

Rules of Procedure

Municipality of Garnish

Rules of Procedure for the Conduct of Meetings

The following by-law has been made by the Town Council of Garnish under the provisions of Section 7 (1)(a) of the towns and Local Service Districts Act.

Amended and adopted by the Town Council of the Town of Garnish on the 22nd day of APRIL, 2025.



Mayor



Town Clerk/Manager

Authority	Whereas section 7.(1)(a) of the Town and Local Service Districts Act requires that every Council shall adopt rules of procedure for its meetings; Therefore, the Council of the Town of Garnish enacts the following rules and Regulations:
Regular Meetings of Council	1. Regular meetings of Council shall be held on the third Monday of each month at 6:30 PM in the council chambers of the Town Hall, unless council, by resolutions, directs otherwise.
Special Meetings of Council	2. Special meetings of council may be called by either the mayor or any two members of council by giving written notice to the clerk.
Notice	3. Notice for all meetings of council shall be by way of the Agenda, which shall be provided to all members of council forty-eight Hours prior to each meeting. Notice can be provided electronically or in-person.

Meeting on a Legal Holiday	4. When the day fixed for a meeting of council falls on a legal Holiday, the said meeting shall be held on the next day following which is not a legal holiday.
Presiding Officer	5. In accordance with Section 36.(1) of the Towns and Local Service Districts Act, the Mayor shall preside at all meetings of council. In his/her absence, the Deputy mayor shall preside. In the absence of both the mayor and deputy mayor, a chairman shall be appointed from among the councilors present. Such chairman shall preside during the meeting or until the arrival of the mayor or deputy mayor.
Quorum	6. In accordance with section 43 of the Towns and Local Service Districts Act, a Quorum shall consist of a majority of councilors in office (exception, Municipal Conduct Act, conflict of interest).
If no Quorum	7. If there is no quorum present within fifteen minutes after the Time appointed for holding a meeting, the clerk shall call the roll and take down the names of the members then present. The meeting shall then stand adjourned until the next regular meeting. Those in attendance are accounted for.
Attendance	8. In addition to the mayor and councilors, the town clerk or Designate shall attend all meetings of council. 9. Department heads and other employees of council shall attend Meetings of council when requested to do so by council or the town manager.
Meetings Open to the Public	10. In accordance with section 40 of the Towns and Local Service Districts Act, all regular and special meetings of a town council and committees shall be open to the public. 11. Where a meeting is held as or declared to be a Closed Meeting, all members of the public present at the meeting shall leave. 12. Closed meetings can be used to discuss items under Section 41(1) of the Towns and Local Service Districts Act. 13. In accordance with section 41.(3) of the Towns and Local Service Districts Act, where a decision is made by the councilors at a closed meeting, the decision, in order to be valid, shall be ratified through the tabling of a formal motion and voted upon at a public meeting of council.

Minutes	14. Minutes of meetings of council shall be recorded by the town Clerk or acting town clerk. Such minutes shall contain; • All motions and resolutions coming before council, including The names of the movers and seconders thereof; • The names of all council members voting in favour or against Each motion, and the names of those abstaining, declared conflict of interest, rational and recorded time; • The title or brief description of all reports, petitions, and other Documents submitted to council. Reports accepted by council shall be attached to the minutes.
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Correction of Minutes	15. If any member of council objects to any portion of the minutes Of the preceding meeting, that member shall state the grounds of the objection, and if council agrees, the motion adopting the minutes shall contain the necessary corrections. If they do not agree, the objection to the minutes should be noted.
Agenda	16. Prior to each regular meeting of council, the clerk shall prepare An agenda of all business to be brought before the council. As indicated in Rule 3, the agenda is to be distributed to councilors forty-eight hours prior to council meetings. 17. Any member of council, up until two days before the council Meeting, may submit to the town clerk an item for inclusion on the agenda. 18. The format of the agenda shall be as follows: a. Calling of the meeting to order b. Adoption of minutes c. Business arising from minutes d. Delegations e. Committee reports f. Correspondence g. Finances h. Regulations i. General Business j. Notices of Motion k. Adjournment

Agenda for Special Meetings	19. When a special or privileged meeting is called for the consideration of some particular matter, the order of business as set out in Rule 17 shall not apply. Council shall proceed immediately to consideration of the business for which the meeting was called, and only the business specified in the notice calling the meeting shall be dealt with, unless otherwise decided by majority vote.
Order and Decorum	20. The presiding officer at any meeting shall preserve order during debate and maintain decorum at all times.
Disorderly Persons	20. The presiding officer may request a disorderly person to leave the meeting of council. A brief recess may be provided to allow for meeting to reconvene and exclude a disorderly person(s). In the case of the exclusion, an entry shall be made in the minutes of the reason for such exclusion. The safety of the public and municipal officials are critical, municipal officials are required to follow OHS processes. 21. Any member expelled from a meeting under the provisions of Rule 20 may be permitted, by a majority vote of councilors at the meeting in progress, to resume his place after making an apology to the presiding officer. Council must be aware of the Code of Conduct implication.
Notice of Motion	22. Every notice respecting the passing of a regulation shall be in Writing and be placed on the agenda by moving a motion at the previous meeting.
Motions during Debate	23. When a question is under debate, the following non-written Motions shall be in order: a. To extend the time of the meeting b. To refer or commit c. To amend d. To lay on the table e. To Postpone indefinitely f. To move the previous question

Motions to be seconded	24. Every motion shall be seconded before being debated. The Secunder shall be recorded in the minutes.
Withdrawal of Motions	25. When a motion has been moved and seconded, it cannot be withdrawn except with the permission of council and the mover and seconder, and then only before a decision has been taken or an amendment made.
Division of Motion	26. Any motion or question which contains several distinct Propositions may, by the direction of the presiding officer or upon the request of any member, be divided if the sense of the motion permits. The vote on each such division shall be taken separately. If a motion cannot reasonably be so divided, any request to do so shall be declared out of order by the presiding officer.
Addressing the Motion	27. Members of council shall address their remarks to the presiding officer and continue themselves to the question at hand.
Entitlement to Speak	28. If two or more members speak at the same time, the presiding Officer shall determine which member is entitled to speak. The presiding officer shall determine the order in which council will speak on a motion and this order can alternate in order to provide equal opportunity to speak on a matter.
Call to Order	29. The presiding officer may call a member to order while debate is in progress. The debate shall then be suspended and the member called to order shall not speak again until the point of order has been decided.
Appeal on a Point of Order	30. The decision of the presiding officer on a point or order is Subject to an appeal to council which is to be decided by majority vote without debate.
Member Speaking not to be Interrupted	31. When a member is speaking or a question is being put, no Member shall hold any private discourse or make any noise or disturbance or interrupt a speaker, except to raise a point of order, explain, or ask a question.

Length of Debate	32. No member, without the consent of council, shall speak longer Than five minutes at any one time, or more than once on any motion, or amendment thereto. The mover of a motion, however, may speak twice. Debate shall be closed after this second occasion.
Rereading of Motion	33. Any member of council may require the question or motion Under discussion to be read for information at any period during the debate, but not so as to interrupt a member speaking.
Voting	34. All decisions of council, unless otherwise specified either Under the Towns and Local Service Districts Act or under these Rules, shall be by majority vote of the members present.
Recorded Vote	35. In accordance with Section 44.(4) of the Towns and Local Service Districts Act, The clerk shall record the names of those voting in favour of the motion, those voting against the motion, and those abstaining.
No Secret Ballot	36. No vote shall be taken in council by secret ballot with the Exception of Section 28 and 29 of the Towns and Local Service Districts Act.
Reconsideration	37. Any question, except one of indefinite postponement, or one That has resulted in a tie vote, may be reconsidered, providing a notice of motion of reconsideration is given in accordance with Rule 22. 38. If the motion to reconsider is carried by a majority of members Present and voting, the main question shall then be read and will be open to debate the same as an original motion.
Tie Vote	39. In accordance with section 44(5) of the Towns and Local Service Districts Act, where there is a tie vote on a motion, the motion shall be considered to have been defeated.
Motion to Adjourn	40. A motion to adjourn is always in order except when: - A member is addressing the chair; - A vote is being taken; and - It has been decided that the previous question shall be taken. 41. A motion to adjourn the council meeting or adjourn the

	Debate cannot be amended and is not debatable. However, a motion to adjourn the council meeting or the debate to a given day may be amended and is open to debate. In order to adjourn a meeting, a seconder to adjourn is required. 42. No second motion to adjourn the council meeting or the Debate shall be made until some intermediate proceedings have transpired.
Previous Question	43. The "previous question" shall preclude all amendments of the Main question and shall be put in the following words; "That the question now be put." If the motion is resolved in the affirmative, the original question shall be voted on immediately without amendment or debate. If the motion is defeated, then the main question may then be debated and amended.

Motion to Postpone Indefinitely	44. A motion to postpone indefinitely shall not be amended, and When any question before council has been postponed indefinitely, it shall not be taken up again during the same meeting.
Motion to Lay on the Table	45. A motion to lay a question on the table shall not be debatable. However, a motion "to lay on the table" with addition, qualification or opinion, shall be subject to amendment and debate.
Motion to Suspend the rules	46. A motion to suspend the rules requires a two-thirds vote of Members present.
Privilege	47. Whenever a matter of privilege arises it shall be dealt with immediately by council.
Motion to Refer or Commit	48. A motion to refer or commit a matter under discussion shall Preclude all amendments of the main question until it is decided.

Authority to Form Committees	49. In accordance with Section 47 and 48 of the Towns and Local Service Districts Act Council determines the structure of the committees. For additional information, see Section 47 and 48.
Committees	50. Committees of council shall be appointed at the first Council meeting of each year and can be reviewed as required by council.
	CLARIFICATION AND AMENDMENT PROCEDURE
Amendment of Rule	20. Any motion to amend these rules must be presented to council In accordance with Rule 22, and must be passed by a majority vote.
Effective Date	21. These rules and resolutions shall become effective upon the Date of enactment.