



Hamlet of Cambridge Bay By-Laws

By-Law Name:	Rules of Order
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By-Law Number:	172
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Description

RULES OF ORDER to regulate the proceeding in the MUNICIPAL COUNCIL OF THE Hamlet of Cambridge Bay and in the Committees thereof.

BEING A BY-LAW FOR GOVERNING THE CALLING, PLACE AND PROCEEDING OF MEETINGS OF THE COUNCIL OF THE CORPORATION OF THE HAMLET OF CAMBRIDGE BAY AND THE COMMITTEES AND LOCAL BOARDS THEREOF.

By-Law

WHEREAS Section 29.30, chapter H.1 as amended, provides that every Council and Local board therefore shall adopt a procedure by-law for governing the calling, place and proceeding of meetings;

AND WHEREAS the Council of the Corporation of the Hamlet of Cambridge Bay deems it expedient to adopt a procedure by-law for governing the calling, place and proceedings of meetings of the Council of the Corporation of the Hamlet of Cambridge Bay and the committees and local boards thereof:

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE HAMLET OF CAMBRIDGE BAY ENACTS AS FOLLOWS:

1. The following rules and regulations shall be observed and shall be the rules and regulations for the order and dispatch of business in the Municipal Council of the Corporation of the Hamlet of Cambridge Bay and the Committees and Local Board.

DEFINITIONS

2. In this by-law;
 - a) “Committees” means any advisory or other committee, subcommittee or similar entity composed of members of one more councils or local boards;
 - b) “Local Boards” means a local board as defined in The Hamlet Act, except municipal police services boards, and school boards;

- c) “Meeting” means any regular, special, committee or other meeting of a council or local board.
- d) “Member” shall be taken to mean a male or female member of council, a committee or local board as the case may be.

MEETING OF COUNCIL

- 3. After its inaugural meeting the Council shall meet at the Council Chambers on the first and third Monday every month in the year at the hour of 7:00 p.m. unless otherwise ordered by special motion. In the event that such Monday should be a civic holiday the Council shall meet at a time ordered by special motion.
- 4. The Mayor may, at any time, call a special meeting of the Council and it shall be his duty to call a special meeting whenever requested in writing to do so by a majority of the members of Council.
- 5. In the event of the absence or death of the Mayor, a special meeting may be called by the Deputy-Mayor at any time and it shall be his duty to call a special meeting to deal with the issue.
- 6. In the event of the absence of the Mayor and Deputy-Mayor a special meeting may be called at any time by the Senior Administrative Officer upon a special requisition presented and signed by a majority of the members of Council.
- 7. A messenger shall serve notices of special meetings to each member of Council by leaving the same at his usual place of residence or by telephone message at his place of work or his residence or by fax.
- 8. The Council shall always adjourn at the hour of ten o'clock (10:00 PM) in the evening, if in session at that hour, unless otherwise ordered by a vote of the majority of the members present.
- 9. The By-law shall, if warranted, have charge of the Council Chambers and, if ordered by the Mayor or other Chair of Council, shall expel and exclude from any meeting any person who has been guilty of improper conduct at such meeting.

ORDER OF BUSINESS

- 10. As soon after the hour of the meeting as there shall be a quorum present, the Mayor shall take the chair and call the members to order.
- 11. In case the Mayor does not attend within fifteen minutes after the time appointed, the Deputy Mayor shall call the meeting to order. In the event that the Deputy Mayor is also absent the Senior Administrative Officer or someone appointed to fill his place shall call

the members to order and, if a quorum be presented, a temporary chair shall be chosen from among the members of Council who shall preside during the meeting or until the arrival of the Mayor or Deputy Mayor.

12. If there is no quorum present within half an hour after the time appointed for the meeting the Senior Administrative Officer shall call the roll and take down the names of the members then present. The Council shall stand adjourned until the next day of meeting, subject to the provisions of Section 4 and 5 of this by-law.
13. In the election of a temporary Chair the Senior Administrative Officer shall call the meeting to order and preside.
14. Immediately after the Mayor or Chair has taken his seat the minutes of the proceeding meeting shall be read by the Clerk or by any member present in order that any mistake therein may be corrected by the Council.

DUTIES AND PRIVILEGES OF MAYOR AND CHAIR

15. The Mayor or Chair shall preserve order and decorum and shall decide all questions and any question on which there is an equality of votes shall be deemed negated.
16. The Mayor or Chair may vote with the other member on all questions and any question on which there is an equality of votes shall be deemed negated.
17. If the Mayor or Chair decides to leave the Chair for the purpose of taking part in the debate or otherwise, he shall call one of the members of Council to fill his place until he resumes the chair.
18. When two or more members rise at once the Mayor or Chair shall name the member who first rose in his place, but a motion may be made that any member who has risen “be now heard” or “do now speak”?
19. While the Mayor or Chair is putting the question no one shall walk across or out of the Council Chambers or make any noise or disturbance or hold any private discourse.
20. When the Mayor or Chair is called upon to decide a point of Order of Practice, the point shall be stated without unnecessary comment and the Mayor or Chairman shall cite the rule applicable to the case.
21. All questions shall be put in the order, which they are made.
22. The Mayor or Chair, whenever he shall conceive that a motion which he received and read may be contrary to these rules, shall apprise the Council thereof immediately before the question on such motion is put and cite the rule or authority applicable to the case.

23. After a question is finally put by the Mayor or Chair no member shall speak to the question nor shall any motion be made until after the result of the vote has been declared and the decision of the Mayor or Chair as to whether the question has been put shall be conclusive.
24. When the Council adjourns the members shall keep their seats until the Mayor shall have left the chair.

DUTIES AND PRIVILEGES OF MEMBERS

25. Every member, previous to addressing Council, shall rise from his seat and address himself to the Mayor. He shall confine himself strictly to the matter under discussion and shall resume his seat immediately after completing his remarks.
26. Every member at a meeting of a committee or a local board shall remain seated while making his remarks. He shall address his remarks to the Chair and shall confine himself strictly to the matter under discussion.
27. The Mayor or Chair or any member may call to order any member while speaking, when the debate shall be suspended, and the member called to order shall sit down and shall not speak until the point of order is determined, unless permitted to explain or unless to appeal the decision of the Chair to the Council and the Council if appealed to shall decide the case but without debate. If there is no appeal the decision of the Mayor or the Chair shall be final.
28. Any member may require the question under discussion to be read at any time during the debate but not so as to interrupt a member while speaking.
29. No member shall speak more than once on the same question without the leave of Council, except in explanation of a material part of his speech, which may have been misconceived and in doing so he is not to introduce new matter. A reply is allowed to any member who has moved an order of the day, an amendment, the previous question, or an instruction to a committee. No member, without the leave of Council, shall speak to the same question or reply for longer than a quarter of an hour.
30. No member shall speak disrespectfully of Her Majesty the Queen or any member of the Royal Family or of the Governor-General, Commissioner or any person administering the Government of the Dominion or of this Territory, nor shall he use offensive words in or against the Council or against any member thereof, nor shall he speak beside the question in debate. No member shall reflect upon any vote of the Council except for the purpose of moving that such a vote shall be rescinded; nor shall he resist the rules of the Council, nor disobey the decision of the Mayor or the Council on any questions of Order and practice or upon the interpretation of the Rules of the Council.

31. In case any member shall so resist or disobey he may be ordered by the Council to leave his seat for that meeting and in case of his refusing to do so, he may, on the order of the Mayor, be removed there from by the police; but in case of ample apology being made by the offender he may, by the vote of the Council, be permitted to retake his seat.
32. While a member is speaking no member shall hold any private discourse or make any noise or disturbance or pass between the speaker and the Chair or interrupt him except to raise a point of order.
33. Questions may be put to the Mayor or other presiding officer or through him to any member of Council relating to any by-law motion or other matter connected with the business of the Council. Or of the affairs of the Hamlet, but no argument or opinion is to be offered or facts to be stated except so far as may be necessary to explain the same. And in answering any such question a member is not to debate the matter to which the same refers.
34. Questions or inquiries made from an outside source need not be answered unless the same are in writing and have been handed to the Senior Administrative Officer of the Council at least two clear days before the day of the meeting, at which such inquiry is made and the answers to such questions or inquiries, if made in writing, shall also be put in writing and handed to the Senior Administrative Officer at least one hour before the meeting and shall be read by the Mayor or Chair from the chair.
35. Every member who shall be present in the Council Chambers when a question is put shall vote therein, unless the Council shall excuse him, or unless he be personally interested in the question and such interest is resolved into a personal profit peculiar to that vote.
36. No person, except members or officers of the Council, shall be allowed to come within the bar during the sitting of the Council without the permission of the Mayor or other presiding officer.

CLOSED MEETING

37. (1) Except as provided in this section all meetings shall be open to the public
- (2) A meeting or part of a meeting maybe closed to the public if the subject matter being considered is:
 - the security of the property of the Municipality or local board
 - personal matters about an identifiable individual, including municipal or local board employees
 - a proposed or pending acquisition of land for municipal or local board purposes
 - labor relations or employee negotiations
 - litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

- the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose
- (3) A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the Council, Board, Commission or other body is designated as head of the institution for the purpose of that Act.
- (4) Before holding a meeting or part of a meeting that is to be closed to the public a Council or Local Board shall state by resolution,
- The fact of the holding of the closed meeting, and
 - The general nature of the matter to be considered at the closed meeting
 - If a meeting is closed to the public no resolution or record of the meeting shall disclose any information that the head of an institution is not permitted to disclose under the Municipal Freedom of Information and Protection of Privacy Act
 - Despite this section a meeting shall be not closed during the taking of a vote

TAKING AND ENTERING VOTES

38. Members shall always take their place when any vote is called for
39. Any members of Council may request that a vote on any reading of a By-law, resolution or committee report shall be recorded vote and the vote shall be taken commencing with the Deputy Mayor, followed by the members of Council in alphabetical order with the last vote cast being that of the Mayor.
40. The Senior Administrative Officer shall cause to be prepared and printed for the use of the members at the ordinary meetings of the Council “The General Orders of the Day” as follows:
- Call to Order
 - Opening Prayer
 - Additions/Deletions
 - Declarations of Pecuniary Interest
 - Delegations
 - Approval of the Minutes
 - Business arising from the Minutes
 - Reports of Officers
 - Correspondence
 - Petitions
 - Around the Table
 - Old Business
 - New Business
 - Motions
 - Adjournment

41. At the special meetings of Council “The General Orders of the Day” shall be prepared and printed when and as the Mayor may direct and in default of such direction then as provided in the last preceding section.
42. The business shall, in all cases, be taken up in order in which it stands up “The General Orders of the Day”, unless otherwise determined by a vote of two thirds of the members present.
43. All questions relating to the priority of the business shall be decided without debate.

MOTIONS AND RESOLUTIONS

44. Every motion shall be in writing and read by the mover and shall be seconded before being debated or put from the Chair.
45. When a motion is seconded the Mayor or Chair shall read it before debate.
46. After a motion is read by the Mayor or Chair it shall be deemed in the possession of the Council but may, with the permission of the Council, be withdrawn at any time before decision or amendment.
47. If the question under discussion contains several distinct propositions any member may have the same divided when the sense admits of it, and the vote on each proposition shall be taken separately; and all questions shall be put in the order in which they are moved.
48. When a question is under debate the only motion in order shall be:
 - To commit it;
 - To amend it;
 - To lay it on the table;
 - To postpone indefinitely;
 - To adjourn; and or;
 - To move the previous question;

PRIVILEGE

49. Whenever any matter of privilege arises it shall be immediately taken into consideration.

TO REFER OR COMMIT

50. A Motion to refer or Commit to a Standing Committee shall take precedence of a similar motion for a Special Committee, and a Motion for Committee, until it is decided, shall preclude a motion to the main question.

TO AMEND

51. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different subject shall not be in order. Only one amendment shall be allowed to an amendment and any amendment more than one must be to the main question.
52. The paragraph to be amended shall first be read as it stands then the words proposed to be struck out and those to be inserted and, finally, the paragraph as it would stand if so amended.

TO LAY ON THE TABLE

53. A motion to lay a question in the table simply is not debatable, but a motion to “lay on the table and publish”, or any other condition, is subject to amendment and debate.

INDEFINITE POSTPONENT

54. When a motion is postponed indefinitely it shall not be taken up again during the same meeting.

ADJOURNMENT

55. A motion to adjourn the Council or to adjourn the debates shall be always in order, except:
 - When a member is in possession of the floor;
 - When the yeas and nays haven been called;
 - When the members are voting; or
 - When it has been decided that the previous question shall be taken;
56. A motion to adjourn the Council or to adjourn the debate shall always be in order but no second motion to the same effect shall be made until after some intermediate proceedings have been had.
57. A motion to adjourn the Council or to adjourn the debate simply cannot be amended and is not open to debate, but a motion to adjourn to a given day may be amended and is open to debate.

PREVIOUS QUESTION

58. The previous question, until it is decided, shall preclude amendment of the main question and shall be put in the following works: “That this question be now put.” If this motion shall be resolved in the affirmative the original question is to be put forthwith without any amendment or debate, but if the previous question is resolved in the negative, the main question may be debated and amended.

APPOINTMENT OF OFFICE

59. No member of the Council, while retaining his seat therein, shall be eligible for any employment to which there is attached any salary remuneration payable to the Council.

GIFTS

60. (1) A member shall not, either directly or through another person, accept a fee, gift or personal benefit except compensation authorized by law that is connected with the performance of his or her duties of office.
- (2) Subsection 59 (1) does not apply to:
- a) a gift or personal benefit that is received as an incident of the protocol or social obligations that normally accompany the responsibilities of office; or,
 - b) a contribution that is authorized under the Municipal Elections Act made to a member who is a registered candidate under that Act.
- (3) A member shall complete and file a disclosure statement with the Senior Administrative Officer as soon as possible after receiving a gift or personal benefit described under Subsection 59 (2), (a) if,
- a) the value of the gift or benefit exceeds the lower of the amount prescribed or provided by By-law or resolution; or,
 - b) the total value received directly or indirectly from one source in one calendar year exceeds the lower of the amount prescribed or provided by By-law to resolution.

RECONSIDERATION

61. After any question, except one of definite postponement, has been decided, any member may, at the same or at the first meeting held thereafter, move for reconsideration thereof but no discussion of the main question shall be allowed unless reconsidered. There shall be no reconsideration unless notice of such reconsideration is given at the meeting at which the main motion is carried, and after such notice is given no action shall be taken by the Council on the main motion unless reconsideration is disposed of.
62. If the motion for reconsideration is not made until the next meeting the question shall not be reconsidered unless a majority of the whole Council votes therefore. No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

ORDER OF PROCEEDING IN COMMITTEE OF THE WHOLE

63. Whenever it shall be moved and carried that the Council go into Committee of the Whole, the Mayor or other presiding officer may leave the Chair, but he shall first appoint a Chair of the Committee of the Whole. Appointed Chair shall maintain order in the Committee and report the proceedings thereof.

64. No By-law or Report of a Committee shall be discussed in Committee of the Whole unless such By-law or Report has been previously printed, except it shall be otherwise decided by a vote of two-thirds of the members present without debate.
65. The rules of Council shall be observed in the Committee of the Whole as far as they may be applicable. With the exception that no motion shall be required to be in writing; or shall be motion for the previous question or for an adjournment be allowed. In taking the yeas and nays, the names of the members shall not be recorded nor shall the number or times of speaking on any question be limited.
66. The Chair, subject to an appeal to the Council shall decide questions of order arising in Committee of the Whole. If any disorder should arise in the Committee the Mayor or Chair of the Council shall immediately resume the Chair without any question being put.
67. On motion in Committee of the Whole to rise and report, the question shall be decided without debate.
68. In Committee of the Whole, all motions relating to the matter under consideration shall be put in the order of which they were proposed.
69. A motion in the Committee of the Whole to rise without reporting or that the Chair leave the Chair shall always be in order and shall take precedence over any other motion. On such motion debate shall be allowed and on an affirmative vote the subject referred to the Committee shall be considered as disposed of in the negative and the Mayor or Chair of the Council shall resume the Chair and proceed with the next order of business.

READINGS OF BY-LAWS AND PROCEEDINGS THEREON

70. No By-law shall be introduced either in blank or in an improper shape.
71. The question “That this By-law be now read a First Time” shall be decided without amendment or debate and if the vote thereon is in its entirety if it had been printed and circulated prior to the meeting of Council. Otherwise it shall be read a Second Time” the Senior Administrative Officer shall read the title and name of the said By-law and it shall be taken as having been read a second time. The third time in the same manner before it is signed by the Mayor, and if the Council determines that the By-law is to be reconsidered in Committee of the Whole it shall be considered previous to the second reading thereof.
72. Every By-law shall have three readings but it shall not have its second and third reading at the same sitting at which it received the first, except on urgent to extraordinary occasions and upon a vote of two-thirds of the members present, when it may be read twice or thrice or advance two or more stages in one sitting.
73. When a By-law is read in Council the Senior Administrative Officer shall certify the readings and after the By-law has been passed he shall be responsible for its correctness should it have been amended.

74. Every By-law, which has passed the Council, shall be numbered and after being sealed with the seal of the Corporation and signed by the Mayor shall be deposited with the Senior Administrative Officer for security in the safe connected with his office.

PETITIONS AND COMMUNICATIONS

75. Every petition, remonstrance or other written application to be presented to the Council must be fairly written or printed on paper and signed by at least one person and no letters, affidavits or other documents shall be attached to it.
76. (1) Every petition or other written application may be presented to the Council on any day but not later than the hour at which Council meets except on extraordinary occasions; and every person presenting any petition or other written application to the Council shall examine the same and shall be answerable that the same does not contain any impertinent language; he shall also endorse thereon the name of the applicant and the substance of such application and sign his name thereto which endorsement only shall be read by the Mayor unless a member shall require the reading of the document, in which case the whole shall be read.
- (2) Every person wishing to be heard before Council may do so, subject to the conditions hereinafter described in Section 75. (2) (ii) of this By-law, by advising the Senior Administrative Officer of his intention on any day but not later than the hour at which Council meets except on extraordinary occasions and any person wishing to be heard will be allowed no longer than ten minutes to present his statement to Council.
- (3) Every person wishing to be heard before Council shall be a resident of the Hamlet of Cambridge Bay unless Council, by resolution, waives the requirement.
- (4) Every topic to be discussed must be within the jurisdiction of the municipality.
- (5) In the event that a topic to be discussed is in opposition to an existing policy of the Council evidence must be produced that the objection has been raised with the Senior Administrative Officer and failing resolution at that level, with the responsible Committee of Council.
77. All petitions or other communications on any subject within the cognizance of the Standing Committee shall, upon presentation, be considered as referred to the proper Committee without any motion unless otherwise ordered. No member shall speak upon, nor shall a debate be allowed upon, the presentation of a petition or other communication to the Council. But a member may move that in referring a petition or other communication certain instructions may be given by the Council or that the petition or communication complains of some present personal grievance requiring immediate remedy, the matter contained therein may be brought into immediate discussion and disposed of forthwith.

78. Any member may move to take up or refer a communication or petition made or presented to the Council during the year in which such motion is made, or during the year next preceding such year. Whether such communication or petition has been referred to a Committee and reported upon or not, but no motion shall be in order to take up or refer a communication or petition made or presented at any time before the commencement of the year next preceding such motion.

STANDING COMMITTEES

79. At the first sitting of each newly elected Council the Mayor shall appoint a Committee to consist of five members to nominate the Standing Committees of Council for the then current “term of office.”
80. There shall be appointed, at the first or second meeting of each newly elected Council, or as soon as convenient thereafter, the following Committees which shall compose the Standing Committees of the Council:
- Finance
 - Planning & Lands Committee
 - Recreation Committee
 - Community Works
 - Economic Development
 - Library
81. The Council may dispense with the appointment of anyone or more of the said Standing Committees or may assign the duties of any one or more of them to any others said Standing Committees or may amalgamate any two or more of the said Standing Committees as may be thought expedient.
82. Any member of the Council may be placed on a Committee notwithstanding the absence of such member at the time of his being named upon such a Committee and the Mayor shall be an ex-officio of all standing and Special Committees.

SPECIAL COMMITTEES

83. The Council may, from time to time, appoint Special Committees.
84. The member who introduces a By-law, Petition or Motion upon any subject which is referred to a Special Committee shall be one of the Committee without being named by the Council, and shall, unless he otherwise determines, be the Chair of such committee.
85. On the acceptance of the final report from a Special Committee, the said Committee shall be considered discharged.

QUORUM

86. Of the number of members appointed to compose any Standing or Special Committee, such number thereof as shall be equal to a majority of the whole number chosen shall be a quorum competent to proceed to business.

REPORTS OF COMMITTEES

87. Standing and Special Committees to whom reference are made shall, in all cases, report, in writing, the state of facts with their opinions thereon, which report shall be signed by a majority of the Committee, and no such report shall be received unless so signed.
88. All reports of Committees shall be addressed to “The Corporation of the Hamlet of Cambridge Bay. They shall briefly describe the matters referred to and the conclusion shall be summoned up in the form of an order, resolution or recommendation.
89. All members of a Committee approving of any report or proceedings of the Committee shall sign the same and those members not so signing shall be deemed to have dissented there from.

SENIOR ADMINISTRATIVE OFFICER

90. The Senior Administrative Officer shall duly record, without note or comment, all resolutions, decisions and other proceedings of the Council. If required by any member present, shall record the name and vote of every member voting on any matter submitted, and shall keep the books, records and accounts of the Council, and shall preserve and file all accounts of the Council, and acted upon by the Council. The originals or certified copies of all By-laws and of all minutes of the proceedings of Council in the safe of his office or other place designated by resolution of the Council.
- a) The Senior Administrative Officer shall, before adjournment of each meeting of Council, hand to the Chair of the several Committees or a member thereof, all communications and referred to the several Committees.
91. The Senior Administrative Officer shall cause the minutes of the Council to be printed after each meeting and a copy of said meetings are to be delivered to or left at the residence of each member of the Council one day at least before the next ordinary meeting thereof.
92. The Senior Administrative Officer shall cause to be duly served, all notices for special meeting and all reports, inquiries or other papers necessary to be served on the members of the Council or any of them.

MONEY APPROPRIATIONS

93. No money appropriation shall be finally acted upon by the Council until it shall have been first referred to the Standing Committee of Finance and Administration and no money shall be paid by the Treasurer nor shall any expenditure be authorized by any member of the

Council without a resolution of the Council ordering the same and specifying the amount, or unless authorized in that behalf by some law or By-law of the said Corporation.

SUSPENSION OF RULES

94. Any one or more of these rules and orders may be temporarily suspended by a vote of two-thirds of the whole Council but they shall not be repealed, altered or amended without one month’s previous notice being given of the intended motion.

UNPROVIDED CASES

95. In all unprovoked cases in the proceeding of the Council or in Committee, the law of Parliament shall be followed.

96. By-law #172 of the Corporation of the Hamlet of Cambridge Bay any amendments and all by-laws inconsistent with or contrary hereto, shall be, and the same are, hereby repealed.

Given under the Corporate Seal of the Hamlet of Cambridge Bay the _____ day of _____, 2002.

REPEAL

By-law Numbers 78 & 101 is hereby repealed.

Date of First Reading	(Day)	(Month)	(Year)	2002
Date of Second Reading	(Day)	(Month)	(Year)	2002
_____ Mayor				
_____ Senior Administrative Officer				
Date of Third Reading and Passed	(Day)	(Month)	(Year)	2002
_____ Mayor				
_____ Senior Administrative Officer				