

MUNICIPAL BY-LAWS OF THE CITY OF BEACONSFIELD

PROVINCE OF QUEBEC
CITY OF BEACONSFIELD

BY-LAW NO. BEAC- 001

BY-LAW ON THE RULES OF CONDUCT AND ON
THE REGULAR MEETINGS OF THE MUNICIPAL COUNCIL

Adopted at the special meeting of the municipal
council held on Monday, December 5, 2005.

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At the special meeting of the Municipal Council of the City of Beaconsfield, held in the City Hall, 303 Beaconsfield Boulevard, Beaconsfield, Quebec on Monday, December 5, 2005 at 8:00 o'clock p.m.

WERE PRESENT: His Worship Mayor Bob Benedetti, Councillors Jimmy Shiro Hasegawa, Karen Messier, Wade Staddon, Kate Coulter, Roy Baird and David Pollock.

On motion of Councillor J.S. Hasegawa, seconded by R. Baird and UNANIMOUSLY RESOLVED:

CONSIDERING sections 319 and 331 of the Cities and Towns Act;

THE COUNCIL OF THE CITY OF BEACONSFIELD DECREES AS FOLLOWS

CHAPTER 1 - INTERPRETATION

1. For the purposes of this by-law, the following words mean:

"Mayor" shall mean the mayor of the City of Beaconsfield

"City Clerk": shall mean the City Clerk of the City of Beaconsfield

CHAPTER 2 - SCHEDULE AND CALLING OF MEETINGS

2. The council holds its regular meetings on the Monday preceding the Agglomeration council meeting, with the exception of the month of July when the meeting will take place on the second Monday, at 8:00 p.m., at the place designated by resolution of the council. When the day set for a regular meeting falls on a holiday, the meeting is held on the following juridical day.
3. The notice of meeting and a copy of the agenda of every regular meeting must be delivered to every council member no later than 24 hours before a meeting is held.
4. The mayor may call a special council meeting when he sees fit, by verbal or written order to the city clerk. The city clerk draws up a notice of meeting listing the business to be submitted for consideration at the meeting and serves notice on every member of council no later than 24 hours before the time set for the meeting. The posting of a notice by registered mail at least two clear days before a meeting is equivalent to service of the notice of meeting.
5. Where the mayor refuses to call a special meeting when required by at least the number of members of council required by law, those members may, by a written request to the city clerk, signed by them, order the calling of a meeting. On receipt of the request, the city clerk issues a notice of meeting within the period set in article 3 of this by-law, specifying the business for which the meeting is called.
6. The notice of special meeting serves as the agenda. The agenda includes a public question period. At a special meeting, no business other than the one specified in the notice of meeting may be considered, unless all the members of council are then present and consent to it.
7. Where, at a special or a regular meeting, the business to be considered has not been fully dealt with, the council may adjourn as often as necessary to consider and deal with the unfinished business, without giving notice of adjournments to the members present or absent. But no new business may be submitted or considered at any adjournment of a special meeting unless all the members of council are then present and consent to it.

At an adjournment of a regular meeting, any new business may be submitted or considered if the majority of members council present consent to it.

MUNICIPAL BY-LAWS OF THE CITY OF BEACONSFIELD

CHAPTER 3 - CONDUCT OF MEETINGS

SECTION 1 - GENERAL PROVISIONS

8. The city clerk draws up the agenda of every council meeting.
9. The floor is reserved for the mayor, members of council, and city officers and employees. The public is admitted at the place reserved for that purpose.
10. The seats assigned to members of council are determined by the mayor.
11. All council meetings are public.
12. The majority of members of council constitute a quorum for the dispatch of business, unless otherwise provided in the act. The mayor is considered a member of council for the purposes of a quorum.
13. The mayor presides over council meetings; in the absence of the mayor and the acting mayor, where a quorum is present, the council chooses one of its members to preside.
14. Every four months, the council designates a member of council as acting mayor.
15. The presiding member maintains order and decorum during meetings. He may expel from a meeting any person who disrupts the proceedings.
16. The minutes of council meetings and votes are drawn up and entered in a book kept for that purpose by the city clerk, and after being approved at the next meeting, are signed by the city clerk and the mayor, or by the member who presided at the meeting.
17. The city clerk enters in the minutes the names of members of council present.
18. No member of council may leave the council chamber unless it is recorded in the minutes of the meeting by the city clerk.
19. A member who wishes to speak must address the mayor or the presiding member by raising his hand. The mayor or the presiding member assigns the floor to members of council, according to the order of requests.
20. Members of council must limit themselves to the subject matter and avoid personal references, insinuations, violent, offensive or disrespectful remarks about anyone, and unparliamentary language.
21. Every member of council who is present at a meeting where a matter in which he has a direct or indirect pecuniary interest is considered must disclose the general nature of his interest before the beginning of the debate on the matter, and refrain from taking part in the debate and from voting, or attempt to influence the vote on the matter.

Where the matter is considered at a meeting not attended by the member of council, he must disclose the general nature of his interest at the next meeting he attends. But the obligation does not apply where the member's interest consists of remuneration, allowances, reimbursements of expenses, fringe benefits or other conditions of employment attached to his duties at the city. Nor does it apply where the interest is so minor that the member could not reasonably be influenced by it.
22. No member of council may speak more than once on the same item. But he has the right of reply where a member moves a motion.

The mayor or the presiding member must ensure that all councillors who wish to speak have done so before the reply as the reply ends the debate.
23. No member of council may speak for more than 15 minutes at a time on an item, unless authorized by the mayor.
24. The council must consider and deal with all items on the agenda. The city clerk calls each item on the agenda.

MUNICIPAL BY-LAWS OF THE CITY OF BEACONSFIELD

25. No photographic cameras, movie cameras, recorders and similar apparatuses, except those used by the city clerk, may be used without the mayor's authorization.

SECTION 2 - MOTIONS

26. Every motion must be moved by a member of council and seconded by another member.
27. A motion may be simply withdrawn at any time before its proposal. After its proposal, it may be withdrawn with the consent of the majority of members present.
28. During the debate on or the consideration of a motion, no other motion is in order unless it be to:
- (1) amend the motion;
 - (2) suspend the debate or defer the consideration of a motion or its adoption to another meeting;
 - (3) move the previous question;
 - (4) adjourn the meeting.
29. A motion to adjourn or to adjourn or suspend the debate is out of order where:
- (1) a member of council has the floor;
 - (2) a motion has been put;
 - (3) a motion to the same effect has just been rejected by the council and where the council has not yet resumed debate on the item being considered or on another item.
30. A main motion may be amended. A motion to amend may be amended. A motion to amend an amendment may not be amended.
31. A motion to amend must have the effect of amending the content or subject matter of the main motion. It may not constitute a negation of the main motion and may not introduce new matters or items.
32. A motion to amend an amendment must have the effect of amending the subject matter of the motion to amend. It may not constitute a negation of the amendment or a repetition of the main motion.
33. Only one motion at a time may be raised on the floor: a main motion, a motion to amend, or a motion to amend an amendment.
34. The mayor or the presiding member, on his own authority or at the request of a member of council, may require that a complex motion be divided.
35. The council must first rule on the motions to amend an amendment that are raised, then on other further motions to amend, and finally on the main motion, in its original or amended version, as the case may be.
36. A member of council may end any debate and ask that the item considered be put to a vote where the majority of members present vote in favour of a motion to move the previous question.
- The council immediately rules on the matter, without debate.
37. If the motion to move the previous question is rejected, the debate on the motion resumes at the point where it was interrupted. If the motion is adopted, no other motion is in order and the council then rules on the motion that was raised, without further debate or amendment.
38. A member of council may, at any time during proceedings, require the reading of the motion being considered. The city clerk, at the request of the mayor or the presiding member, must then act on that request.

MUNICIPAL BY-LAWS OF THE CITY OF BEACONSFIELD

SECTION 3 - VOTES

39. The majority of members present at council meetings decide the items and matters submitted, except where a larger number of concurrent votes are required by law.
40. All votes of members of council are public.
41. A motion is put to a vote where the mayor or the presiding member has closed the debate, has ordered, on his own authority or at the request of a councillor, that the vote be taken. That motion is not debatable.
42. No member of council may enter or leave while the city clerk records the votes. No member of council then absent may return to his seat until the results are declared. No member of council may vote on the matter. The city clerk takes a roll call in the order determined by the mayor or the presiding member.
43. Members of council vote by stating that they are for or against the motion considered, without making comments.
44. The mayor or the presiding member is entitled to vote but is not required to do so. Every other member of council must vote, except as provided in article 21.
45. In case of a tie vote, a decision is deemed to be in the negative.
46. No member of council may cast reflections on a council vote.

SECTION 4 - QUESTIONS OF PRIVILEGE

47. Any member of council may raise a question of privilege on the floor if he considers that his honor has been compromised or that his rights, privileges and prerogatives or those of the council have been encroached on.

He then briefly states his case and a debate may follow. Where other members of council are involved, they have the right to give their version of the facts.

That motion is not debatable and may not be amended.

If the mayor or the presiding member considers that the matter is well-founded, he then takes the proper measures. The mayor may at any time declare the matter closed.

SECTION 5 - PUBLIC QUESTION PERIOD

48. The public question period at a council meeting is limited to 30 minutes. But the mayor or the presiding member may order the resumption of business on the agenda before that time when he is satisfied that all questions have been dealt with. The question period may be extended, if the members present consent to it, to deal with unanswered questions.
49. The city clerk announces the beginning and the end of question periods.
50. At the appointed time, the mayor or the presiding member gives the floor by turns to every person wishing to ask a question.

Every person wishing to ask a question must line up at the place set up for that purpose or have his name entered on the register for the question period. When given the floor, every person must state his family name and first name, address and the name of the organization he represents, if any, and the member of council to whom the question is addressed, as the case may be.

Until all the persons present who wish to ask questions have had the chance to do so, the period is limited to one question per person.

51. Questions must bear on matters of public interest under the jurisdiction of the city, of its council, or on an action under the responsibility of the member in council to whom a question is addressed, or on the intentions of the council or one of its members relating to a legislative or an administrative measure of the city.

MUNICIPAL BY-LAWS OF THE CITY OF BEACONSFIELD

At a special meeting, the questions of persons present must bear on items on the agenda.

52. Questions may only contain the words necessary to obtain the information requested. A question is out of order where:
- it has a pointless preamble;
 - it contains a hypothesis, a deduction, or attribution of motives;
 - the answer would require or constitute a professional opinion or a personal evaluation;
 - it bears on a matter pending before a court or a quasi-judicial body, or on a matter under investigation, where the words spoken may be prejudicial to a person or reveal part of the evidence or argument;
 - it contains seditious or abusive comments.
53. No person may:
- use violent, offensive or disrespectful language when addressing the council or any person;
 - refer to the mayor other than by his title;
 - interrupt or disrupt the proceedings by applause, pandemonium, fanfare or other.
54. The answer to a question must bear on the subject matter, and be brief and clear.
55. A member of council to whom a question is addressed may refuse to answer where:
- (1) it is not considered in the public interest to provide the information requested;
 - (2) much work, disproportionate of its usefulness, would be required to collect the information requested;
 - (3) the question bears on information contained in a report that has not yet been tabled with the council;
 - (4) the question has already been asked.
56. The mayor or the presiding member must ensure that the question period does not give rise to any debate, either between members of council, or between a member of council and a person present.
57. The mayor or the presiding member may limit or rule out of order any person in violation of this by-law or who exceeds the time allowed for the question period or the right of any person present to ask questions.

CHAPTER IV - FINAL PROVISION

58. This by-law comes into force on January 1st, 2006.

MAYOR

CITY CLERK