

By-Law No. A-245

A By-Law Relating to The Proceedings Of The Council Of The Town Of Woodstock

Be It Enacted by the Council of the Town of Woodstock under the authority vested in it by the Municipalities Act, R.S.N.B. 1973, c.M-22 and amendments thereto, hereby enacts the following:

1. Definitions:

Where used herein the words noted hereunder have the following meanings:

1. "Clerk" means a clerk appointed pursuant to section 74 of the Municipalities Act.
2. "Correspondence" means communications such as letters, petitions, presentations addressed to the Mayor, Mayor and Town Council, Town Council or Town Councillors which are signed by at least one person and include their name and address. In the case of email the identity of the sender is shown. Communications addressed to individual members of Council, Staff may not be included in correspondence as determined by the receiver.
Communications containing subject matter as identified in Section 3-6(1) may not be included in correspondence as determined by the clerk in consultation with the Mayor.
Communication containing wording "Personal and Confidential" may not be included in correspondence.
3. "Members" means any person elected to a council.
4. "Council" means the Mayor and Councillors.
5. "Point of Information" means the procedural mechanism by which a member may rise to present or receive information of interest to council.
6. "Point of Order" means the procedural mechanism by which a member may rise to where this by-law or any other procedural legislation is believed to have been infringed.
7. "Point 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.
8. "Quorum" means a majority of those members of Council holding office at the time of the meeting.

2. Application

The rules and regulations contained in this by-law:

1. Shall be used for the order and dispatch of business in council and committees.
2. May be suspended by unanimous motion of the members present.
3. Shall apply to council, employees of the Town of Woodstock, and members of the general public.

3. 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.
2. (1) Subject to the Municipalities Act, council shall hold its Regular (Public) Meetings on the 2nd and 4th Mondays of each month, at 7:00 pm in Council Chambers at 824 Main Street Woodstock NB. In the event that Monday is a holiday, the meeting shall be held on the Tuesday of that week. The Agenda of the said meeting shall be prepared in accordance with a separate Council Policy entitled: "Agenda". Notwithstanding the foregoing, council may hold only one Regular (Public) Meeting during each of the months of June, July, August and December; said meetings to be held on a day determined by the Council.

(2) The Public must be notified of the time and the place of Regular (Public) meetings of Council by way of:
 - notice in a newspaper in circulation within the municipality of no less than forty-eight (48) hours or
 - notice by a local radio station of no less than forty-eight (48) hours or,
 - notice posted on the municipal website of no less than forty-eight (48) hours.
3. Council shall elect a Deputy Mayor at its first meeting, who shall serve in that capacity until the next municipal election.
4. (1) The Mayor or any three (3) members of council upon written petition, may at any time, call a Special (Public) Meeting of council on twenty-four hours notice to the clerk and members of council.
(2) Notice of any Special (Public) Meetings so called shall be circulated in writing to members of council by the clerk.
(3) Council shall not consider any business at a Special (Public) Meeting except matters specified in the Notice.

5. (1) The Mayor may call an emergency meeting of council when deemed necessary by the Mayor.
 - (2) When such an emergency meeting is called, it shall be considered a Special (Public) 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. The Town Clerk will make reasonable efforts to notify the public when an emergency meeting has been called.

6. (1) Council may hold Private 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:
 - (i) information the confidentiality of which is protected by law.
 - (ii) personal information.
 - (iii) information that could cause financial loss or gain to a person or the municipality or could jeopardize negotiations leading to an agreement or contract.
 - (iv) the proposed or pending acquisition or disposition of land for municipal purpose.
 - (v) information that could violate the confidentiality of information obtained from the Government of Canada or from the Province.
 - (vi) 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.
 - (vii) litigation or potential litigation affecting the municipality or any of its agencies, boards or commissions, including a matter before an administrative tribunal.
 - (viii) 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.
 - (ix) 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.
 - (x) labour and employment matters, including the negotiation of collective agreements.

(2) The agenda for Private Meetings shall be approved by a majority of members attending the Private Meeting.

(3) All recommendations of Private Meetings which require the approval of Council shall be reported to a Regular or Special Public Meeting of Council.

4. Agenda For Regular (Public) Meetings

1. The Agenda of the said meeting shall be prepared in accordance with a separate Council Policy entitled "Agenda".
2. "Order of the Day" or "Agenda" is to reflect matters to be considered under the following headings. A particular heading may not appear on every agenda.
 - Call to Order
 - Opening Remarks
 - Approval of Agenda
 - Public Presentations/ Appearances
 - Minutes of Previous Meeting/ Adoption
 - Business out of Minutes
 - Monthly Departmental / Financial Reports
 - Payment of Bills
 - Correspondence
 - New Business
 - Statements by Members of Council
 - Adjournment

5. Procedure for Regular and Special Meetings

1. The Mayor shall preside over all meetings. In the absence of or inability of the Mayor to preside over meetings, the Deputy Mayor shall preside.
2. Except as otherwise provided, no member shall speak without recognition of the Chair.
3. Once a motion is made and seconded, the mover shall have the privilege of speaking first, and have the privilege of closing the debate.
4. A member of Council may, at any time, rise on a point of order, a point 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.
5. A member of Council may, at any time during debate, request that the question, motion or matter under discussion be clarified or restated.

6. 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.
7. Unless disqualified to vote by reason of conflict of interest or otherwise, every member of Council present shall announce their vote openly and individually, and the clerk shall record it. When a member wished to have a minority vote recorded they shall state this at the time the motion is declared.
8. Members of the public shall be entitled to address council, under the heading "Public Presentations/Appearances", on matters of municipal jurisdiction, and in accordance with a separate Council Policy entitled "Agenda".
9. Each member of Council shall be entitled to address the Council, under the heading "Statements by Members of Council", accordance with a separate Council Policy entitled "Agenda".
10. Any person who:
 - (1) breaches this by-law;
 - (2) behaves in a disorderly manner; or
 - (3) uses threats or profane language in debate,may be required to leave the meeting at the discretion of the chair.
11. A ruling of the chair may be appealed to council by a non-debatable motion. A majority vote of the members of council in attendance shall be required to overturn a ruling of the chair.

6. Minutes

1. The Clerk shall record in a book, all resolutions, decisions and proceedings of the Council. Minutes shall record the place, date and time of commencement of meeting, and the names of all members of Council and employees in attendance.
2. The minutes of the proceeding meeting, as circulated, shall be adopted and approved. Upon motion, such minutes may be amended to reflect greater accuracy.

7. Committee

1. Council may establish and abolish committees of Council; and the Mayor make appointments to such committees.
2. Council shall approve the mandate of each committee.
3. Council may constitute special or ad hoc committees and appoint persons thereto.

4. (1) The Mayor shall be a member of all committees.
- (2) A member of Council may attend meetings of any committee, and may, with leave of the Chair, take part in any discussion or debate in the committee, but shall not vote.
- (3) The Clerk or Designate, on instruction from the committee chair, shall send notice of meetings to each member of the committee and of Council at least twenty-four (24) hours before the time of the meeting.
- (4) The Clerk or Designate shall record the minutes of all committee meetings, which minutes shall be circulated to all members of committee and of Council.

8. Other Procedural Matters

1. When any matter or proceeding is not contemplated by this by-law or provincial legislation the chair shall use the most recent edition of Roberts Rules of Orders as a guide.

Read a First time this 25th day of October, 2004

Read a Second time this 25th day of October, 2004

Read a Third time and Enacted this 24th day of January, 2005

Jeff Wright, Mayor

E.L. Dickinson,
Director of Administrative Services