

THE TOWN OF THE CITY OF DAWSON

COUNCIL PROCEEDINGS BYLAW

BYLAW #11-12

A Bylaw to Regulate the Proceedings of the Council of the Town of the City of Dawson

WHEREAS section 217 of the *Municipal Act*, (RSY 2002), c. 154 requires council to enact a bylaw to establish rules for calling meetings and governing its proceedings, the conduct of its members, the appointment of committees and generally for the transaction of its business;

NOW THEREFORE, The Council of the Town of the City of Dawson, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. SHORT TITLE

This Bylaw may be cited as the "**COUNCIL PROCEEDINGS BYLAW**".

2. DEFINITIONS

- 1) The interpretations, references, and definitions of words and phrases of the *Interpretation Act*, (RSY 2002), c. 125 shall apply to this Bylaw.
- 2) The definitions of the *Municipal Act*, (RSY 2002), c. 154 shall apply to this Bylaw.
- 3) For the purposes of this bylaw "*Member*" shall refer to a duly elected member of the municipal Council or a duly appointed member of a committee as the context warrants.
- 4) For the purposes of this bylaw "*Special Meeting*" shall refer to a meeting of Council held outside of the regular schedule of Council meetings.
- 5) For the purposes of this bylaw, "*City Hall*" shall refer to the administration building located at 1336 Front Street in Dawson City, Yukon.
- 6) For the purposes of this bylaw, "Chairperson" shall refer to the presiding officer at any meeting of Council or Council Committee.

3. GENERAL PROVISIONS - MEETINGS

- 1) **Meeting Location.** Meetings shall be held at the City Hall Council Chambers, or at another location from time to time, as specified by resolution of Council. A meeting may be held outside the municipality if a majority of Council receive a notice to that effect.
- 2) **Attendance of Public at Meetings.** Subject to Section 213(3) of the *Municipal Act* all Council meetings (including Committee meetings) must be open to the public, and no person may be excluded other than for improper conduct.
- 3) **Closed Meetings.** When Council wishes to close a Meeting to the public, it may do so by adopting a resolution stating the nature of the matter to be discussed as authorized by Section 213(3) of the *Municipal Act*.

- 4) **Committee Meetings.** The rules of procedure herein established shall apply to meetings of all committees and all advisory bodies established by Council.

4. PARTICIPATION IN MEETINGS BY ELECTRONIC MEANS

- 1) Provided the conditions set out in Section 215 of the *Municipal Act* are met, a Regular or Special Council meeting or Committee meeting may be conducted by means of visual and audio or audio electronic or other communication equipment.
- 2) There is no restriction on the number of Members that may participate electronically, in a Regular or Special Council meeting or the Chair in a Committee meeting, provided the quorum requirements are met.
- 3) All Members participating in a meeting electronically shall be deemed to be present in the meeting as though they were physically present.
- 4) If there is an interruption in the communications link resulting in the loss of a quorum:
 - a) members may decide on a short recess until it is determined that the link can be restored, or
 - b) the meeting shall be dissolved and rescheduled.

5. MAYOR

Subject to the *Municipal Act*, the Mayor shall preside over the conduct of the meeting and:

- 1) shall maintain order and preserve the decorum of the meeting;
- 2) shall decide points of order without debate or comment other than to state the rule governing;
- 3) shall determine which member has the right to speak;
- 4) shall rule when a motion is out of order;
- 5) may call a member to order;
- 6) shall be permitted to participate in the debate of any matter without the need to relinquish the Chair; and
- 7) shall vote on every matter unless they are excused or disqualified from voting pursuant to the provisions of the *Municipal Act*.

6. DEPUTY MAYOR

At the first meeting of each calendar year Council shall, from amongst its Members, designate Councillors to each serve on a three-month rotating basis as Deputy Mayor.

- 1) A Councillor designated pursuant to this section has the full power, duties, and responsibilities of the Mayor during the Mayor's absence.

7. REGULAR MEETINGS

- 1) **Meeting Schedule.** At the inaugural meeting of Council, and at the first meeting of each calendar year thereafter, the Council shall, by resolution, establish the dates of the regular scheduled meetings of Council.
- 2) **Meeting Times.** Regular Meetings shall be called to order at 7:00 p.m. and shall be adjourned not later than 10:00 p.m. unless extended by Council resolution for a period not to exceed one hour.
- 3) **Unfinished Business.** Any unfinished business shall be dealt with at the next Regular or Special Meeting of Council.

8. SPECIAL MEETINGS

- 1) **Meeting Times.** Except as provided otherwise in this section, a Special Meeting may be scheduled subject to notice pursuant to section 8 of this Bylaw at such times as may be agreed to by the majority of Council.
- 2) **Special Meeting Request.** The Mayor or any two (2) Councillors may, in writing, request the Chief Administrative Officer to call a Special Meeting stating the purpose of the meeting.
- 3) **Unfinished Business.** Any unfinished business shall be dealt with at the next Regular or Special Meeting of Council.
- 4) **Closed Special Meetings.** A Closed Special Meeting may be scheduled with sufficient notice under section 8 of this Bylaw, subject to the matter to be discussed being authorized by Section 213(3) of the *Municipal Act* and stated in the notice or included in the notice waiver resolution.
- 5) **Release of Closed Special Meetings Information.** Council may, by resolution and subject to the *Access to Information and Protection of Privacy Act*, (RSY 2002) c. 1, agree to release any or all of the information provided to a Closed Special Meeting.

9. PROCEDURE FOR MEETINGS

- 1) **Notice of Meeting.** Notice of Regular, Special, and Committee Meetings must be given as follows:
 - a) not less than 24 hours before a meeting the Chief Administrative Officer must give public notice of the time, place, and date of any meeting by way of a notice posted on the public notice board at City Hall.
 - b) not less than 24 hours before a meeting the Chief Administrative Officer must deliver a notice of the time, place, and date of any meeting and in addition a copy of the agenda of such meeting to each Member at the place to which the Member has directed notices to be sent.

- 2) **Postponement for Statutory Holidays.** If a Regular Meeting falls on a Statutory Holiday the meeting must be held at the usual time and place on the following day.
- 3) **Postponement if No Quorum.** If there is no quorum of Council present at a Regular or Special Meeting within 30 minutes after the scheduled time of a meeting, the meeting shall be postponed to the same hour on the next regular business day or to a time mutually convenient to the majority of Members.
- 4) **Cancellation of Meeting.** Council may, by resolution, cancel any Regular Meeting. The Chief Administrative Officer shall give public notice of cancellation of a Regular Meeting by posting notice of cancellation on the public notice board at City Hall.
- 5) **Mayor to Open Meetings.** When a quorum is present, the Mayor, or Deputy Mayor in the Mayor's absence, must call the meeting to order and shall serve as Chairperson of that meeting.
- 6) **Appointment of Chairperson.** When a quorum is present but neither the Mayor nor the Deputy Mayor are present within fifteen (15) minutes after the time at which the meeting is scheduled to begin, the Chief Administrative Officer shall call the meeting to order and, by resolution, the Council shall appoint a Councillor to act as Chairperson for that meeting until the Mayor or Deputy Mayor arrives. The Chairperson of a meeting has the powers, duties, and responsibilities of the Mayor in respect of that meeting.
- 7) **Order of Procedure at Regular Meetings.** Unless Council otherwise directs, by resolution, the business at a Regular Meeting shall be conducted in the following order:
 - a) Call to Order
 - b) Acceptance of Addendum and Adoption of the Agenda
 - c) Delegations or Guests
 - d) Business Arising from Delegations
 - e) Petitions and Questions
 - f) Adoption of the Minutes
 - g) Business Arising from the Minutes
 - h) Referrals from Prior Meetings
 - i) Financial and Budget Reports
 - j) Accounts Payable
 - k) Special Meeting, Committee, and Departmental Reports
 - l) Bylaws
 - m) Correspondence
 - n) Public Questions
 - o) Adjournment
- 8) **Regular Meeting Agenda.** The Chief Administrative Officer shall prepare an agenda for each Regular Meeting that:
 - a) is in the order set out in this section, and
 - b) states the general nature of each item of business to be dealt with at the Regular Meeting.
- 9) **Special and Committee Meeting Agenda.** The Chief Administrative Officer shall prepare an agenda for each Special Council Meeting or Committee meeting that states the general nature of each item of business to be dealt with at the meeting. The order of

business at a Special Council Meeting or Committee Meeting shall be determined by the Chief Administrative Officer.

- 10) **Notice of Presentations and Delegations.** Not later than 4:00 p.m. on the third (3rd) business day prior to a Council Meeting at which a person or a delegation wishes to make a presentation to Council, that person or spokesperson for the delegation shall inform the Chief Administrative Officer of the subject of the presentation. Council may, by resolution, agree to waive the notice required for presentations and delegations.
- 11) **Agenda Addendums.** A Member may place an item of business on the agenda for a Regular or Special Meeting by giving written notice of the item, in reasonable detail, to the Chief Administrative Officer not later than 4:00 p.m. on the third (3rd) business day prior to the Regular or Special Meeting.

Emergency or time sensitive items may be added to the agenda of a Regular or Special Meeting without advance notice if agreed by unanimous vote. Failing unanimous approval such items shall be referred to the next meeting of Council and dealt with at that time.

10. MINUTES

- 1) **Recording of Minutes.** The Chief Administrative Officer shall ensure that Minutes for meetings of Council and/or Committee(s), are legibly recorded, made available, and preserved in accordance with sections 211 and 212 of the *Municipal Act*.
- 2) **Adoption of Minutes.** The Minutes of Council or Committee Meetings shall be adopted by resolution of Council. Minutes may be adopted by resolution without being read to the meeting if every Member has received a copy of the Minutes. Minutes shall not be adopted until the Chief Administrative Officer has made such changes to the Minutes as Council may, by resolution, direct. Once adopted by resolution, the Minutes shall constitute the definitive record of the meeting.

11. RULES OF CONDUCT AND DEBATE

- 1) **Recognition of Speaker.** Councillors may speak at a meeting after having raised their hand and being recognized by the Chairperson. If two (2) or more Councillors simultaneously raise their hand the Chairperson shall designate the order in which Councillors may speak.
- 2) **Manner of Address.** Members shall address each other as "Mayor" or "Councillor" as the context warrants.
- 3) **Rules When Speaking.** Except as otherwise approved by resolution, Councillors may:
 - a) speak only to a matter under consideration;
 - b) speak for no more than five (5) minutes at a time;
 - c) not speak to a matter already dealt with by Council at the same meeting.
- 4) **No Interruptions.** Members shall not interrupt a Member who is speaking except to raise a point of order, and shall not make a disturbance during the meeting.

- 5) **Removal for Improper Conduct.** If the Chairperson deems a person to be guilty of improper conduct, the Chairperson may expel and exclude such person from the meeting.
- 6) **Robert's Rules of Order.** Where rules for Council or Committee Meeting procedures are not provided in this Bylaw, the rules established in the *Municipal Act* shall apply, and where the *Act* is silent *Robert's Rules of Order*, as amended from time to time, shall apply.

12. MOTIONS & AMENDMENTS

- 1) Motions, other than routine motions, shall be submitted in writing before being debated. Routine motions such as motions to adopt, to receive, to file, to refer or defer, to table, to introduce or adopt, or to adjourn need not be in writing. All written motions shall be read by the Chairperson before being debated and again before being voted on.
- 2) The Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- 3) A Council member may make only the following motions when the Council is considering a question:
 - (a) to refer to committee;
 - (b) to amend;
 - (c) to lay on the table;
 - (d) to postpone indefinitely;
 - (e) to postpone to a certain time;
- 4) A motion made pursuant to section 12(3)(c) to (e) is not debatable.
- 5) Council must vote separately on each distinct part of a question that is under consideration at a council meeting if requested to do so by a Council member.
- 6) A Council member may, without notice, move to amend a motion that is being considered at a council meeting.
- 7) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- 8) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.
- 9) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote.
- 10) An amendment defeated by vote of Council may not be reintroduced.

13. PROCEEDINGS OF COMMITTEE OF THE WHOLE

- 1) **Resolving into Committee of the Whole.** Council may appoint a Committee of the Whole in the course of a Regular or Special Meeting with the adoption of a resolution

“That council do now resolve itself into a Committee of the Whole Meeting to discuss and make recommendation on ...” specifying the matter to be dealt with. If the matter to be discussed is one referred to in section 213(3) of the *Municipal Act* the Committee of the Whole meeting shall be closed to the public.

- 2) **Rise and Report.** When all matters referred to a Committee of the Whole have been considered, a motion to revert to Council shall be adopted.

14. BYLAWS

Council may not consider a proposed bylaw unless the Chief Administrative Officer has provided all Members with a copy of the bylaw along with the agenda for the meeting, and unless consideration of the bylaw is included on the agenda of the meeting.

15. FINANCIAL REPORTS

The Chief Administrative Officer shall, for the second Regular Meeting in each month, produce and include with the agenda provided to Members copies of statements of actual and budgeted revenue and expenditures for the current fiscal year and other data as may be requested by Council from time to time.

16. ACCOUNTS PAYABLE

The Chief Administrative Officer shall, at each Regular Meeting, produce and include with the agenda provided to Members copies of a list of accounts payable accumulated over the since the previous report, and that list shall include the name of the payees, a brief description of the goods or services purchased from each payee, and the amount payable.

17. ENACTMENT

- 1) Bylaw #05-18 and all amendments thereto are hereby repealed.
- 2) This Bylaw shall take effect on final adoption.

Notice of Intent this 27th day of April, 2011.

Read a first time this 11th day of May, 2011.

Read a second time this 27th day of July, 2011.

Read a third time and finally passed this 10th day of August, 2011.

Originals signed by
Peter Jenkins, Mayor

Originals signed by
Jeff Renaud, Chief Administrative Officer