to hear the discussion during the closed meeting.

## **PART III – COUNCIL MEETING PROCEDURES**

### **13. General**

- 13.1. The Mayor will preside over all Council meetings except where the Act provides otherwise, and shall perform the duties enumerated in section 89 of the Act, including preserving order, enforcing rules, deciding points of privilege and order, and advising on points of procedure.
- 13.2. Pursuant to subsection 91(1) of the Act, the deputy Mayor will preside in the Mayor's absence.
- 13.3. The members of Council may appoint an acting Mayor in accordance with subsection 90(4) of the Act, where:
  - (a) the Mayor and deputy Mayor are absent, incapacitated or otherwise unavailable and neither of them has appointed another member of Council to act in his or her stead; or
  - (b) the offices of Mayor and deputy Mayor are vacant.
- 13.4. Pursuant to subsection 91(5), the term of an acting Mayor continues only until the Mayor or deputy Mayor is no longer absent, incapacitated or otherwise unavailable or only until a new Mayor is declared elected, unless the appointment is revoked earlier by the Council.

#### **14. Agendas**

- 14.1. The agenda for each regular and special meetings of Council shall be prepared by the CAO or their designate, in consultation with the Mayor and Council.
- 14.2. The agenda for each regular meeting, along with pertinent correspondence, statements and reports, shall be submitted to each member of Council by electronic means (or by means requested by the member) no later than 2 business days prior to the meeting unless that day is a statutory holiday. If so, the agenda and accompanying documents must be delivered to the Council member no later than 2 business days prior to the statutory holiday.
- 14.3. The deadline for receipt of agenda materials for a regular meeting by the CAO is 5:00 p.m. AST on the 3<sup>rd</sup> business day preceding the meeting.
- 14.4. Proposed agenda items must contain sufficient information, to the satisfaction of the CAO, to enable Council to deal with the matter.
- 14.5. The CAO shall have prepared and printed an agenda to be made available to the public. The agenda shall reflect the matters to be considered, under the following headings, referred to as the Order of Business:
  - (a) call to Order;
  - (b) declarations of conflict of interest;
  - (c) approval of Agenda;
  - (d) adoption of Minutes;
  - (e) business Arising from the Minutes;
  - (f) reading of correspondence;
  - (g) reports from Standing and ad hoc Committees;
  - (h) report from CAO;

- (i) recommendations from the Planning Board;
- (j) introduction of New Business;
- (k) inquiries by members of Council;
- (l) introduction and Reading of Bylaws;
- (m) appointments to Committees;
- (n) public Presentations/Petitions/Delegations;
- (o) *In Camera*;
- (p) Adjournment.

14.6. Any additional matter, not included on the agenda, may only be added to the agenda by the majority consent of all Council members present at the meeting.

## **15. Quorum**

15.1. A Quorum is required at all times for Council meetings, in accordance with section 113 of the Act.

15.2. A Quorum for a Council or Council committee meeting is the Mayor or chairperson, or their deputy, and at least one half of the members of the Council or committee then holding office.

15.3. The members of Council or a committee may appoint, from among their number, an acting Mayor or chairperson where:

- (a) the Mayor or chairperson, and their deputies, as the case may be are absent, incapacitated or otherwise unavailable and other member has not been appointed to act in his or her stead; or
- (b) the offices of Mayor and deputy Mayor, or chairperson and deputy are vacant.

15.4. Unless revoked earlier the term for an acting Mayor or chairperson appointed under 15.3(a) or (b) above continues only until:

- (a) the Mayor or their deputy, or chairperson or their deputy, as the case may be, are no longer absent, incapacitated or otherwise unavailable; or
- (b) until a new Mayor or chairperson is elected or appointed as the case may be.

15.5. Any act or proceeding of Council that is adopted at any Council meeting at which a quorum is not present is invalid.

15.6. Pursuant to subsection 113(3), where there is a vacancy on Council, but there are at least four Council members remaining on Council a quorum is, subject to subsections 15.2 and 15.3 above, a majority of the remaining members of Council.

15.7. Where the number of Council members is reduced to less than four by reason of vacancies, the Council shall apply to the Minister, in accordance with subsection 113(4) of the Act, to have the remaining Council member or members to be considered to be a quorum until elections are held to fill the vacancies.

- 15.8. If a quorum is not present within fifteen (15) minutes after the time fixed for the meeting, the CAO or delegate shall record the names of the members present and the meeting shall stand adjourned until the next meeting.
- 15.9. Where the CAO or delegate has confirmed in advance of the meeting that quorum will not be present, the CAO or delegate may provide notice of the cancellation of the meeting to the members of Council and the public in accordance with this bylaw identifying the next meeting.

## **16. Voting**

- 16.1. Voting at meetings of Council shall be undertaken in accordance with section 115 of the Act:
- (a) each Council member present, except the Mayor, will vote on every matter unless a Council member is excused specifically from voting, by resolution, or the Council member is prohibited from voting because the member has a conflict of interest;
  - (b) no vote of Council shall be taken by ballot or any other method of secret voting and any vote taken by any form of secret voting is of no effect;
  - (c) all votes of Council, both for and against, will be recorded;
  - (d) the failure or refusal of a member of Council to vote on a matter that is properly before the Council will be considered a vote in favour except when the member is excused or prohibited from voting; and
  - (e) where there are an equal number of votes for and against a bylaw or motion, the Mayor or presiding officer will vote for the purposes of breaking the tie.

## **17. Presentation and Delegations to Council**

- 17.1. The following will be permitted at meetings of Council at the time so designated on the agenda, in accordance with the provisions of this bylaw, and shall provide an opportunity:
- (a) for individuals or groups to appear before Council as a formal delegation;
  - (b) for members of the public to ask questions or make brief presentations to Council on matters of public interest or concern and
  - (c) for presentation for petitions.
- 17.2. Delegations wishing to speak before, or request a decision of, Council will advise the CAO or designate of their intention to do so by 5:00 p.m. AST of the 3<sup>rd</sup> business day prior to the meeting, and all information to be addressed will be on the form attached as Schedule A to this bylaw.
- 17.3. All persons addressing Council shall give their name, topic of concern and whether the Council has previously considered the matter or whether they has been any previous contact with a member of Council or the administration regarding the matter.
- 17.4. The total time allotment for all presentations at a Council meeting is thirty (30) minutes, unless Council agrees to a waive of this time restrictions by the unanimous consent of Council members present.

- 17.5. Delegates will be granted a maximum presentation time of five (5) Minutes to present the matter outlined in the notification unless Council agrees to a waiver of this time restriction by a majority of Council members present.
- 17.6. If all persons who expressed an interest to speak at a Council meeting cannot be heard within the time allotted for presentations, those people shall be invited to attend and appear before the next regular Council meeting, unless a time extension pursuant to 17.4 above for presentations is granted.
- 17.7. Council shall not entertain submissions from the public on matters still under consideration by the planning committee or any other committee of Council by resolution agrees to hear the matter.
- 17.8. A response to each speaker's presentation, if required, shall be provided through one or more of the following methods:
  - (a) an immediate response at the Council meeting by either a member of Council or the administration; or
  - (b) referral of the matter to a committee, or the administration, for review and recommendation at a subsequent time.

## **18. Adjournment**

- 18.1. All regularly scheduled Council meetings shall stand adjourned when the Council has completed all business as listed on the order of business or at 9:00 PM AST, whichever is earlier.
- 18.2. If a Council member is speaking at the time the meeting is scheduled to end, the Mayor will wait until that person is done speaking before asking Council to consider whether it wants to extend the time of the meeting.
- 18.3. Any business items that remain on the agenda and which has not been addressed at the time of adjournment will be deemed to be postponed until the next regularly scheduled Council meeting or until a special meeting is called for the purpose of dealing with the unfinished items, unless Council agrees to a wavier of this time restriction by the majority consent of Council members present.

## **19. Conduct during Council meetings**

### Public

- 19.1. All persons in the public galley at a Council meeting shall:
  - (a) refrain from addressing Council or a member of Council unless permitted to do so;
  - (b) maintain quiet and order;
  - (c) refrain from disturbing the proceedings by words, gestures or actions including applauding, displaying flags, placards or similar material;
  - (d) refrain from talking on electronic mobile devices; and,
  - (e) ensure that all electronic devices are silent and operated in such a manner that does not interfere with the meeting or with another person's ability to hear or view the proceedings.

## Delegations and Council Members

- 19.2. Delegates and members of Council shall refrain from:
- (a) speaking disrespectfully;
  - (b) using offensive language;
  - (c) reflecting on a vote of Council except when moving to rescind or reconsider it;
  - (d) reflecting on the motives of the members of Council who voted on the motion or the mover of the motion; or
  - (e) shouting or using an immoderate tone, profane, vulgar or offensive language.
- 19.3. When a member is addressing the Council, all other members shall:
- (a) remain quiet and seated;
  - (b) refrain from interrupting the speaker, except on a point of order or point of procedure; and
  - (c) refrain from carrying on a private conversation in such a manner that disturbs the speaker.
- 19.4. If any Council member or delegate to Council acts contrary to 19.2 or 19.3 above, they shall immediately be cautioned by the Mayor or presiding member, and then so cautioned the caution shall be recorded in the minutes of the meeting.
- 19.5. If any member of the Council or a delegation is cautioned twice in the same meeting they shall, on the order of the Mayor or the presiding member, be excluded from that meeting.
- 19.6. If the excluded person should adequately apologize to the Council they may, by unanimous consent of the Council members present, be permitted to remain in the meeting.
- 19.7. Members and delegates shall ensure that all electronic devices remain silent and do not interfere with the meeting.
- 19.8. Each member or delegate, as the case may be, shall address the Mayor or presiding member, but shall not speak until recognized by the Mayor or presiding member.
- 19.9. Members of Council wishing to speak at a meeting shall ensure they do not interrupt another member.
- 19.10. If more than one member wishes to speak at a meeting at the same time, the Mayor or presiding member will indicate which member will speak first.
- 19.11. The Mayor or the presiding member, with the approval by resolution of the members, may authorize a person in the public gallery to address members only on the topic being discussed at that time and within the time limits specified by the Mayor.
- 19.12. A motion must be seconded to be discussed.
- 19.13. A motion may be withdrawn at any time before voting by the originator of the motion.
- 19.14. The following motions are not debatable by members:
- (a) Adjournment

- (b) To take a recess
- (c) Question of privilege
- (d) Point of order
- (e) To limit debate on a matter before members
- (f) On division of a question
- (g) Postpone the matter to a certain time
- (h) To postpone the matter.

### Improper Conduct

- 19.15. The Mayor or presiding member may request that any person in the public gallery who disturbs the proceedings of Council or acts improperly at a Council meeting leave or be expelled from the meeting.
- 19.16. If a person disturbs the proceedings of Council or refuses to leave when requested to do so, the Mayor or presiding member may recess the meeting until the person leaves or adjourn the meeting to another day, or have that person removed from the meeting.

### **20. Points of Order, Procedure or Privilege**

- 20.1. A member of Council may, at any time, rise on a point of order, a point of privilege or a point of information. When a member so rises, all debate shall cease and the “point” shall be clearly stated by the member and, if applicable, ruled upon by the Mayor.
- 20.2. A member of Council may, at any time during debate, request that the question, motion or matter under discussion be clarified or restated.
- 20.3. Where the Mayor is called upon to decide a point of order or practice in accordance with section 111 of the Act, they shall state the question without unnecessary comment and decide the issue citing the rule or authority applicable thereto.

### Appeal of Decision of the Mayor

- 20.4. Whenever a member wishes to appeal any ruling of the Mayor or a point of order or point of privilege to the whole of Council pursuant to section 112 of the Act:
- (a) the motion of appeal shall be made immediately after the ruling is made by the Mayor or otherwise the ruling will be final;
  - (b) the member may offer a brief reason for the challenge; and
  - (c) the Mayor may state the reason for the decision they made.
- 20.5. Following the motion of appeal and the response, if any from the Mayor, the question shall be put immediately without debate.
- 20.6. The Mayor will be governed by the vote of the majority of the members of Council present; a tied vote sustains the decision of the mayor.
- 20.7. Neither the Mayor nor the appellant will participate in the vote on an appeal.

## **21. Motions and Debate**

- 21.1. A motion shall express fully and clearly the intent of the mover.
- 21.2. A motion shall not be considered unless it has been seconded.
- 21.3. The Mayor or presiding member may set a time limit and the number of times that a member may speak on the same motion or matter, giving due regard to the importance of the matter.
- 21.4. Any member may require the motion under debate to be read at any time during the debate, but not so as to interrupt a member while speaking.
- 21.5. When a motion is under debate no other motion may be made, except a motion to:
- (a) amend the motion;
  - (b) refer the motion to a Council committee or administration for a report back to Council;
  - (c) postpone the motion to a fixed date;
  - (d) request that the motion be put to a vote;
  - (e) extend the time for a Council meeting; or
  - (f) adjourn the meeting.
- 21.6. Notwithstanding any other provisions of this bylaw, the member of Council who moved a motion after a motion is under debate may, with the consent of Council, change the wording of the motion or agree to a change proposed by another member if the alteration does not change the intention of the motion.
- 21.7. Motions shall be considered in the order in which they were moved.

## **22. Minutes**

- 22.1. The CAO, or their delegate shall, in accordance with section 116 of the Act, ensure that minutes are kept of all Council meetings and Council committee meetings, both open and closed to the public; audio recordings of Council and committee meetings shall be deleted or otherwise disposed of once the meeting minute has been formally approved.
- 22.2. The CAO, or their delegate, shall ensure that the minutes of meetings record all resolutions, decisions and proceedings of the Council and shall include at minimum:
- (a) the date and names of all Council or committee members and employees present at the meeting;
  - (b) the subject matter of the issues discussed; and
  - (c) any decisions made.
- 22.3. Where a meeting is closed to the public, the minutes of the meeting that may be disclosed to the public will be restricted to
- (a) to the date of the meeting;
  - (b) the names of Council members or committee members and employees present; and

(c) the type of matter under section 119(1) of the Act that was discussed at the meeting.

- 22.4. Copies of the minutes will be open for inspection by any person during regular office hours and copies of them shall be provided to any person on payment of the fee, if any, established by the council in a bylaw made pursuant to section 147.
- 22.5. Minutes of Council meetings, when approved, shall be signed by the Mayor, or presiding member, and the CAO, or delegate; the minutes of committee meetings, when approved, shall be signed by the chairperson of the committee.
- 22.6. Any member of Council or a committee may make a motion amending the minutes to correct errors or omissions. The minutes of each meeting are to be formally approved at the next regular meeting of the Council or committee and signed by the Mayor, committee chairperson, or other presiding member, and the CAO.

#### **PART IV – COMMITTEES OF COUNCIL**

##### **23. General**

- 23.1. The Council by resolution, may establish standing and/or ad hoc committees that will consider, discuss and debate matters of Council interest before such matters are forwarded to Council for decision.
- 23.2. The Council, by resolution, may also designate the committees' mandate, term, composition, objectives, tasks, duties and responsibilities, and appoint its members to deal with any matter. The Council, by resolution, may also establish the eligibility criteria for membership and determine the events or circumstances that would result in termination of a committee member.
- 23.3. Special committees shall cease to exist when Council, by resolution, decides that the objectives of the committee have been achieved and tasks have been completed.
- 23.4. Committee meetings shall not exceed two and one-half hours in length, unless the members of the committee present vote to extend the time.
- 23.5. All committees are for the purposes of this Part Committees of Council, and in all matters, may only report and make recommendations to the Council.

##### **24. Committee Composition**

- 24.1. The Mayor is an *ex officio* member of every committee or other organization which the Council or Mayor establishes pursuant to the *Municipal Government Act*, and when in attendance the Mayor, subject to section 90 of the Act, possesses all the rights, privileges, powers and duties of the other members of the committee.
- 24.2. Pursuant to subsection 90(2) of the Act, the Mayor's attendance shall be included for the purpose of determining a quorum for a committee of Council meeting.
- 24.3. Each Council committee will consist of a minimum of three (3) members. At a minimum, a Council committee will include two (2) Council members who will hold the positions of Chair and Vice Chair.

## **25. Terms of Committees**

- 25.1. Appointments to committees shall be at the pleasure of the Mayor or the Council as applicable.
- 25.2. Appointees may be reappointed from term to term to the same committees.
- 25.3. In a general election year, the term of appointments will end on December 6<sup>th</sup>.
- 25.4. A member of any committee, excluding members of Council, will only be appointed to a maximum of two (2) committees at one time.
- 25.5. The CAO shall advise Council of any committee members absent for more than six (6) meetings within a calendar year and request that a warning correspondence be forwarded to the member, as well, if the member misses one half or more of the meetings, within a calendar year, Council will be requested to decide if the member should be removed from the committee.

## **26. Notice of Committee Meetings**

- 26.1. The CAO shall ensure that at least 24 hours' notice is given of a committee meeting to the members of the committee, and to the public.
- 26.2. Where a regular schedule of meetings for a Council committee is established, and published in accordance with section 7 of this bylaw., the requirement for 24 hours' notice of a committee meeting is not required.
- 26.3. Note to the public of the committee meeting is sufficient if the notice is posted at the municipal office.
- 26.4. Where a special meeting of a Council committee is called, the CAO will follow the procedures for calling a special meeting set out in section 8 of this bylaw and ensure that notice of the special meeting is given in accordance with section 7 of this bylaw.
- 26.5. Where the date, time or place of a committee meeting is changed, the CAO shall ensure notice of the change is given in accordance with section 7 of this bylaw, by providing at least 24 hour's notice:
  - (a) to any committee member not present at the meeting at which the change was made; and
  - (b) to the public in accordance with the notification means set out in this bylaw.

## **27. Committee Procedures**

- 27.1. Each standing committee will meet as soon as possible after it has been appointed and where a Chair has not been appointed by Council, members of that committee will select a Chair and Vice-Chair, and if required, decide the day and time for holding its regular meetings.
- 27.2. Special committees shall be governed by their terms of reference as established by Council.

- 27.3. The chairperson shall preside at every meeting, participate in the debate and shall vote on all motions.
- 27.4. In the absence of the chairperson, the vice-chair shall preside, and in the absence of both the chairperson and the vice-chairperson, one (1) of the other members of the committee shall be elected to preside and will discharge the duties of the chairperson during the meeting or until the arrival of the chairperson or vice chair person.
- 27.5. The business intended to be addressed at committee meetings will be stated in the meeting agenda.
- 27.6. An act or proceeding of a committee is not effective unless it is authorized or adopted by a resolution at a duly constituted public meeting of Council.
- 27.7. Everyone has the right to be present at committee meetings that are conducted in public unless the chairperson expels a person for improper conduct.
- 27.8. If a quorum is not present within fifteen (15) minutes after the time fixed for a committee meeting, the chairperson or CAO shall record the names of the members present and the meeting shall stand adjourned until the next meeting.
- 27.9. Only members of the committee may participate in, debate or ask questions at a standing committee or ad hoc committee meeting except in accordance with section 28 of this bylaw.

## **28. Delegations to committees of Council**

- 28.1. Delegations wishing to appear before a Committee of Council to present information shall advise the CAO or their designate of their intention to do so not later than 5:00 p.m. AST of the 3<sup>rd</sup> business day prior to the meeting.
- 28.2. Delegations will be limited to a maximum presentation time of five (5) minutes unless the Committee agrees to a waiver of this time restriction **by the unanimous consent of all Committee members present**, and each delegate may speak only once.
- 28.3. Delegations wishing to speak before, or request a decision from a Committee of Council will advise the CAO or designate of their intention to do so by 5:00 p.m. AST of the 3<sup>rd</sup> day prior to the meeting, and all information to be addressed will be on the form attached as Schedule A to this bylaw.

## **PART V – BYLAWS**

### **29. Bylaw Procedures**

- 29.1. Council may make, amend or repeal a bylaw in accordance with the procedures established in Part 5, Division 2 of the *Municipal Government Act*.
- 29.2. A bylaw is only validly made by Council if it is read and formally approved by a majority of the Council members present and voting takes place on two occasions at meetings of the Council that are held on different days.
- 29.3. A bylaw may be approved and adopted by Council by resolution after being read a second time.

- 29.4. Pursuant to section 125 of the Act, if copies of the proposed bylaw have been made available to the public at a Council meeting or prior to the meeting in which the proposed bylaw is to be read, the reading may consist of the recitation of the bylaw name and number and a brief description of its effect. Where copies of the proposed bylaw have not been made available to the public at or prior to the meeting, the entire proposed bylaw will be read word by word.
- 29.5. A bylaw adopted by Council must be printed, signed by the Mayor and the CAO, and sealed with the corporate seal of the Rural Municipality of Brackley.
- 29.6. Council may, in accordance with subsection 125(3) of the Act, amend a proposed bylaw after its first reading. If it is amended, the amendment will be read word by word at the meeting even if copies of the bylaw with the proposed amendment are made available to the public.
- 29.7. Pursuant to section 127 of the Act, the first and second readings of a proposed bylaw are rendered null if the bylaw is not passed within two years from the date of first reading.
- 29.8. A bylaw established by Council will come into force at the time it is passed unless otherwise provided for in the Act or in the bylaw. If the Act or another Act requires a bylaw to be approved by the Minister, the bylaw will not come into force until the approval of the Minister is given.
- 29.9. The CAO shall ensure that a copy of every bylaw passed is filed with the Minister within 21 days of adoption or as required by provincial statute. The copy will be certified by the CAO as being “a true copy of the original seen by me” on the document, and shall be signed, dated, and printed with the CAO’s name under their signature, as well as their occupation, address and telephone number.
- 29.10. Council will make copies of all bylaws available for inspection by any person, in accordance with section 128 of the Act. Council will provide any person on payment of the fee, if any, established by the council in a bylaw made pursuant to section 147 of the Act.
- 29.11. Planning bylaws undertaken under the authority of the *Planning Act* shall be made in accordance with section 19 of that act.

## **PART VI OTHER MATTERS**

### **30. Independent Officer**

- 30.1. The appointment or the suspension or revocation of the appointment shall be by a vote of at least two-thirds of the members of council then holding office voting in favour of the resolution to appoint, suspend or revoke the appointment of the independent officer, as the case may be.

### **31. Repeal of Existing Bylaw**

- 31.1. Bylaw #2019-06 and all amendments thereto are hereby repealed.

### **32. Effective Date**

- 32.1. This Procedural Bylaw, Bylaw# 2024-XX, shall be effective on the date of approval and adoption below.

**First Reading:**

This Procedural Bylaw, Bylaw# 2024-XX, was read a first time at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

This Procedural Bylaw, Bylaw# 2024-XX, was approved by a majority of Council members present at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**Second Reading:**

This Procedural Bylaw, Bylaw# 2024-XX, was read a second time at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

This Procedural Bylaw, Bylaw# 2024-XX, was approved by a majority of Council members present at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**Approval and Adoption by Council:**

This Procedural Bylaw, Bylaw# 2024-XX, was adopted by a majority of Council members present at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**Signatures**

\_\_\_\_\_  
**Mayor** (signature sealed)

\_\_\_\_\_  
**Chief Administrative Officer** (signature sealed)

This Procedural Bylaw adopted by the Council of the Rural Municipality of Brackley on \_\_\_\_\_  
\_\_\_\_\_ is certified to be a true copy.

\_\_\_\_\_  
**Chief Administrative Officer Signature**

\_\_\_\_\_  
**Date**

**Schedule A**

**Request for Decision to Speak Before Council/Or Council Committee**

<b>Date:</b>	<b>Request No:</b> <i>(Office Use Only)</i>
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<b>Person:</b>	<b>Representing:</b>
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<b>Background:</b>	
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<b>Request:</b>	
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<b>Advantages</b>	<b>Disadvantages</b>

<b>Required Resources:</b>	
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<b>Staff Comments</b>	
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<b>CAO's Review / Comments</b>	
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