

RURAL MUNICIPALITY OF STANLEY
PROCEDURE BY-LAW NO. 13-25

BEING a By-Law to regulate the proceedings and conduct of the Meetings of the Council and Committees thereof.

WHEREAS Section 149(1) of *The Municipal Act* provides that a Council must establish, by by-law, rules of procedure and review the by-law at least once during the term of office.

THEREFORE BE IT RESOLVED THAT the Council of The Rural Municipality of Stanley, in open meeting assembled, enacts as follows:

TITLE

- 1.0 This by-law may be referred to as “The Rural Municipality of Stanley Procedures By-Law”.
- 1.1 The following rules and regulations shall be observed in Meetings of Council, and in Meetings of all Committees thereof.

DEFINITIONS

- 2.0 In this by-law,
- a) “Agenda” means the agenda for a regular or special meeting of Council or Committee of the Whole.
 - b) “Act” means The Municipal Act C.C.S.M. c. M225.
 - c) “Chair” means the person presiding at the meeting of Council or Committee, or portions thereof.
 - d) “Committee” means a Committee or other body established under The Rural Municipality of Stanley Organizational By-Law.
 - e) “Committee of the Whole Council” means a Committee of all Members present at a Council Meeting sitting as a Committee.
 - f) “Council” means the duly elected Reeve and the Councillors of The Rural Municipality of Stanley.
 - g) “Meeting” means a Regular Meeting, Committee of the Whole Meeting or Special Meeting of the Council but does not include a public hearing held by Council.
 - h) “In-Camera” means in private or to the exclusion of the public.
 - i) “Members” means, when referring to the Council, the Councillors and the Reeve.

SUSPENSION

- 3.0 Any rule contained in this by-law may be suspended by a vote of the majority of the Members present, except in cases where the Act, or by this By-law, some other vote is required.

COUNCIL INAUGURAL MEETING

- 4.0 Following a general election, the Reeve must call the Inaugural Meeting of Council within thirty (30) days, and the Meeting shall be held in the Rural Municipality of Stanley Council Chambers at a date and time to be determined, but in any event prior to a Regular or Special Meeting of Council being held.
- 4.1 Following a by-election, the newly elected Member shall be sworn in (affirmed) at the first Regular or Special Meeting after the by-election.
- 4.2 Council must, at least once during Council’s Term of Office, review the Organizational and Procedure By-Laws.

QUORUM

- 5.0 A quorum of Council for the Rural Municipality of Stanley shall be four (4) Members.
- 5.1 If a position on Council is vacant or a sitting Member is on an approved leave of absence, the quorum will be the majority of the remaining Members of the Council provided that the minimum number for a quorum cannot be less than four (4) Members.
- 5.2 Lack of quorum - If no quorum is present within thirty (30) minutes after the time scheduled for a Meeting, the Council shall stand adjourned, and the CAO shall enter into the minutes the names of the Members present at the Meeting.

COMMUNICATION FACILITY

- 6.0 Any member of Council participating in a Meeting of Council by means of a communication facility shall do so only with prior approval of Council and on terms and conditions set by Council.
- 6.1 Members of Council participating in a Meeting of Council by means of a communication facility are deemed to be present at the Meeting.

AGENDAS

- 7.0 Draft agendas for each Regular Meeting of Council, as prepared by the CAO, together with copies of supporting materials shall be available to the Members of Council at least forty-eight (48) hours preceding the Meeting of Council. When requested a copy of the draft agenda shall be made available to a member of the public.
- 7.1 Draft agendas for each Committee of the Whole Meeting will be prepared by the CAO together with supporting materials and made available to the Members of Council prior to the meeting.
- 7.2 All items to be placed on the agenda of the next Regular Meeting of Council must be provided to the CAO at least seventy-two (72) hours prior to the scheduled time of the Regular Meeting. Items for Committee of the Whole Meetings of Council shall be developed by the CAO in conjunction with other Staff and with input from Council.
- 7.3 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 for the Regular Meeting of Council.
- 7.4 In preparing the Regular Meeting agenda, the CAO or his/her designate shall state the business for consideration in accordance with the following order of business:
- . Call the meeting to order
 - . Adoption of the agenda
 - . Adoption of the minutes
 - . Unfinished business
 - . Accounts and Finance
 - . Hearings & Delegations
 - . Reports & Discussions
 - . General Business
 - . Municipal Government
 - . Correspondence
 - . Adjournment

In preparing the Committee of the Whole Meeting agenda, the CAO or his/her designate shall state the business for consideration in no specific order:

- Call the meeting to order, review agenda
- Delegations
- Unfinished Business
- The following department committee categories in no specific order: Planning, Finance & Administration and Public Works
- Adjournment

7.5 Notwithstanding the provisions under 7.4, it shall always be in order for the Council, by resolution, to vary the order in which business on the agenda shall be dealt with by a majority vote of the Members present.

REGULAR AND COMMITTEE OF THE WHOLE MEETINGS OF COUNCIL

8.0 Regular Meetings of Council will be held on Thursdays, generally twice per month in the Council Chambers of the Rural Municipality of Stanley at the hour set by Council from time to time.

8.1 Committee of the Whole Meetings will be held on Thursdays, generally twice per month in the Council Chambers of the Rural Municipality of Stanley at the hour set by Council from time to time.

8.2 A notice shall be posted on the Municipality's website prior to the first Regular Meeting of each year outlining scheduled Regular Meetings and Committee of the Whole Meetings. The notice will be adjusted with any Regular Council or Committee of the Whole meeting date, time, or location changes throughout the year.

8.3 All meetings of Council shall be chaired by the Reeve, or in his absence, by the Deputy Reeve. If the Reeve or Deputy Reeve is not present at the time scheduled for a meeting, the Council may appoint one of its Members to chair the Meeting.

8.4 Council may vary the date and time of a Regular and Committee of the Whole Meetings as circumstances may require.

8.5 Notice of any change of day or time of a Regular Meeting of Council must be posted on the Municipality's website at least two (2) days before the regularly scheduled date of the meeting.

8.6 At the hour set for a meeting to commence, and providing that a quorum is present, the Reeve shall take the chair and shall call the meeting to order.

8.7 The Chair may call for a meeting to be recessed for the purpose of breaks or meals.

8.8 Council shall hold its regular meetings of Council openly and no person shall be excluded, except for improper conduct.

8.9 Despite clause 8.7 of this by-law, Council, or Council Committee, may close a meeting to the public, if:

- (a) the Members decide during the meeting to meet as a committee to discuss a matter, and
- (b) the decision and general nature of the matter are recorded in the minutes of the meeting; and
- (c) the matter to be discussed relates to
 - i. an employee, including the employee's salary, duties and benefits and any appraisal of the employee's salary, duties and benefits

- ii. a matter that is in its preliminary stages and respecting which discussion in public could prejudice the municipality's ability to carry out its activities or negotiations;
- iii. the conduct of existing or anticipated legal proceedings;
- iv. the conduct of an investigation under, or enforcement of, an Act or by-law;
- v. the security of documents or premises; or
- vi. a report of the Ombudsman received by the Head of Council under clause 36(1)(e) of *The Ombudsman Act*.

8.10 No resolution or by-law may be passed at a meeting that is closed to the public, except a resolution to reopen the meeting to the public.

SPECIAL MEETINGS OF COUNCIL

- 9.0 A special meeting of Council of the Rural Municipality of Stanley may be called at any time by the Reeve, and must be called by the Reeve, if the Reeve receives a written request from at least two Members of Council stating the purpose. A copy of the written request must also be served on the CAO.
- 9.1 Should the Reeve not call a special meeting within forty-eight (48) hours of receiving written request by two Members of Council, the CAO must call the meeting in accordance with section 9.2 of this by-law.
- 9.2 The notice of a special meeting to all Members of Council may be oral, in electronic or written form, and must state the purpose and location of the meeting and must be provided to all Members of Council and posted in the Municipal Office at least forty-eight (48) hours before the scheduled time of the meeting.
- 9.3 Should the Reeve be unavailable, the Deputy Reeve may call a special meeting only if requested in writing by (2) Members in accordance with this part.
- 9.4 Any Member of Council may waive the right to be given notice by giving written notice to the CAO and having done so shall be deemed to have been given notice of a special meeting of Council.
- 9.5 At a special meeting, no subjects or matters, other than those mentioned in the notice calling the meeting, shall be taken into consideration, unless all Members of Council are present, and the members unanimously agree by resolution to adding of items to the agenda.

DELEGATIONS

- 10.0 Delegations shall generally be placed on Committee of the Whole Agendas, unless a delegation is presenting on, or addressing a specific item on a Regular Meeting agenda, or otherwise deemed appropriate.
- 10.1 The Chair may limit the time taken by a delegation to ten (10) minutes. The delegation must appoint a spokesperson.
- 10.2 To allow Members of Council to prepare for delegations, all presenters must register with the CAO at least seventy-two (72) hours before the Council Meeting and advise the CAO of the topic and scope of the presentation.

Under certain circumstances, and with the approval of the Chair, the CAO may schedule delegations on shorter notice. Any written presentation or supporting materials must be provided to the CAO within seventy-two (72) hours prior to the scheduled Meeting. Under certain circumstances, and with the approval of the Chair, the delegation may be allowed to distribute presentation materials not previously provided.

10.3 There shall not be a limit to the number of delegations included on the

agenda of a meeting, but the CAO is granted authority to schedule delegations as deemed appropriate.

- 10.4 The number of people attending per delegation is limited to ten (10), with one person being designated as the spokesperson. Delegations must identify the number of people attending as well as the name of the spokesperson a minimum of seventy-two (72) hours prior to the delegation.

Building code occupancy load must be maintained, therefore the number of people allowed as part of any delegation, whether it be presenter, media or members of the public will be limited.

- 10.5 Delegation proceedings are not allowed to be audio/video recorded.

VOTING

- 11.0 A Member of Council has one vote each time a vote is held at a council meeting at which the Member is present.
- 11.1 The minutes of a meeting at which council votes on the third reading of a by-law must show the name of each member present, the vote or abstention of each member, and the reason given for any abstention.
- 11.2 The CAO must record in the minutes the name of any member who exercises his right to abstain from voting on any resolution.
- 11.3 If an equal number of members vote for and against a resolution or by-law, the resolution or by-law is defeated.
- 11.4 Council may not reconsider or reverse a decision within one year after it is made unless:
- (a) at the same meeting at which the decision is made, all members who voted on the original resolution are present and agree to reconsider and vote again; or
 - (b) a member gives written notice to the council, from at least one regular meeting to the next regular meeting, of a proposal to review and reverse the decision.
- 11.5 When council reconsiders and reverses a decision, the minutes must show the original decision and the decision made on reconsideration.
- 11.6 Any member of council may, prior to the taking of a vote on any question put, require a recorded vote to be taken. The CAO must then record in the minutes of the meeting of council the names of the members present, the vote or abstention of each member.
- 11.7 If/When a Meeting of Council is held with one or two Members absent, any/all decisions shall require a majority vote of the total number of Members present. Efforts should always be made to ensure that matters of a critical or controversial nature are put to a vote when all Members of Council are present or when notice has been given that such matter(s) will be dealt with at a specific meeting of Council.

PUBLIC HEARINGS – GENERAL

- 12.1 Public Hearings shall be held in the Council Chambers of the Rural Municipality of Stanley unless otherwise advertised.
- 12.2 The Chair of the public hearing has the right to limit the time taken by a person to ten (10) minutes, after which council may wish to ask questions of the person. All questions must be channeled through the Chair of the hearing.

- 12.3 The Chair of the public hearing may decline to hear further presentations, questions or objections where he is satisfied that the matter has been addressed at the public hearing.
- 12.4 The Chair of the public hearing may decide which presenters will be heard, if he is satisfied that presentations are the same or similar.
- 12.5 The Chair of the public hearing may require any person, other than a member of council, who is in the opinion of the Chair conducting themselves in a disorderly or improper conduct, to leave the public hearing and if that person fails to do so, may cause that person to be removed.
- 12.6 If a public hearing is adjourned, the Council shall provide notice to those present of the date, time and place of the continuation of the hearing, unless information is announced at the adjournment of the hearing.
- 12.7 Building code occupancy load must be maintained therefore the number of people allowed as part of any public hearing will be limited to 30.

PUBLIC HEARINGS HELD UNDER THE ACT

- 13.0 Each Member of Council must attend a public hearing called by Council under the Municipal Act unless the Member:
- (a) is excused by the other Members from attending the hearing;
 - (b) is unable to attend owing to illness;
 - (c) is required under *The Municipal Council Conflict of Interest Act* to withdraw from the hearing.

BY-LAWS AND RESOLUTIONS

- 14.0 Council may act only by resolution or by-law.
- 14.1 No motion shall be debated or put forward unless it is in writing and is seconded, excepting only a motion to adjourn which need not be writing. A motion to adjourn a Regular or Special Meeting of Council shall have a mover and a seconder.
- 14.2 Every proposed by-law must be given three separate readings, and each reading must be put to a separate vote.
- 14.3 Council may not give a proposed by-law more than two readings at the same council meeting.
- 14.4 Only the title or an identifying number must be read at each reading of a proposed by-law.
- 14.5 Each member present at the meeting at which first reading is to take place must be given, or have had, the opportunity to review the full text of the proposed by-law before the by-law receives first reading.
- 14.6 Each member present at the meeting at which third reading is to take place must, before the proposed by-law receives third reading, be given, or have had, the opportunity to review the full text of the proposed by-law and any amendment passed after first reading.

HEAD OF COUNCIL TAKING PART IN DEBATE

- 15.0 If the Chair desires to present or second a motion, or participate in the debate, he can do so without leaving the chair.

CONDUCT

- 16.0 Every member previous to his speaking shall address the Chair.

- 16.1 When two or more members address the Chair at the same time, the Chair shall name the member who is to speak first.
- 16.2 When the Chair is called on to decide a point of order or practice, he shall do so without comment unless requested to do so.
- 16.3 When the Chair is putting a question, no member shall leave his chair.
- 16.4 Discussion shall be limited to the question in debate.
- 16.5 No member shall speak to the question or in reply for longer than five (5) minutes without approval of council.
- 16.6 A motion to adjourn takes precedence over all others and may be moved at any time, but the question cannot be received after another question is actually put and while council is engaged in voting.
- 16.7 Amendments to motions may be introduced by a member up until the matter is voted on. Once the motion to amend has been introduced, the mover and seconder of the original motion must both agree on whether they consider it to be a friendly amendment.
- If the mover and seconder both agree that the amendment is friendly, the chair will proceed with either calling for a seconder (if the motion has not been seconded) or calling for the question on the newly amended motion, and the motion will be dealt with in the same manner as any other motion.
- If the mover and seconder do not agree that the amendment is friendly (does not change the intent of the motion) the amendment will not be permitted.
- If the Chair decides the amendment is not friendly (changes the intent of the motion) it will not be permitted.
- Only one amendment is permitted to each motion.
- 16.8 Immediately before putting the question, the Chair shall have the privilege of summarizing the debate, but no new matter shall be introduced.
- 16.9 Where at a council meeting, any person other than a member of council is, in the opinion of the Chair, conducting himself in a disorderly or improper manner, the Chair may require that person to leave the meeting and if that person fails to do so, may cause that person to be removed.
- 16.10 Where at a council meeting a member of council is conducting himself in a disorderly or improper manner, the council may, by a resolution passed by the majority of the other members present, require the member to leave the meeting, and if the member fails to do so, may cause the member to be removed.
- 16.11 Persons in the council chambers are not permitted to display signs or placards, to applaud participants in debate, or to engage in conversation or other behaviours which may disrupt council proceedings.
- 16.12 Council may limit the number of persons allowed in the council chambers.
- 16.13 The public and media may not audio/video tape meeting proceedings, including public hearings unless special permission is given by the Head of Council. Requests for audio/video recording a delegation is to be made through the CAO at least seventy-two (72) hours prior to the presentation.

- 16.14 A member must keep in confidence a matter that is discussed at a meeting closed to the public under subsection 152(3) of the Act until the matter is discussed at a council meeting conducted in public.
- 16.15 A member who breaches the requirement of confidentiality under clause 16.13 becomes disqualified from council.

All points of order and procedure not resolved by rules provided in this by-law shall be resolved by a majority decision of council.

That By-Law No. 13-25 be, and the same is hereby, repealed.

DONE AND PASSED as a By-Law of The Rural Municipality of Stanley in the Province of Manitoba, this 2nd day of October, A.D. 2025.

THE RURAL MUNICIPALITY OF STANLEY

Reeve

Chief Administrative Officer

Read a first time this 18th day of October, A.D. 2025.
Read a second time this 2nd day of October, A.D. 2025.
Read a third time this 2nd day of October, A.D. 2025.