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**BY-LAW 564-2018  
REGARDING THE RULES GOVERNING  
SITTINGS OF COUNCIL**

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EXPLANATORY NOTE

*This by-law consolidates and updates various rules of governing of sittings of council.*

*It reviews the statutory agenda of regular sittings and establishes the existence of caucus meetings, according to the Municipal Code.*

CONSIDERING Articles 150 and following of the Municipal Code;

WHEREAS Council intends on modernizing the governing rules and procedures;

WHEREAS a notice of motion was given by Councillor Claude P. Lemire at the regular meeting of January 16<sup>th</sup>, 2019;

WHEREAS the present by-law was presented at the regular meeting of January 16<sup>th</sup>, 2019;

CONSEQUENTLY, the municipal council decrees the following :

**CHAPTER I : DEFINITIONS**

1. **Definitions** – In the present by-law, unless the context indicates otherwise, have the meaning :

« adjournment » : the postponement of a council sitting which has not been completed to another day;

« non-legal day » : non-legal day as per the *Code de procédure civile* (L.R.Q., chapter C-25);

« suspension » : temporary interruption of a council sitting.

« municipal code » : the Quebec municipal Code.

**CHAPITRE II : SITTINGS OF COUNCIL**

2. **Council room** – Council holds its sittings in the Council room located at 567, Village road.

It may, by resolution, determine another location located on the Municipality's territory.

3. **Deliberations** – Deliberations must take place in a respectful, calm, dignified manner and must be audible and intelligible.

Any breach may be the subject of an immediate call to order by the Mayor.

4. **Presence of the public** - The public is admitted at the location designated for this purpose.

5. **French and English** – Council sittings are public and may be held in French and in English.

6. **Photos and recordings** – Anyone may photograph or record sittings of council with the Mayor’s authorization as long as this does not cause trouble or decorum.

7. **Order and decorum** – A person that attends sitting of Council must remain silent and refrain from causing trouble or decorum.

8. **Mayor’s authority** – The Mayor may take every measure that he deems necessary to ensure decorum and the safety of those attending the sitting of Council.

## **SECTION I**

### REGULAR SITTINGS OF COUNCIL

9. **Calendar of sittings** – Regular sittings of council are held as per the calendar determined by resolution.

## **SECTION II**

### SPECIAL SITTINGS OF COUNCIL

10. **Convening of special sittings** – Special sittings of Council are convened as per the provisions of the Municipal Code.

11. **Renunciation** – A council member attending a special sitting may renounce to the notice of convening of this sitting, in writing.

12. **Agenda** – At the time of the special sitting, Council may only take into consideration, the subjects specified in the agenda served with the notice of convening unless all of the members are present are in agreement.

## **SECTION III**

### CAUCUS

13. **Convening** - The mayor or director general may convening a caucus for Council at any time.

This committee is formed by all municipal council members.

14. **Closed-doors** – The caucus may be held behind closed-doors.

## **CHAPTER III : CHAIRMANSHIP OF SITTINGS OF COUNCIL**

15. **Mayor’s role** – The mayor presides over the sittings of council.

16. **Maintaining of order** – Along with presiding over the sitting of Council, the mayor must maintain order and decorum.

For this purpose, he may order that a person comply with this regulation.

He may order that a person disturbing a sitting be removed from the place where the sitting is held.

In the case of a commotion, the president may order the suspension of a sitting or an adjournment to the next legal day.

During a sitting, the mayor may rule on any question pertaining to the enforcement of the present by-law.

17. **Appeal** – a member may appeal to Council, the mayor’s decision.

This member may briefly expose the motives of this appeal, which is resolved without debate by the majority of council members in attendance.

18. **Right to speak** – The mayor is the only one able to grant the right to speak during sittings of council.

## **CHAPTER IV : PROGRESS OF SITTINGS OF COUNCIL**

19. ***Suspension of regulations*** - Council may, at any time, if members in attendance are in agreement, suspend the application of a procedure regulation stipulated in the present by-law, specifically, for the remainder of the sitting.

### **SECTION I**

#### **QUORUM, OPENING AND CLOSING OF A SITTING**

20. ***Quorum*** – The majority of Council members constitute a quorum.

21. ***Postponement*** – If, after 30 minutes after the time set for the beginning of the sitting, there is no quorum, two council members state, after having verified the time and names of members in attendance, the sitting is postponed for a future date.

A special notice of this postponement is given by the Director general and secretary-treasurer to the members of council who are not in attendance.

22. ***Loss of quorum*** – When indicated by the mayor, after the opening of a sitting, there is absence of quorum, he must delay for a maximum of 30 minutes.

At the end of this delay, two council members having stated failure of quorum, have the time and names of members in attendance registered and the sitting is adjourned to a later date.

A special notice of this adjournment must be given by the director general and secretary-treasurer to the members of council that are not in attendance at the time of the adjournment.

The sitting is set in order to allow the director general and secretary-treasurer to serve the necessary notices.

23. ***End of meeting*** – When Council has disputed all matters listed on the agenda, the mayor declares that the sitting is closed upon the proposition of a member.

### **SECTION II**

#### **AGENDA**

24. ***Preparation of the agenda*** – The director general and secretary-treasurer prepares the agenda for regular and special council sittings in accordance to the order stipulated in the present by-law.

25. ***Transmission*** – By the latest, 48 hours before the date stipulated for a regular sitting of council, the director general and secretary-treasurer forwards the agenda for the sitting to council members.

At the same time, he also provides council members with reports, draft by-laws as well any pertinent documents.

26. ***Agenda*** – The subjects submitted to Council are considered as follows :

1. Opening of the sitting and word of welcome;
2. Adoption of the agenda;
3. Adoption of the minutes;
4. Director general's monthly report;
  - 4.1 Report regarding the follow-up of dossiers
  - 4.2 Report regarding the use of delegated power
5. Finances and Administration;
  - 5.1 Expense statements
  - 5.2 Statement of financial activities
  - 5.3 Human resources
  - 5.4 By-laws and various resolutions
6. Public and fire safety;
  - 6.1 Director's monthly report
  - 6.2 Sûreté du Québec police department's activity report
  - 6.3 Human resources
  - 6.4 By-laws and various resolutions
7. Public works and infrastructures;

Modified by By-law 613-2021 (res. 50.02.21)

- 7.1 Director's monthly report
- 7.2 Public works, buildings and facilities
- 7.3 Parks and buildings
- 7.4 Report regarding the treatment of petitions and requests
- 7.5 Human resources
- 7.6 By-laws and various resolutions
- 8. Urbanism and Environment;
- 8.1 Director's monthly report
- 8.2 Report regarding permits and certificates
- 8.3 Animal protection and control society's activity report
- 8.4 Minor exemptions and SPAIP
- 8.5 Human resources
- 8.6 By-laws and various resolutions
- 9. Recreation, culture and community life;
- 9.1 Director's monthly report
- 9.2 Recreation
- 9.3 Culture
- 9.4 Outdoor network
- 9.5 Events
- 9.6 Human resources
- 9.7 By-laws and various resolutions
- 10. Monthly correspondence;
- 11. Councillor's declarations ;
- 12. Mayor's report;
- 13. Question period;
- 13.1 Oral questions and answers
- 13.2 Written questions and answers

### **SECTION III**

#### MINUTES

27. **Copy** – Copy of the minutes of the previous sitting of council must be forwarded to each council member, by the latest, 48 hours before the sitting at which it must be approved.

The registrar is then exempt from its reading before its approval.

### **SECTION IV**

#### WRITTEN COMMUNICATION TO COUNCIL

28. **Presentation of documents** – Whomever would like to forward a letter, petition, request, report or any other written document to council, must do so during the question period provided for at the meeting.

They must notify the registrar of their name, the name of the organization they represent, if applicable, and the address where a communication may be forwarded. However, the director general and secretary-treasurer may, with the mayor's authorization, refuse the presentation of a document that has vexatious.

29. **Follow-up** – All of these documents, after having been presented to Council, are referred to general management for appropriation action.

### **SECTION V**

#### MATTERS REQUIRING PUBLIC CONSULTATION

30. **Explanations** – At the time of a public consultation stipulated by Law or decided by Council or when the Law allows for an interested individual to be heard by Council regarding a matter listed in the agenda, the mayor or any other designated person, explains the subject of the consultation and then allows anyone interested to express themselves if necessary, to council members and provide additional explanations.

Regulations regarding deliberations and business conduct of a sitting of council applies to the holding of a public consultation by making the necessary adaptations.

31. **Date of the holding** – When Council deems it necessary and that it is decided by resolution, a public consultation stipulated by a policy, a Law or by-law, can be held at a date other than the regular or special sitting.

32. **Procedure** – During this consultation meeting, Article 30 applies by making the necessary adaptations.

Members of the Municipality's personnel may participate by supply all of the necessary information with the understanding of the subject on the agenda of the specified public consultation.

## **SECTION VII**

### **CITIZEN'S QUESTION PERIOD**

33. **Question period** – At each meeting, the public may ask questions to council members at the time of the period provided for this purpose.

34. **Duration** – At the time of a regular meeting, the question period should not last more than 60 minutes.

At the time of a special sitting, the question period should not last more than 15 minutes and must only pertain to the subjects listed on the agenda.

However, the duration of each period or part of question period may be extended with the consent of two thirds of the members in attendance.

The mayor may also put an end to the period when all of the citizens will have participated.

35. **Permission to speak** – The mayor gives permission to anyone wanting to ask a question.

36. **Obligation** – An individual wanting to ask a question must identify themselves by giving their name and by notifying the mayor to whom he would like to ask to question.

37. **Language and behaviour** – An individual asking a question must use proper language and proper behaviour.

38. **Number of questions** – An individual may ask no more than two questions during question period. However, the mayor may allow for an additional question to those already asked.

39. **Mayor's role** – When an individual intervenes without asking a question, the mayor may interrupt and ask them to ask a question.

The question must be clear, brief and must not surpass one minute, unless the mayor is in agreement.

The mayor may also refuse a question or interrupt and retract the right to speak to anyone who contravenes to the present by-law or ask a frivolous or vexatious question or of such a nature as to discredit the question period.

## **SECTION X**

40. **Residual provision** – Any procedure or situation not covered by the present by-law is decided upon pursuant to the pertinent provisions of the Municipal Code.

### **CHAPTER XIII :      INFRACTIONS AND PENALTIES**

41. **Respect of the Mayor's decisions** - Everyone must comply with the Mayor's order or council's decision rendered as per Article 16 of the present by-law.

42. **Respect for the by-law** – Individuals may not contravene nor allow to contravene to a provision of the present by-law.

43. **Infractions** – Whomever contravenes or allows to contravene to a provision of the present by-law commits an offence and is liable to a minimum fine of \$ 300 and a maximum of \$ 1,000.

In the case of a recurrence, the offender is liable to a minimum fine of \$ 600 and a maximum of \$ 2,000.

In every case, fees are added to the fine.

**CHAPTER XIV :      FINAL PROVISIONS**

44. **Repeal** – This by-law repeals and replaces By-law (484) regarding Council's internal management as well as any previous resolution regarding this matter.

45. **Entering into effect** – The present by-law enters into effect in accordance to the Law.

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Tim Watchorn  
Mayor

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Hugo Lépine  
Director general / secretary-treasurer