

RURAL MUNICIPALITY OF ROLAND

BY-LAW NO. 3/95

Being a by-law of The Rural Municipality of Roland to regulate the proceedings of the Council of The Rural Municipality of Roland and the Committees thereof.

WHEREAS, Section 98 of The Municipal Act, being Cap. M225 of the statutes of Manitoba 1970 provides as follows:

"98 The council of each municipality may, by by-law, make regulations not contrary to law, respecting matters for which provision is not specifically made here, and without restricting the generality of the foregoing shall make regulations,

- a) for governing the organization and proceedings of the council;
- b) respecting the time and place of holdings its meetings; and
- c) for the calling of special or general meetings thereof;

and generally but subject to The Public Health Act and any other Act of the Legislature and regulations made thereunder, may make such other regulations for the health, safety, morality, and welfare of the inhabitants and for the peace, order, and good government of the municipality as the council deems to be necessary."

AND WHEREAS subsection 125(1) of the said Act provides as follows:

"125(1) The council of each municipality may appoint committees, composed of as many of its members as it deems expedient; and it may delegate to them, or any of them, its powers respecting

- a) the examination of any question;
- b) the management of any business; and
- c) the execution of specified duties;

or any of those powers; but not the revision of the assessment roll or the making of any contract."

AND WHEREAS it is expedient to establish rules and regulations for the proceedings of the Council of The Rural Municipality of Roland and the Committees thereof;

NOW THEREFORE the Council of The Rural Municipality of Roland duly assembled enacts as follows:

1. In all proceedings coming before the Council and any Committees of the Council of The Rural Municipality of Roland, the following rules and regulations shall be observed, subject to the provision of the laws of the Province of Manitoba and particularly The Municipal Act.
2. All proceedings of Council shall be governed and conducted in accordance with Sections 113 to 143 inclusive of The Municipal Act, being Cap. M225 of the Statutes of Manitoba 1970, which shall form part of this By-law and which shall supersede all sections of this By-law inconsistent therewith.

DEFINITIONS

3. In this By-law

- a) "Agenda" means the agenda for a regular or special meeting of Council, or Committee of the Whole prepared by the Secretary-Treasurer;
- b) "Chairman" means the person presiding at the meeting of Council;
- c) "Committee" means a Committee of Council but does not include the Committee of the Whole Council;

- d) "Committee of the Whole Council" means all members present at a meeting of the Council sitting as a Committee;
 - e) "Council" means the Reeve and Councillors of The Rural Municipality of Roland for the time being elected pursuant to the provisions of The Municipal Act;
 - f) "Tabling Motion" means a motion that postpones a question for the time being, to be decided forthwith without debate or amendment;
 - g) "Quorum" means a majority of members of the whole Council including the Reeve;
 - h) "In Camera" means in private or to the exclusion of the public;
 - i) "Head of Council" means the Reeve or Acting Reeve, as the case may be.
4. The Council shall, in each year, within 21 days after the fourth Wednesday in October, hold an organization meeting at which the Council shall be organized for the following twelve months. The meeting shall be held at 8:00 a.m. at the Roland Memorial Hall. The Council shall meet thereafter on the 2nd Tuesday of each month in the Council Chamber of the Roland Memorial Hall at the hour of 8:00 a.m. or at such other time and place as shall hereafter be fixed by resolution of the Council. If such day or any regular meeting day shall be a legal holiday the said meeting shall be held upon the next following day which is not a legal holiday at the same time and place. The Reeve may, on two days written notice given through the Clerk's office, postpone any regular meeting of the Council to a day to be named in such notice, and such postponed meeting shall be held at the time and place provided in this section.
5. When at any session of the Council the hour of 4:30 o'clock in the afternoon shall be reached, the Chairman shall declare the Council adjourned and leave the chair, unless the Council by unanimous resolution determines otherwise.
6. Special meetings of the Council may be convened at any time by the Head of Council or by one-fourth of its members, by giving before the day of the meeting twenty-four hours notice of such meeting to all members of the Council. Such notice shall be oral or in writing and if in writing shall be mailed by the Clerk to the address of each member of the Council and shall contain notice of the subjects which are to be taken into consideration. Special meetings shall be held at the ordinary place of meeting of the Council at the hour fixed for ordinary meetings, unless otherwise determined by the notice of the meeting, by an adjournment or by a by-law of the Municipality. Before proceeding to business at a special meeting, Council shall, if such is the fact, set forth in the minutes that notice of the meeting has been given, in conformity with the requirements of The Municipal Act and of this By-law, to all members who are not present at the opening of the meeting.
(Refer to Sections 129-132).
7. As soon after the hour of meeting as there is a quorum present the Head of Council shall take the chair and call the members to order.
8. Every member previous to his speaking shall address the Chairman.
9. When two or more members address the Chairman at the same time, the Chairman shall name the member who is to speak first, but in the case of any dissatisfaction, the other members may put the question as to which shall be heard.

10. When the Chairman is called on to decide a point of order or practice he shall do so without comment unless requested so to do.
11. When the Chairman is putting a question no member shall leave his chair or make any noise or disturbance, and when a member is speaking no other member shall hold discourse or interrupt him except to raise a point of order.
12. A member called to order shall immediately sit down, but may afterwards be permitted by the Head of Council to explain, and the Council if appealed to shall decide on the case without debate; if there be no appeal, the decision of the Chairman shall be final.
13. Discussion shall be limited to the question in debate.
14. Any member may require the question or motion under discussion to be read for his information at any time during the debate but not so as to interrupt a member while speaking.
15. No member other than the one proposing a question or motion (who will be permitted to reply) shall speak more than once on the same question without leave of the Council except in explanation of a material part on his speech which may have been misunderstood, but he is not to introduce new matter.
16. No member shall speak to the question or in reply for longer than five minutes without leave of the Council.
17. A motion to adjourn takes precedence over all others and may be moved at any time, but this question cannot be received after another question is actually put and while council is engaged in voting.
18. No motion shall be debated or put unless the same is in writing and is seconded, excepting only a motion to adjourn which need not be in writing.
19. A motion that has been read may be withdrawn at any time before decision or amendment with the permission of the mover and seconder.
20. If the Chairman desires to take part in the debate, he shall vacate the chair and shall call on one of the Councillors to fill his place until he resumes the chair.
21. Immediately before putting the question the Chairman shall have the privilege of summarizing the debate, but no new matter shall be introduced.
22. The order of the day, unless otherwise determined by the Chairman, shall be as follows:
 - 1) Calling the Council to order.
 - 2) Finalizing the Agenda.
 - 3) Confirming the Minutes.
 - 4) Unfinished Business
 - 5) Delegations
 - 6) Accounts
 - 7) Financial Statement
 - 8) Communications
 - 9) Reports of committees.
 - 10) General Business
 - 11) By-laws
 - 12) Building Permits

BY-LAWS

24. By-laws shall be introduced by motion for leave, or a motion to appoint a Committee to prepare and bring in, or by an order of the Council or on a report of a Committee.
25. Every by-law shall receive three separate readings before it is finally passed. Not more than two readings may be given at any one meeting unless, by the affirmative vote of a majority of the whole Council, this requirement is suspended.
26. A proposed by-law may be amended on any reading thereof.
27. By-laws may be amended at any regular meeting by a vote of a majority of the whole Council; and notice of such amendment shall be given orally or in writing at the regular meeting previous to the meeting at which the amendment is considered.
28. When a by-law is read in Council the Clerk shall certify each reading on the by-law.
29. Every by-law which has been passed by the Council shall be signed by the Reeve, or other presiding officer, and the Clerk, and be sealed with the Municipal Seal, and shall be deposited by the Clerk in a place of security in the Municipal Office.

COMMITTEES

30. Council may by resolution resolve into Committee of the Whole Council and the resolution shall name the Chairman of the Committee.
31. All standing committees and all other committees shall meet as determined by resolution or at the call of the Chairman.
32. The rules of the Council shall be observed in the Committee of the Whole Council except that:
 - a) the number of times of speaking to a motion shall not be limited;
 - b) the Chairman has the privilege of voting; and
 - c) meetings may be held in camera.
33. On motion of the Committee of the Whole Council to rise and report, the question shall be decided without debate.
34. The Council shall at its annual organization meeting appoint the following committees which shall comprise the standing committees of the Council:
 - a) Committee on General Government Services.
 - b) Committee on Protective Services.
 - c) Committee on Transportation Services.
 - d) Committee on Environmental Health Services.
 - e) Committee on Public Health & Welfare Services.
 - f) Committee on Environmental Development Services.
 - g) Committee on Economic Development Services.
 - h) Committee on Recreation & Cultural Services.
 - i) Committee on Fiscal Services.
 - j) Committee on Public Utilities Services.
35. The Head of Council shall be "ex officio" a member of all standing and special committees, with the privilege of voting thereon.
36. Of the number of members appointed to comprise any standing or special committee, a majority shall constitute a quorum.

37. The members of each standing and special committee shall meet as soon as convenient after they are so appointed for the purpose of organizing.
38. Regular meetings of the standing committees shall be held as may be determined by the Council.
39. Special meetings of committees may be called by the chairman or by a majority of the members of the committee in the same manner as special meetings of Council as provided in section 6 of this By-law.
40. A special committee may be appointed at any time by resolution specifying the business to be dealt with by the committee.
41. The meetings of any of the Committees of Council may be attended by other members of Council, who shall not be allowed to vote; and such members, with the permission of the majority of the members of the committee, may be allowed to take part in any discussion.
42. The Committee Chairman shall preside at every meeting and shall vote on all questions submitted (unless he is personally interested) and in case of an equal division the question shall fail to be passed by the committee.
43. The Committee Chairman shall sign all such reports and documents as the committee may legally order.
44. Minutes of the transactions of the committee shall be kept, including all reports and recommendations to Council. All such reports or recommendations shall be presented to Council, either in writing or by an oral statement, by the chairman or an authorized member of the committee.
45. The general duties of committee shall be as follows:
 - a) To report from time to time on all matters connected with the duties imposed on the committee and to recommend such action as may be deemed necessary.
 - b) To prepare and introduce into Council all such by-laws as may be necessary to give effect to the reports or recommendations that are adopted by the Council.
 - c) To consider and report respectively on any and all matters referred to it by the Council.
 - d) To perform all the duties prescribed by law, including the Statutes of the Dominion of Canada and the Province of Manitoba as well as the By-laws of the Municipality.
46. The special duties of the standing committees, in addition to the aforesaid general duties, shall be as follows:
 - A) Committee on General Government Services - Personnel
 - B) Committee on Protective Services
 - C) Committee on Transportation Services
 - 1) To consider and report on all matters relating to municipal land, buildings and equipment, including the acquisition, maintenance and disposal thereof.
 - 2) To consider and report on all matters relating to highways (as defined in The Municipal Act), the opening, closing, altering, diverting and maintenance thereof.

- 3) To recommend to council at the beginning of each year such projects, works and matters under its control as it considers essential to be carried out during the year of the welfare of the Municipality, together with a detailed estimated cost of same.
- D) Committee on Environmental & Health Services
- E) Committee on Public Health & Welfare Services
- 1) To consider and report on all matters relating to public health and welfare, including hospitalization, sanitation maintenance of indigents, homes for the aged, health services, grants to hospital and charitable institutions.
- 2) To recommend to council at the beginning of each year a detailed estimate of the cost of providing such services as are within the jurisdiction of the committee throughout the year.
- F) Committee on Environmental Development Services
- G) Committee on Economic Development Services
- H) Committee on Recreation & Cultural Services
- I) Committee on Fiscal Services
- 1) To supervise all contracts, orders, reports, recommendations and proceedings involving the expenditure of moneys of the corporation.
- 2) To supervise all accounts, expenditure and outlay and all sums payable under contract before any moneys are paid therefor; and no account, claim or demand not expressly authorized to be paid by statute, by-law or resolution of council, shall be paid by the treasurer until the same have been authorized by the committee on finance.
- 3) To introduce a by-law, after the adoption of the estimates in each year, to regulate the manner in which the revenue for the current year shall be raised.
- J) Committee on Public Utilities Services
47. No member of Council shall resist the rules or disobey the decision of the Reeve or the presiding officer or, in case of appeal, of the Council on questions of order or practice or in the interpretation of the rules of the Council.
48. That in all points of order and procedure not provided herein Council and its committees shall follow the rules of the Canadian House of Commons as interpreted in Bourinot's Rules of Order.
49. That all other by-laws of The Rural Municipality of Roland inconsistent herewith are hereby repealed.
50. That this By-law comes into force and takes effect on the day it receives final passage by Council.

DONE AND PASSED by the council of The Rural Municipality of Roland in regular session assembled, this 9th day of May, A.D. 1995.

"John A Bartley"

John A. Bartley
Reeve

"Dianne Toews"

Dianne Toews
Secretary

Read a first time this 14th day of February A.D. 1995.

Read a second time this 14th day of March A.D. 1995.

Read a third time this 9th day of May A.D. 1995.