

RURAL MUNICIPALITY OF EAST ST. PAUL
Procedural By-Law No. 2025-11

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BEING A BY-LAW to regulate the proceedings and conduct of the Council and the committees thereof.

WHEREAS subsection 149(1) of *The Municipal Act*, R.S.M. 1988, c. M225 provides that a Council must establish by by-law rules of procedure, and review the by-law at least once during each term of office;

NOW THEREFORE Council of the Rural Municipality of East St. Paul duly assembled enacts as follows:

SECTION 1 SHORT TITLE AND PURPOSE

1(1) This By-Law may be referred to as *The Rural Municipality of East St. Paul Procedure By-Law*.

1(2) The purpose of this By-law is to provide for the process of open and effective government by regulating the meetings of Council and the committees thereof.

SECTION 2 DEFINITIONS AND APPLICATION

2(1) In this By-Law, unless the context otherwise requires:

- (a) "Act" means *The Municipal Act*, as restated or amended from time to time;
- (b) "Agenda" means the list of items and orders of business for any regular or Special Meeting of Council or a Committee;
- (c) "By-law" means a by-law of the Municipality;
- (d) "Chair" means the Mayor, or other person(s) appointed by resolution of Council to preside at a regular or Special Meeting of Council or a Committee or a public hearing under the Act;
- (e) "Chief Administrative Officer" means the person appointed as the Municipality's Chief Administrative Officer by Council pursuant to the Act;
- (f) "Committee" means a committee of Council established under the Municipality's Organizational By-law;
- (g) "Council" means the council, made up of the duly elected Mayor and Councillors, of the Municipality;
- (h) "Councillor" means the elected representative of an electoral ward on the Council of the Municipality;
- (i) "Delegation" means an address to Council or a Committee by one or more persons who

are not Members, Members at Large, or staff of the Municipality;

(j) “Deputy Chair” means the person presiding at a regular or Special Meeting of Council or a Committee Meeting in the absence or incapacity of the Chair;

(k) “Electronic Meeting” means a meeting called and held in full or in part via electronic means (including, but not limited to, audio teleconference, video teleconference, or via means of the Internet), and with or without in-person attendance;

(l) “General Holiday” means each Saturday and Sunday, and includes such days as New Year’s Day, Louis Riel Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Terry Fox Day, Labour Day, National Day for Truth and Reconciliation, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day and any other day declared a holiday by the Government of Manitoba or the Government of Canada;

(m) “In Camera Meeting” means a closed Meeting, or portion thereof, of Council or a Committee which is not open to the public;

(n) “Inaugural Meeting” means the first meeting of a new Council after a municipal election where the declarations of office are made;

(o) “Initial Request Period” means the timeframe that falls within forty-eight (48) hours following receipt by the Mayor of a written request for a Special Meeting as set forth in subsection 7(1);

(p) “Majority” means a minimum of fifty-one percent (51%);

(q) “Mayor” means the head of Council;

(r) “Meeting” means a regular or Special Meeting of Council or a Committee, but does not include a Public Hearing;

(s) “Members” means the Mayor and Councillors, and each is a “Member”;

(t) “Member at Large” means a member of the public appointed by Council to a Committee;

(u) “Municipality” means the Rural Municipality of East St. Paul;

(v) “Point of Information” means a request directed through the Chair to another Member or Member at Large or to administration for information relevant to the business at hand but not related to a Point of Procedure;

(w) “Point of Order” means the raising of a question by a Member or Member at Large to call attention to any departure from this By-law;

(x) “Point of Procedure” means a question directed to the Chair to obtain information on a matter of parliamentary law or the rules of the Municipality relevant to the business at hand in order to assist a Member or Member at Large to make an appropriate motion, raise a Point of Order, or understand the parliamentary situation or the effect of a motion;

(y) "Preliminary Council Briefing" means an update to Council that is given by staff of the Municipality, consultants to the Municipality, or someone with expertise who is invited by Council or the Committee whereby discussion can occur but no decisions can be made and no resolutions can be passed;

(z) "Public Hearing" means an advertised meeting of Council convened to hear matters pursuant to the Act or *The Planning Act* (Manitoba) and is separate from a regular or special meeting of Council;

(aa) "Question of Privilege" means all matters affecting the rights and immunities of Council collectively or any of its Members individually;

(bb) "Special Meeting" means a meeting of Council held in accordance with section 151 of the Act; and

(cc) "Time Sensitive" means requiring action prior to the next regularly scheduled Meeting.

2(2) This By-law shall govern regular and Special Meetings of Council and Committees and Public Hearings and shall be binding upon all Members and Members at Large.

2(3) When any matter relating to the meeting proceedings is not addressed in this By-law, Robert's Rules of Order apply. The Chair may seek advice from the Chief Administrative Officer as to correct rules of procedure or questions of specific rule application.

2(4) In the event of conflict between the provisions of this By-law and Robert's Rules of Order, the provisions of this By-law shall apply.

2(5) In the absence of any statutory obligation, any provision of this By-law may be waived by resolution of Council if a Majority of the Members present vote in favour of dealing with the matter under consideration.

2(6) A resolution waiving any provision of this By-law as provided for in subsection 2(5) shall only be effective for the Meeting during which it is passed.

2(7) Council must review this By-law and any proposed amendments within each term of Council.

SECTION 3 INAUGURAL MEETING OF COUNCIL

3(1) Following a general election, the Mayor must call the Inaugural Meeting of Council within 30 days.

SECTION 4 QUORUM

4(1) Quorum of Council. The quorum required for a Meeting of Council shall be determined in accordance with section 135 of *The Municipal Act* (Manitoba).

4(2) Quorum of Committees. The quorum required for a Meeting of a Committee shall be a majority of the Committee Members.

4(3) Calling the Meeting to Order. As soon as a quorum of Council or a Committee is present after the hour fixed for the Meeting, the Chair shall call the Members to order and the Meeting shall commence.

4(4) Failure to Obtain Quorum at the Scheduled Time. If a quorum is not present within thirty (30) minutes after the time appointed for the Meeting, the Chair may adjourn the Meeting:

- (a) to the next regular Meeting date; or
- (b) to a Special Meeting called to address the matters intended to be dealt with at the adjourned Meeting.

The names of Members of Council or the Committee present at the expiration of the thirty (30) minute period shall be recorded and appended to the next Agenda.

4(5) Permitted Actions in the Absence of Quorum. In the absence of a quorum, the only actions that may be taken are to:

- (a) fix the time to which to adjourn (if more than thirty (30) minutes is being allowed);
- (b) recess; or
- (c) take measures to obtain a quorum.

4(6) Loss of Quorum During a Meeting. If quorum is lost after a Meeting has been called to order, the Meeting shall be suspended until quorum is re-established. If quorum is not re-established within thirty (30) minutes, the Meeting shall stand adjourned.

SECTION 5 – REGULAR MEETINGS OF COUNCIL

5(1) **Schedule.** Regular Meetings of Council shall be held on the second and fourth Tuesday of each month in the Council Chambers of the Rural Municipality of East St. Paul, Manitoba.

- (a) The meeting held on the second Tuesday of each month shall commence at 9:00 a.m.
- (b) The meeting held on the fourth Tuesday of each month shall commence at 5:30 p.m.,
except

As provided below:

- (i) When Public Hearings under *The Planning Act* are held in accordance with subsection 5(2), the regular Meeting of Council shall commence immediately following the conclusion of such Public Hearings;
- (ii) During July and August, regular Meetings of Council shall be held only on the third Tuesday of each month at 5:30 p.m., which Meeting shall include Public Hearings under *The Planning Act*; and
- (iii) During December, only one regular Meeting of Council shall be held, on the second Tuesday at 5:30 p.m., which Meeting shall include Public Hearings under *The Planning Act*.

5(2) Public Hearings under The Planning Act. Public Hearings required under *The Planning Act* shall be held on the fourth Tuesday of each month in the Council Chambers, commencing at 5:30 p.m., immediately prior to the regular Meeting of Council.

5(3) Meetings Falling on General Holidays. If the day fixed for a regular Meeting falls on a General Holiday, the Meeting shall be held on the next day that is not a General Holiday, at the same time and place.

5(4) Annual Posting of Schedule. At the last regular Meeting in each calendar year, the schedule of regular Meetings for the following year shall be approved and posted in the municipal office and on the Municipality's website.

5(5) Change of Meeting Date, Time, or Place. Council may, by resolution, change the date, time, or place of a regular Meeting as circumstances require. Notice of such change must be provided at least three (3) days in advance: (a) to any Member not present at the Meeting at which the change was made; and (b) to the public, by posting notice in the municipal office and on the Municipality's website.

5(6) Time of Adjournment. The agenda item under consideration at 10:00 p.m. shall be the last item dealt with unless, by unanimous vote, Council resolves to extend the time of adjournment. Only one (1) extension of thirty (30) minutes shall be permitted.

5(7) Absences and Disqualification. A Member is disqualified from Council if they are absent for the full duration of three (3) consecutive regular Council Meetings, unless the absences are excused by leave of Council granted by resolution: (a) at any of the three Meetings for which the Member is absent, (b) at a prior Meeting, or (c) at the next Meeting following the third absence. A leave of absence may be granted without pay.

5(8) Notice of Absence. Members shall provide advance written notice to the Mayor and Chief Administrative Officer if they are unable to attend a regular Council Meeting. The Chief Administrative Officer shall maintain a record of all Member absences within each calendar year and shall notify any Member following their second consecutive absence without leave.

SECTION 6 – MEETINGS OF COMMITTEES

6(1) Notice of Meetings. Meetings of Committees shall be called by the Chair of the Committee with a minimum of forty-eight (48) hours' notice provided to all Committee Members.

6(2) Attendance of Council Members. All Members of Council may attend any Committee Meeting. A Member who is not a member of the Committee shall not receive remuneration for their attendance unless such attendance is approved by resolution of Council.

6(3) Quorum and Procedure.

- (a) The quorum required for a Committee Meeting shall be a majority of the Committee Members.
- (b) In the absence of quorum within thirty (30) minutes of the scheduled start time, the Meeting shall stand adjourned.

- (c) Committee Meetings shall be conducted in accordance with the provisions of this By Law governing Council Meetings, except where otherwise provided by resolution of Council or the Committee's Terms of Reference.

SECTION 7 – PRELIMINARY COUNCIL BRIEFINGS

7(1) Scheduling. Preliminary Council Briefings may be arranged by the Chief Administrative Officer in consultation with the Chair of Council.

7(2) Format and Agenda. Preliminary Council Briefings shall have a formal Agenda but may be conducted in an informal manner. The Agenda shall, whenever possible, include at least one detailed briefing item for discussion and shall be distributed to all Members a minimum of four (4) working days prior to the Briefing.

7(3) Confidentiality and Public Access. All Preliminary Council Briefings shall be closed to the public, as all matters considered must be in preliminary stages or otherwise fall within one or more of the categories set forth in subsection 12(2) of this By-law.

7(4) Prohibition on Motions. Notwithstanding any other provision of this By-law, no motions shall be introduced, debated, or decided during a Preliminary Council Briefing.

SECTION 8 – AGENDAS FOR REGULAR MEETINGS OF COUNCIL

8(1) The following applies to the preparation of the regular Meeting Agenda:

- (a) All items to be placed on the agenda must be provided to the Chief Administrative Officer at least one hundred twenty (120) hours prior to the scheduled time of the regular Meeting of Council;
- (b) A draft Agenda shall be prepared by the Chief Administrative Officer and shall be made available to Members and the public at least ninety-six (96) hours prior to the scheduled time of the regular Meeting of Council, by posting the draft Agenda in the municipal office and on the Municipality's website;
- (c) The order of items on an Agenda for each regular Meeting of Council shall be as set out in Schedule "A"; and
- (d) Items may be added to the Agenda at a regular Meeting of Council by a Majority vote of the Members present prior to adopting the final Agenda, and provided that only items considered to be of a time-sensitive nature needing immediate Council approval may be added.

SECTION 9 – AGENDAS FOR COMMITTEE MEETINGS

9(1) Agendas for Committee Meetings shall be set by the Chair and shall be provided to Committee members a minimum of forty-eight (48) hours in advance of the Meeting date.

SECTION 10 – SPECIAL MEETINGS OF COUNCIL

10(1) A Special Meeting may be called at any time by the Mayor, and must be called by the Mayor or, if the Mayor is unavailable, the Deputy Mayor, if the Mayor or Deputy Mayor receives a written request that includes the purpose of the Special Meeting from at least two (2) Members. A copy of such written request must also be provided to the Chief Administrative Officer.

10(2) The Mayor or Deputy Mayor (as the case may be) must call a Special Meeting within the Initial Request Period, failing which the Chief Administrative Officer must call a Special Meeting within forty-eight (48) hours following the end of the Initial Request Period.

10(3) No less than forty-eight (48) hours' notice of a Special Meeting, which states the time, date and place that the meeting is to be held and states in general terms the nature of the business to be conducted at the meeting, shall be provided to each Member and to the public.

10(4) Notice:

(a) to Members may be in electronic or written form; and

(b) to the public shall be provided by posting the notice in the municipal office and on the Municipality's website. Any Member may waive the right to be given notice by giving written notice of such waiver to the Chief Administrative Officer and having done so, shall be deemed to have been given notice. Notwithstanding the foregoing, any Member automatically waives the right to be given notice when on vacation or approved leave.

10(5) A Special Meeting may be held with less than forty-eight (48) hours' notice to all Members and without notice to the public if at least a Majority of the whole Council agrees before the beginning of the Special Meeting.

10(6) No business other than that stated in the notice shall be conducted at any Special Meeting unless all the Members are present, in which case, by unanimous consent, any other business may be conducted.

SECTION 11 – ELECTRONIC MEETINGS

11(1) A regular Meeting or Special Meeting of Council or a Committee may be conducted by Electronic Meeting in accordance with this By-law.

11(2) The Chief Administrative Officer shall establish practices and procedures for electronic participation by Members, Members at Large and staff.

11(3) Where any other provision of this By-law conflicts with the need to facilitate electronic participation, Council shall have the authority to modify such provision or provisions to ensure Members and Members at Large can effectively participate in the Meeting.

11(4) Members and Members at Large must notify the Chief Administrative Officer a minimum of twenty-four (24) hours prior to the Meeting of their intent to participate electronically.

11(5) The Electronic Meeting shall begin with a roll call to determine which Members and

Members at Large are participating electronically. Members and Members at Large will be required to audibly indicate their presence, or they will be noted as absent.

11(6) Members and Members at Large attending and present during an Electronic Meeting shall be counted for purposes of quorum and shall be entitled to vote as if attending in person. Members participating electronically shall notify the Chair of their departure before absenting themselves, in order to ensure a quorum is maintained.

11(7) A public notice of an Electronic Meeting shall include sufficient information to provide the public with a means to electronically access the open session of such Meeting.

11(8) Members of the public may appear in Delegation at an Electronic Meeting in accordance with Section 13.

11(9) To avoid disruption and support seamless dialogue and debate, all Members will keep their devices on mute unless speaking.

11(10) All Members must ensure they maintain complete privacy in their off-site meeting space.

11(11) Notwithstanding the foregoing, this By-law shall continue to apply to an Electronic Meeting held pursuant to this section.

SECTION 12 – IN CAMERA MEETINGS

12(1) **General Rule – Meetings Open to the Public.** Except as provided in subsection 12(2), all meetings of Council and Committees shall be open to the public, and no person shall be excluded except for improper conduct.

12(2) **Meetings That May Be Closed.** Council and Committees may close all or part of a meeting to the public if the matter to be discussed relates to any of the following:

- (a) personnel matters, including an employee's salary, duties, benefits, or performance appraisal;
- (b) matters in their preliminary stages where discussion in public could prejudice the Municipality's ability to carry out its activities or negotiations, including contractual matters or collective bargaining;
- (c) the conduct of existing or anticipated legal proceedings or matters that, if disclosed, would violate solicitor-client privilege;
- (d) the conduct of an investigation under, or enforcement of, an Act or By-law;
- (e) a report of the Ombudsman received under clause 36(1)(e) of *The Ombudsman Act* (Manitoba);
- (f) personal information that, if disclosed, would constitute an unreasonable invasion of privacy under section 17 of *The Freedom of Information and Protection of Privacy Act* (Manitoba);
- (g) information about a business, disclosure of which would be prohibited under section 18 of that Act;
- (h) information provided in confidence by another government or governmental body, disclosure of which is prohibited under section 20 of that Act; or

(i) information concerning actual or pending emergencies.

12(3) Resolution to Close a Meeting. Before holding a meeting or portion of a meeting that is to be closed to the public, Council or the Committee must pass a resolution stating: (a) that the meeting or portion thereof is to be closed to the public; (b) the general nature of the subject matter to be discussed; and (c) the specific clause(s) of subsection 12(2) under which the meeting is being closed.

12(4) Attendance. Only the following may be present during a meeting or portion of a meeting that is closed to the public: (a) Members of Council or the Committee; (b) the Chief Administrative Officer and employees providing administrative or clerical assistance; and (c) other municipal employees, consultants, or persons under contract whose presence is deemed reasonably necessary by the Chair to assist in deliberations.

12(5) Resolutions During In Camera Meetings. No resolution or By-law shall be passed during a meeting closed to the public except a resolution to reopen the meeting to the public.

12(6) Confidentiality and Prohibited Recording.

- (a) Members shall not record any portion of a meeting that is closed to the public.
- (b) All information, documentation, notes, or deliberations received, reviewed, or taken during an In Camera Meeting or Preliminary Council Briefing are confidential and shall not be disclosed to any person not entitled to be present.
- (c) When questioned about matters discussed during an In Camera Meeting prior to their public release, Members shall respond only with “no comment” or words to that effect.
- (d) A Member who breaches this duty of confidentiality may be subject to disqualification from Council in accordance with applicable legislation.

SECTION 13 – DELEGATIONS – COUNCIL AND COMMITTEES

13(1) Purpose. Members of the public may appear as a Delegation at a regular meeting of Council or a Committee for the purpose of providing input on any resolution, By-law, report, or other item listed on the Agenda. Delegations shall not be permitted to speak to any matter not included on the Agenda.

13(2) Request to Appear. All members of the public wishing to appear as a Delegation must: (a) notify the Chief Administrative Officer no later than 10:00 a.m. on the Monday preceding the scheduled Council meeting, or at least twenty-four (24) hours prior to the scheduled Committee meeting, by submitting a completed delegation request form; and (b) identify the specific Agenda item they wish to address. A subsequent presentation on the same item must contain new information and be filed by 10:00 a.m. on the Monday preceding that meeting.

13(3) Review and Scheduling. Upon receiving a delegation request, the Chief Administrative Officer, in consultation with the Chair, shall determine whether the request meets the criteria and, if approved, shall schedule the Delegation.

13(4) **Spokesperson.** Each Delegation must appoint a single spokesperson. Presentations may be verbal, written, or both.

13(5) **Number per Item.** A maximum of three (3) Delegations shall be permitted per Agenda item. Delegations will be scheduled at the discretion of Council.

13(6) **Matters Ineligible for Delegation.** A request shall be refused if the subject matter: (a) relates to a legal matter or an issue under current or potential legal proceedings; or (b) has already been voted upon or otherwise resolved by Council.

13(7) **Scope.** Information must relate solely to the subject matter approved.

13(8) **Length.** Verbal presentations are limited to ten (10) minutes unless Council, by resolution, consents to extend time under criteria set out herein.

13(9) **Questions of Clarification.** Council may ask questions following a presentation, limited to an aggregate total of five (5) minutes per Delegation unless extended.

13(10) **Conduct and Decorum.** The Chair may curtail any Delegation or questions for disorderly conduct, repetition, or any breach of this By-law. If ruled concluded, the Delegation shall withdraw immediately.

13(11) **Public Input Sessions.** Council may schedule a public input session; except for subsections 13(1) and 13(5), all provisions of this section apply.

SECTION 14 – PUBLIC HEARINGS

14(1) **Attendance of Members.** Each Member must attend a Public Hearing unless the Member:

- (a) is excused by the other Members;
- (b) is unable to attend due to illness; or (c) is required under *The Municipal Council Conflict of Interest Act* (Manitoba) to withdraw.

14(2) **Impartiality of Council.** Members sitting as a Public Hearing body under *The Planning Act* constitute an impartial body that must consider all sides of the matter in a public forum before making a decision. Contact with the public, including the applicant, outside of the Public Hearing on matters related to the application is not permitted.

14(3) **Registration to Speak.** Any person wishing to address Council at a Public Hearing shall register their name on the sign-in sheet provided at the hearing prior to its commencement. The list of registered speakers shall remain confidential until the Public Hearing begins.

14(4) **Opening of the Hearing.** The Chair shall declare the Public Hearing in session, state the purpose, and outline procedures.

14(5) **Introduction of the Application.** Upon commencement, the Planning Board or Municipal Planner shall introduce the application and provide a brief summary of its purpose and intent. Once the Public Hearing is closed, the corresponding resolution shall be read, and Council shall

proceed to deliberate and vote.

14(6) Order of Presentations – General Hearings. (a) members of the public in support; (b) members opposed; (c) members wishing to provide additional information.

14(7) Order of Presentations – Planning Act Hearings. (a) the applicant; (b) members in support; (c) members opposed; (d) members wishing to provide additional information. The applicant may speak in rebuttal to address matters raised but may not introduce new information unless it directly addresses a matter previously raised.

14(8) Registered and Unregistered Speakers. In each category, the Chair shall first call those who registered with the Chief Administrative Officer, followed by those in attendance who did not register.

14(9) Format and Length. Presentations may be verbal, written, or both, and may be accompanied by a PowerPoint provided it is submitted at least ninety-six (96) hours prior to the scheduled start. Verbal presentations shall be limited to ten (10) minutes unless Council consents to an extension.

14(10) Repetitive or Duplicative Presentations. The Chair may decline to hear further presentations or objections that are duplicative or do not present new information.

14(11) Disorderly Conduct. The Chair may require any person conducting themselves in a disorderly or improper manner to leave; failing which, the Chair may cause removal.

14(12) Closing of the Public Hearing. Following presentations, the Chair shall declare the Hearing closed. Once closed, no further information shall be received. Debate shall take place only after closure. Council may then decide or adjourn the Hearing.

14(13) Adjournment and Continuation. If adjourned, Council shall provide public notice of the continuation unless announced at adjournment. No additional submissions shall be received until reconvened.

14(14) Participation of Non-Residents.

- (a) A non-resident may be permitted to address Council at the discretion of the Chair;
- (b) non-residents must register and indicate their connection or interest;
- (c) residents, property owners, and business operators shall be given first opportunity;
- (d) written submissions from non-residents may be accepted at Council's discretion;
- (e) Council may limit or decline non-resident participation where not relevant or where time constraints apply.

SECTION 15 – ROLE OF MEMBERS AND CHAIR

15(1) Duties of the Chair. The Chair shall:

- (a) preserve good order and decorum;
- (b) rule on points of order;
- (c) respond to points of procedure; and
- (d) decide all questions relating to orderly procedure, subject to appeal.

15(2) Preservation of Order. Good order and decorum apply to all persons present. The Chair may request any disruptive person to leave; failing which, removal may be directed.

15(3) Conduct of the Public. Members of the public shall not: (a) display signs, banners, or placards; (b) applaud, cheer, or otherwise show support or opposition; or (c) engage in disruptive conversation or behaviour.

15(4) Limiting Attendance. Council may limit attendance when necessary to maintain safety, order, or occupancy limits.

15(5) Audio and Video Recording. Meetings may be recorded by the Municipality for live streaming, broadcasting, and archiving. Members of the public and media shall not record or photograph proceedings, including Public Hearings, unless authorized by resolution.

15(6) Attendance During Voting. The Chair shall make reasonable efforts to ensure all Members in attendance are present while a vote is taken, unless excused.

15(7) Chair Participating in Debate. If the Chair wishes to move/second a motion or debate, they must vacate the Chair to the Deputy Chair until resuming.

15(8) Absence of the Chair. In the absence or incapacity of the Chair, the Deputy Chair presides.

15(9) Absence of Both. In the absence or incapacity of both, the Members shall elect one of their Members to preside.

SECTION 16 – ROLE OF STAFF

16(1) The Chief Administrative Officer or their delegate shall attend all Meetings of Council to answer questions related to Agenda items.

16(2) Members may ask questions of the Chief Administrative Officer or their delegate through the Chair on matters under debate.

SECTION 17 – MEMBER DEBATING

17(1) All questions or requests for debate must be directed through the Chair. When two (2) or more Members address the Chair at the same time, the Chair shall name the Member who is to speak first.

17(2) Members wishing to speak should raise their hand and be recognized; a Member should not speak more than once until every Member has had the opportunity, except to:

- (a) explain a material part of their speech misunderstood; or
- (b) reply to close debate after others have spoken, provided the Member presented the motion.

17(3) Through the Chair, a Member may ask:

- (a) questions of another Member or administration on a Point of Information relevant to the item; or
- (b) questions to the Chair on a Point of Procedure.

17(4) Supplementary questions may be raised through the Chair, each subject to the Chair's consent.

17(5) Discussion shall be limited to the question in debate.

17(6) No Member shall speak to the question or in reply for longer than five (5) minutes without approval.

SECTION 18 – CONDUCT

18(1) Members shall not:

- (a) disturb, delay, or disrupt business;
- (b) use rude, offensive, or unparliamentary language;
- (c) conduct themselves in a rude, offensive, unparliamentary, disorderly or improper manner;
- (d) disobey the rules or decisions of the Chair or Council;
- (e) leave their seat or cause disturbance while a vote is being taken and the result is declared;
- (f) interrupt a Member except to raise a Point of Order or Question of Privilege;
- (g) by words, tone, manner, or gesture, reflect upon the character of any person or group;
- (h) speak disrespectfully to or about another Member, Member at Large, staff, or the public; or
- (i) question motives of another Member or Member at Large.

18(2) A Member who persists in a breach after being called to order may, by Majority resolution of the other Members, be ordered to leave; failing which, may be removed.

18(3) A removed Member may resume attendance following an apology, at Council's discretion.

18(4) A Member who wishes to leave before adjournment shall so advise the Chair; the time of departure shall be noted in the minutes.

SECTION 19 – QUESTIONS OF PRIVILEGE

19(1) A Member may raise a Question of Privilege concerning the rights or privileges of Council collectively, or of the Member individually.

19(2) A Question of Privilege takes precedence over other matters; while the Chair is ruling, no one is considered to have the floor.

SECTION 20 – POINTS OF ORDER

20(1) A Member who desires to call attention to a violation of the rules shall ask leave of the Chair to raise a Point of Order. When granted, the Member shall state the Point concisely and abide by the Chair's decision. The speaker interrupted has the right to the floor when debate resumes.

20(2) A Member called to order shall immediately vacate the floor until the Point is dealt with and shall not speak again without permission unless to appeal the ruling.

20(3) When called on to decide a Point of Order, the Chair shall do so without comment unless requested to provide reasons.

SECTION 21 – APPEAL RULINGS

21(1) The decision of the Chair on conduct, a Point of Order, or a Question of Privilege is final, subject to an immediate appeal.

21(2) If appealed, the Chair shall provide reasons and the Members, without debate, shall decide the question. The ruling of Council or the Committee shall be final.

SECTION 22 – MOTIONS

22(1) No motion shall be debated or put unless seconded, except a motion to adjourn, which need not be in writing. When a motion is not seconded, this must be recorded in the minutes.

22(2) When a motion is before the Meeting and the mover wishes to withdraw, modify, or substitute it, then if no Member objects, the Chair shall grant permission. If any objection is made, a resolution of Council is required to withdraw, and that motion is neither debatable nor amendable. Once withdrawn, it is as if never made.

22(3) Any Member may require the motion under discussion to be read at any time during debate, except when a Member is speaking.

22(4) The mover of a motion must be present when the vote is taken.

22(5) When a matter is under debate, no motion shall be received other than a motion to:

- (a) fix the time for adjournment;
- (b) adjourn;
- (c) withdraw the motion;
- (d) table the motion;
- (e) call the question;
- (f) postpone to a certain time or date;
- (g) refer;
- (h) amend;
- (i) postpone indefinitely; which order shall be the order of precedence.

22(6) A motion relating to a matter not within the jurisdiction of Council or the Committee is out of order.

22(7) **Table.** A motion to table lays the pending question aside temporarily when something else of immediate urgency has arisen. It is not debatable or amendable and, when passed, the question may only be resurrected by a motion to take from the table passed by 2/3 of the Members. If not taken from the table prior to the close of the next regular meeting, the question dies.

22(8) **Refer.** A motion to refer shall indicate to whom it is referred and is debatable.

22(9) **Postpone to a Certain Time/Date.** Debatable, but debate confined to its merit only.

22(10) **Postpone Indefinitely.** Must include a reason and is debatable; debate may go into the main question.

22(11) **Amend.**

- (a) Only one amendment at a time shall be presented to the main motion. All amendments must relate to the matter being discussed and shall not so substantially alter the motion as to change its basic intent. The Chair shall rule on disputes.
- (b) The amendment shall be voted upon and, if carried, the main motion, as amended, shall be put unless a further amendment is proposed.
- (c) Nothing prevents other proposed amendments from being read for information.
- (d) When the motion contains distinct propositions, the vote upon each shall, at the request of any Member, be taken separately.

22(12) Council or a Committee shall not reconsider or rescind a decision within one (1) year after it is adopted unless:

- (a) no irrevocable action has taken place;
- (b) at the same meeting, all Members who voted on the original resolution are present; or
- (c) a Member gives written notice from at least one regular meeting to the next; and Council follows subsection 22(13) or 22(14).

22(13) **Reconsider.**

- (a) After a motion has been voted upon, at any time during the remainder of the current Meeting or during the next regular Meeting, any Member who voted with the prevailing side may move reconsideration and shall state the reason.
- (b) Debate is confined to reasons for/against reconsideration.
- (c) If carried, the question to be reconsidered becomes the next order of business.
- (d) Reconsideration is open to debate and requires a Majority of Members present, unless otherwise required.
- (e) A motion approved for reconsideration and passed automatically suspends the previous motion.

22(14) Rescind.

- (a) A motion to rescind a previous motion may be accepted and, if passed by a Majority, the previous motion is null and void.
- (b) If the action relates to a previous Meeting and the matter does not appear on the Agenda, a notice of motion shall precede the motion to rescind.
- (c) A motion to rescind will not undo actions already taken as a result of the previous motion.

22(15) When Council or a Committee reconsiders or rescinds a decision, the minutes must show the original decision and the decision made on reconsideration or rescission.

SECTION 23 – NOTICE OF MOTION

23(1) A written notice of motion may be received by the Chair prior to the closing of a Meeting; it shall be read, recorded in the minutes, and form part of the Agenda for the next Meeting or other meeting date as specified by the mover.

23(2) A Member may verbally present and describe a notice of motion for consideration at the next Meeting or other date specified.

23(3) A Member who hands a written notice of motion to the Chair to be read at any regular Meeting need not be present during its reading.

SECTION 24 – VOTING – GENERAL

24(1) Every Member shall vote on every matter unless:

- (a) required to abstain; or
- (b) permitted to abstain under a By-law or enactment.

24(2) A Member present shall request a recess if they may be away when a vote is imminent, unless excused.

24(3) Each Member has one vote each time a vote is held at a Meeting at which the Member is present.

24(4) Votes shall be made by the raising of hands as the Chair calls for those in favour or against.

SECTION 25 – VOTING – QUESTION

25(1) When a motion that a vote be taken (question) is presented, it shall be put without debate and, if carried by a Majority, the resolution and any amendments shall be submitted to a vote immediately.

25(2) When the Chair commences to take a vote, no Member shall speak or present another motion until the vote has been taken.

25(3) A Member who disagrees with the announced result may immediately object, and the vote shall be retaken.

25(4) If there is an equal number of votes for and against a resolution or By-law, it is defeated.

SECTION 26 – VOTING – CONFLICT

26(1) Members who have a reasonable belief that they have a direct or indirect pecuniary interest (as defined in *The Municipal Council Conflict of Interest Act*) in a matter before Council, a committee, or any board, commission, committee or agency to which they are appointed as a representative of Council shall:

- (a) not attempt in any way, either before, during, or after the meeting at which the matter is to be debated, to influence the voting on the matter;
- (b) if present at the meeting, declare and disclose the general nature of the pecuniary interest prior to any discussion of the matter, abstain from discussion or voting on any questions relating to the matter, and remove themselves from Council Chambers until the matter is concluded. The minutes shall indicate the declaration of disclosure, the time at which the Member left the room, and the time the Member returned.

SECTION 27 – RECORDED VOTE

27(1) Any Member of Council or a committee may, prior to the taking of a vote on any question put, require a recorded vote to be taken.

27(2) Every recorded vote taken at a meeting shall be recorded in the following manner:

- (a) by noting the names of the Members voting for and against all motions and of those who abstained from the vote; or
- (b) by noting that the motion was passed unanimously when all Members present voted in favour of the motion.

SECTION 28 – BY-LAWS

28(1) **Presentation and Numbering.** When a By-law is presented to Council for enactment, the Chief Administrative Officer (CAO) shall ensure the short title and a brief description of the By-law appear on the meeting agenda. Upon first reading, the By-law shall be assigned a number.

28(2) **Readings Required.** Each By-law must receive three separate readings, and each reading shall be put to a separate vote.

28(3) **Process for Passage of By-laws.** The following procedures apply to all readings of a By-law:

- (a) A By-law shall be introduced for first reading by a motion that it “be read a first time.”
- (b) After the motion for first reading is presented, Members may debate the substance of

- the By-law and may propose amendments.
- (c) Any proposed amendments shall be voted upon and, if carried, shall be deemed incorporated into the By-law at first reading.
 - (d) Once all proposed amendments have been accepted or rejected, the Chair shall call the question on the motion for first reading.
 - (e) Where a By-law is subject to a statutory public hearing, Council shall establish a hearing date prior to second reading.
 - (f) The process outlined for first reading shall also apply to second and third readings, with necessary modifications.

28(4) Limitations and Requirements for Third Reading.

- (a) A By-law shall not receive more than two readings at the same meeting.
- (b) A By-law is deemed passed when a Majority of Members present vote in favour of third reading, unless a greater majority is required by provincial legislation.

28(5) Review of By-laws Prior to Readings. Each Member present at the meeting:

- (a) at which first reading is to take place, must have been provided with or had the opportunity to review the full text of the proposed By-law; and
- (b) at which third reading is to take place, must have been provided with or had the opportunity to review the full text of the proposed By-law, including any amendments adopted at or after first reading.

28(6) Record of Third Reading. The minutes of any meeting at which third reading occurs shall record the name of each Member present, their vote or abstention, and any reason given for abstention.

28(7) Enactment and Effective Date. Once a By-law has received three readings and is signed in accordance with this By-law, it shall be deemed duly enacted and shall take effect immediately, unless the By-law itself or an applicable statute provides otherwise.

28(8) Lapse of Readings. All previous readings of a proposed By-law are rescinded if the By-law:

- (a) does not receive third reading within two (2) years of first reading; or
- (b) is defeated on second or third reading.

28(9) Signing and Sealing. Following passage, a By-law shall be signed by the Mayor (or designate) and the Chief Administrative Officer (or designate) and impressed with the corporate seal of the Municipality.

28(10) Corrections. The Chief Administrative Officer is authorized to correct clerical, typographical, or grammatical errors in By-laws.

28(11) Consolidation of By-laws. The Chief Administrative Officer may consolidate a By-law by incorporating all approved amendments into one document.

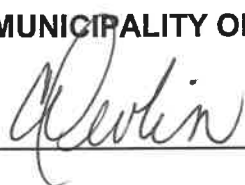
28(12) Certified Copies. A copy of any By-law, resolution, or record certified by the Chief Administrative Officer as a true copy of the original shall constitute *prima facie* proof of the By-law, resolution, or record.

SECTION 29 – REPEAL OF BY-LAWS AND EFFECTIVE DATE

- 24(1) By-Law No. 2021-05 of the Municipality and any amendments thereto are hereby repealed and shall hereafter cease to have effect.
- 24(2) This By-Law shall come into force and effect on the day it receives third and final reading by Council.

DONE AND PASSED by the Council of the Rural Municipality of East St. Paul, in Council duly assembled, this 28th day of October.

RURAL MUNICIPALITY OF EAST ST. PAUL



Mayor



Chief Administrative Officer

Read a first time this	14 th Day of	October,	2025
Read a second time this	28 th Day of	October,	2025
Read a third time this	28 th Day of	October,	2025

SCHEDULE "A"

COUNCIL AGENDA – ORDER OF BUSINESS

Call to Order
Adoption of Agenda
Other Business
Adoption of Minutes
Delegations
By-Laws
Policies
Finances
General Business
Correspondence
Business Arising from Delegations
Council Member Reports
In Camera
Adjournment