



**BY LAW NUMBER 2024-004
CONCERNING THE INTERNAL MANAGEMENT
OF THE MEETINGS OF COUNCIL OF
THE MUNICIPALITY OF BRYSON**

WHEREAS section 491 of the Municipal Code of Québec (section 331 of the Cities and Towns Act) allows council to adopt by-laws to govern the conduct of council proceedings and to ensure the maintenance of order and decorum during meetings;

WHEREAS Bill 57 - An Act to protect elected municipal officials and to promote the unhindered exercise of their functions and to amend various legislative provisions concerning municipal matters - was adopted on June 6, 2024;

WHEREAS the Municipality of Bryson wishes to take measures to maintain order and decorum at meetings of the Municipal Council;

WHEREAS it is appropriate for the municipal council to adopt a by-law to this effect;

WHEREAS a notice of motion under this Standing Order was given by Joanne Ralston at the council meeting of July 08th 2024;

IT IS PROPOSED by Joanne Ralston and unanimously resolved to adopt By-law 2024-004 Concerning the Internal Management of Council Meetings of the Municipality of Bryson.

Bylaw Adopted December 09th 2024.

BY-LAW NUMBER 2024-004

CONCERNING THE GOVERNANCE OF COUNCIL MEETINGS OF
THE MUNICIPALITY OF BRYSON

CHAPTER I PRELIMINARY

PROVISIONS

1. PURPOSE AND SCOPE

The Purpose of this bylaw is to determine the rules of internal management relating to the preparation and conduct of meetings of the municipal council.

2. DEFINITIONS

For the purpose of interpreting these regulations, unless the context otherwise requires, the following words or expressions shall mean:

Postponement of the meeting: Postponement of the meeting to a later date and or hour.

Amendment: means the alternative proposal that occurs during a deliberative meeting that has the effect of adding or subtracting certain words from the main proposal in order to accept one part and reject the other.

Notification: The act of bringing a document to the attention of interested persons. The notification may be made by any appropriate method that allows the notifier to provide proof of the delivery, sending, transmission or publication of the document. It is done in particular by the bailiff, by mail, by delivery of the document, by technological means or by public notice.

Proposer: The first elected official to support a proposal.

Suspension of the sitting: Temporary interruption of the sitting.

Adjournment: Meeting adjourned.

In writing: Means either by text message, email or any means of written communication that leaves a trace.

CHAPTER II
PREPARATION OF THE MEETINGS

3. COVENING A MEETING

Notice of a regular meeting must be sent to all members of council by written notice sent at least three days before the meeting is held.

Notice of a special meeting must be given to all members of council, other than those who call the meeting, at least two days before the day fixed for the meeting.

When the special meeting is called by two members of the board, they must, in order to benefit from the convening process normally used by the chair of the board or the secretary-treasurer, send to the executive director, at least two days before the date scheduled for the meeting, the notice of meeting mentioning the subjects and business on the agenda. If the notice of meeting has not been sent within this period, the two members must notify it themselves to the other members within the period established in the preceding paragraph.

4. AGENDA

4.1 PREPARATION OF THE AGENDA

The secretary-treasurer shall cause to be prepared, for the use of the members of the council, a draft agenda for any regular meeting, which shall be sent to the members of the council, together with the documents available no later than 72 hours before the meeting is held. Failure to complete this formality does not affect the legality of the session.

A member of City Council who wishes to add an item to the draft agenda must send by email at least five days before the meeting the items he or she wishes to include on the agenda, as well as relevant documentation.

4.2 AGENDA ITEMS

The agenda must be drawn up according to the following model:

- a) Opening of the meeting
- b) Adoption of the agenda
- c) Adoption of the Minutes
- d) Business arising from recent meetings
- e) Mayor's report
- f) Question Period; See sections 2 Point.20
- g) Correspondence and Information
- h) Administration
- i) Finance
- j) New Business
- k) Committee Meetings and Reports
- l) Diverse
- m) Question period; See sections 2 Point.20
- n) Adjournment of the sitting

The items on the agenda are called according to the order in which they are.

4.3 MODIFICATION OF THE AGENDA

The agenda of a regular meeting shall be completed and amended, if necessary, before its adoption, at the request of any member of the municipal council.

A discussion may take place, but a decision will not be made without having all the necessary information and documentation

4.4 DOCUMENTS USEFUL FOR DECISION MAKING

All documentation useful for decision-making is available to the members of the council no later than 72 hours before the time set for the start of the meeting, unless there are exceptional circumstances

CHAPTER III OF COUNCIL MEETINGS

SECTION1: GENERAL

5. HOLDING OF THE MEETINGS

Regular meetings of the Board shall be open to the public and shall be held at least once a month in accordance with the schedule established by resolution of the Board before the beginning of each calendar year, on such days and times as may be fixed therein and which may be amended by resolution

Council meetings will be held at Bryson City Hall, 833 rue principale, at 7 p.m., unless otherwise stated in the notice of meeting.

6. SPECIAL SESSIONS

Apart from the regular meetings provided for in this chapter, special meetings may be called at any time by the Mayor of the Council, the Secretary-Treasurer or by two members of the Council.

At a special meeting, only the subjects and matters mentioned in the notice of meeting may be transacted, except with the unanimous consent of the members of the council, if they are all present

7. CHAIRING OF COUNCIL MEETINGS

The council shall be chaired at its meetings by the mayor or deputy mayor or, failing that, by a member chosen from among the councillor's present

8. DELIBERATIONS

Deliberations must be conducted in a respectful, calm, dignified manner and in a loud and intelligible manner. Any failure to comply may be the subject of an immediate appeal to order by the president.

9. FREEDOM OF SPEECH

Every elected official has a strict right to freedom of speech. He has the right to submit his proposals, to discuss them and to demand a vote without prejudice to the exercise of this right. However, he will have to comply with the established rules of procedure so as not to exercise this privilege to the detriment of his colleagues.

10. RESTRICTIONS ON FREEDOM OF SPEECH

An elected representative does not speak until he has indicated, by raising his hand, his intention to make himself known to the president of the assembly.

Thus, an elected official must first obtain the consent of the president before speaking so as not to deprive his colleagues of the right to speak that he himself enjoys. The president of the council gives the floor to the elected official according to the order of the requests.

Consequently, an elected representative will not be able to interrupt a colleague who has the floor, unless it is to call him to order.

SECTION 2: CONDUCT OF THE SESSIONS

11. OPENING OF THE SITTING AND QUORUM

11.1 VERIFICATION OF QUORUM AND ATTENDANCE

The quorum of the municipal council is a majority of its members. After verifying the quorum, the president opens the meeting of the council.

In the case of a special meeting, the council must first note and mention in the minutes of the meeting that the notice of meeting has been duly notified to the members of the council who are not present at the opening of the meeting.

If it appears that the notice of meeting has not been notified to all the absent members, the meeting must be closed immediately, under penalty of nullity of any procedure adopted.

11.2 LACK OF QUORUM

When a quorum is not present, the members of the council present may adjourn the meeting one hour after the lack of quorum has been established. The time of the adjournment and the names of the members of council present shall be recorded in the minutes of the meeting.

11.3 LOSS OF QUORUM

A quorum must be maintained throughout the meeting. If during the sitting the chair officially declares that a quorum is lacking, the chair may adjourn the sitting or, in the case of a temporary loss of quorum, the chair may also suspend the sitting until a quorum is restored.

12. RESOLUTIONS AND BY-LAWS

Resolutions and by-laws are presented by an elected official who explains the project to the board, or, at the request of the president, by the executive director. The president of the meeting then asks for a proposer of the draft resolution or regulation.

Once the project has been presented and proposed by the elected official, the president of the council must ensure that all the members of the council who wish to express their opinion on the issue have had the opportunity to do so.

Finally, once the draft resolution or by-law has been presented or proposed, and once all members of council who wish to vote on the matter have had an opportunity to do so, a member of council may request a vote or a request for an amendment to the bill.

13. AMENDMENTS

Unless otherwise provided, any draft resolution or regulation may be amended. Amendments must relate to the same subject matter as the original draft resolution or rules of procedure and may not run counter to their principles. They only aim to remove, add or replace words.

After the adoption of an amendment, the debate resumed on the original draft as amended. It can be the subject of a new amendment. In the event that the amendment is rejected, the council decides on the original draft.

The rules applicable to votes on the original draft apply to votes on amendments.

14. READ REQUEST

Any member of council may, at any time during the debate, require the reading of the original proposal or amendment. The president, at the request of the president, must then read it.

15. OPINION OF THE DIRECTOR GENERAL

At the request of the chair of the meeting, the executive director may give his opinion or make such observations or suggestions as he considers appropriate with respect to the matters under discussion.

16. DECISION BY VOTE

Any decision must be taken by a majority of the members present, except where the law requires otherwise.

When the votes are equally tied, the decision is considered to have been rendered in the negative. On the other hand, the mayor will have the authority to cast the tie-breaking vote. This action will be considered an exercise of the mayor's veto power, thus determining the outcome of the vote. In accordance with the Act respecting elections and referendums in municipalities.

Votes are cast in person and are recorded in the board's record book. However, the reasons of each member of the council, during a vote, are not recorded in the minutes.

17. ABSENTIONS

Except for the president of the meeting, any member present at a meeting of the council is required to vote on pain of the penalties provided for in the law, unless he is exempted or prevented from doing so because of his interest in the question concerned, in accordance with the *Act respecting elections and referendums in municipalities*.

18. REFERRED QUESTION

Where a matter is not sufficiently mature, is amenable to numerous amendments, requires additional information, or for any other plausible reason, council may, if it deems it beneficial, choose to refer the matter to a municipal committee which will study the matter and report its findings to council.

19. TIMING AND DURATION OF QUESTION AND COMMENT PERIODS

Council meetings include two question periods.

The first question period is at the very beginning of the session and the second at the end.

The first question period will be allocated to general questions from the public.

The second question period will be delegated solely to questions concerning the session agenda.

Each speaker shall have a maximum of five minutes to ask a question and a follow up question, after which the chair of the sitting may close the intervention.

The same procedure will be implemented for extraordinary sessions.

Question periods may end prematurely if there are no more questions to the Board.

The Chair of the Board may, if necessary, extend the question periods.

20. RULES GOVERNING QUESTION PERIODS

Any member of the public in attendance who wishes to ask a question or provide a comment must:

- A) Identify themselves beforehand by stating their name and relationship to the municipality;
- B) Address the chairman of the session;
- C) Ask only one question and one follow up question on the same topic. However, no person may ask a new question or a new sub-question when all persons who wish to address the council have done so, and so on in turn until the expiry of the question period;
- D) Address in polite terms and do not use abusive and libellous language.

21. ANSWERS TO QUESTIONS

The Board member, executive director or chair to whom the question was addressed may either respond to the question immediately, respond to the question at a subsequent meeting, or respond in writing.

Each member of the Board may, with the permission of the Chair, complete the response

22. QUESTIONS AND COMMENTS ALLOWED

Only matters of a public nature will be permitted, as opposed to matters of private interest that do not concern the business of the municipality.

Exclusion of human resource matters: Questions or discussions relating to human resources matters, including but not limited to employee performance, disciplinary action and personal grievances, are not permitted at public meetings. These matters must be addressed through written complaints and given to the Director General.

23. PROCEDURES FOR WRITTEN SUBMISSIONS TO THE COMISSION

Any member of the public who wishes to table a petition, report, letter or other document for council may do so during question periods at a public meeting of council. The president then took note of the tabling.

Outside of public meetings of the council, the secretary-treasurer may also receive such documents then submits the documents to the mayor's office, who will then send the information to councillors for information and discussion.

24. SUSPENSION, ADJOURNMENT AND CLOSURE OF SITTINGS

Any regular or special meeting may be suspended by the council until another hour of the same day or adjourned to a subsequent day, without notice of the adjournment being given to the members who were not present.

However, in the event that the adjournment is caused by lack of quorum, special written notice of the adjournment shall be given by the Secretary-Treasurer to the members of the Council who were not present at the time of the adjournment. The notification of this notice must be recorded, when the adjourned sitting resumes, in the same way as that of the notice of convening of an extraordinary meeting.

No new business may be submitted or taken into consideration at the resumption of an adjourned special meeting unless all members of the council are present at that time and consent.

When the items on the agenda have been exhausted, the chair shall close the meeting in accordance with the procedure established for the adoption of resolutions.

CHAPTER IV ORDER AND DECORUM

25. CONDUCT OF MEMBERS OF THE PUBLIC

Any member of the public present at a meeting of council must remain silent, refrain from interfering with the proper conduct of the meeting, and obey any order of the chair relating to order and decorum.

Any member of the public present at a meeting of the Board who wishes to address a member of the Board or the Executive Director and Secretary-Treasurer may do so only during question periods.

Respectful Treatment of Employees: During any public meeting or interaction, all participants must demonstrate respect. Public humiliation or denigration of employees is strictly prohibited. Any concerns or criticisms about individual employees should be addressed privately and respectfully, outside of public forums.

Under article 159 of the Municipal Code; The Chair of the Board maintains order and decorum and decides matters of order, except when called to the Board. The court may order the expulsion from the place where a meeting of the council is held of any person who disturbs the order.

26. POWER OF THE PRESIDENT

The chairman of the council maintains order and decorum and decides on matters of order during meetings of the council, unless called to the council. He can order the expulsion of any person who disturbs the order.

27. USE OF RECORDING DEVICES

27.1 VISUAL RECORDING

The use of any photographic, video, television or other camera is authorized only in the spaces reserved for this purpose and only on the condition that the use of the device is done silently and without in any way disturbing the holding of the meeting.

Only members of council and officers assisting them, as well as, during question periods only, persons asking questions of members of council, may be captured by a camera, video camera, television camera or other image recording device.

27.2 AUDIO RECORDING

The use of a mechanical or electronic voice recording device is authorized during meetings of the municipal council, provided that the use of the device is done silently and without disturbing the holding of the meeting in any way.

The device used must remain in the physical possession of its user, or be placed on a table or on a designated space identified for this purpose. With the exception of the Municipality's device, neither the recording device, nor the microphone or any other component of this device shall be placed on the council table in front of or near the council.

28. SANCTIONS

Any person who acts in contravention of the sections provided for in this chapter is guilty of an offence and is liable to a fine of not less than \$200 for a first offence and \$400 for a subsequent offence, in no case shall the said fine exceed \$1,000. The fee for each violation is extra.

If the offender fails to pay within the time limit set by the Court, he or she will be liable to the penalties provided for in the Code of Penal Procedures of Québec (R.S.Q., c. C-25.1).

CHAPTER V FINAL PROVISION

29. COMING INTO FORCE

This law shall come into force according to the law.