

**COUNCIL PROCEDURES BYLAW**  
Bylaw 196/05



---

Being a Bylaw of the Hamlet of Fort McPherson in the Northwest Territories to provide for the procedures in council meetings and to establish the terms of reference for the standing committees pursuant to the provisions of the Hamlets Act, R.S.N.W.T 2003 Section 23 to 42.

Now therefore, the Council of the Hamlet of Fort McPherson, in a duly assembled meeting enacts as follows:

**1. Short Title**

This by-law maybe cited as the “ Council Procedures By-law.”

**2. Interpretation**

In this By-law;

“ Council” means the Council of the Hamlet of Fort McPherson.

“ Councillor” means a member of Council, other than the Mayor duly elected.

“ Committee” means a committee appointed by Council.

“ Hamlet” means the Hamlet of Fort McPherson.

“ Mayor” means the Mayor of the Hamlet of Fort McPherson duly elected

## COUNCIL PROCEDURES BYLAW

Bylaw 196/05

“ Presiding officer” means the Mayor, Acting Mayor or any Councillors who may be presiding over a meeting of Council or a Committee appointed by Council:

“ Officer” means the Chief Administrative Officer, or an employee of the Hamlet appointed as an officer pursuant to the Municipal Statutes Replacement Act of the Northwest Territories.

“ CAO” means the Chief Administrative Officer.

### **3. Suspension or modification**

3.1 Except where bound by terms and provisions of an Act of the Northwest Territories or Act of Parliament, Council may suspend, by Resolution unanimously approved by the Members present at a meeting, any or all of the rules established by this bylaw in whole or in part for that meeting.

3.2 Neither this bylaw nor any provisions contained in it may be repealed, amended or suspended by Council when in session (except so far as the terms thereof shall permit) unless by a council resolution and at which at least six (6) members voted in favor thereof.

### **4. Meetings**

4.1 Regular Meetings of Council shall be held on the second and last Tuesdays of each month. Council may, by resolution, change the date of a Regular Meeting.

4.2 Public notice of all meetings shall be given at least three (3) days in advance.

## **COUNCIL PROCEDURES BYLAW**

### **Bylaw 196/05**

4.3 Regular meetings of Council shall be a maximum of three (3) hour' s duration. A resolution receiving unanimous consent of the Councillors present must be passed in order for the meeting to continue.

4.4 The Mayor or two (2) Councillors may call a special meeting by notifying the Chief Administrative Officer in writing stating the subject/s to be discussed. Mayor and Councillors shall receive, in writing, a twenty- four- (24) hour notice of a Special meeting giving the time, place and nature of the business. Only the subject/s stated in the agenda may be discussed at any special meeting.

4.5 The Mayor, any two (2) Councillors, or the Emergency Measures Coordinator may call an emergency meeting at any time and business conducted at this meeting shall be reported to council at its next regular meeting. The only business that can be conducted at such a meeting is the immediate emergency at hand.

4.6 A quorum shall consist of a majority of the members of Council except during an emergency meeting, where those members of Council attending shall constitute a quorum. If a quorum is not present thirty (30) minutes after the appointed time for the meeting, the Mayor shall cancel the meeting.

4.7 The Mayor or any Councillor missing three (3) consecutive regular meetings of Council must provide to Council with reasons for each absenteeism at the next (fourth) meeting. If the Council is not satisfied that the reason presented are justified, Council may at its own discretion, declare that seat vacant.

4.8 The Mayor shall be responsible for chairing Regular, Special or Emergency meetings for Council. In the absence of the Mayor, the Deputy- Mayor shall assume the chair. If the Deputy Mayor is absent and a quorum is present, a

**COUNCIL PROCEDURES BYLAW**  
Bylaw 196/05

chair shall be selected from those constituting the quorum. Should the Mayor or the Deputy Mayor arrive later, he/she shall assume the chair.

4.9 The Mayor shall be responsible for preparing an agenda for Council Meetings, in conjunction with the CAO. The Mayor shall ensure that all letters, information and reports are circulated at least three (3) days before the Council meeting, along with the agenda for the meeting.

4.10 The agenda shall list the order of business in the following manner:

- Opening Prayer
- Declaration of Conflict of Interest
- Adoption of Agenda
- Adoption of Minutes from Previous Meetings
- Delegations/Public Hearings/Bylaws
- Committee Minutes and Reports
- Old Business
- New Business
- Concerns from Council and Public
- Correspondence & Information Items
- Adjournment

4.11 The Business of Council shall always be dealt with in the order set out in the agenda unless Council decides, resolution of Council, on a different order of Business.

4.12 Minutes of all Council meetings shall be recorded by the C.A.O or his/ her Assistant. When the C.A.O. or his/her assistant is not present, the Council shall, by resolution, appoint a person to serve as a Recording Secretary for the meeting in order to record the minutes of all meeting. Resolutions of Council shall be

**COUNCIL PROCEDURES BYLAW**  
Bylaw 196/05

consecutively numbered commencing with #001 at the first regular meeting of the Council in the New Calendar Year.

**5. Conflict of Interest**

5.1 A Councillor is considered to be in conflict if the Councillor has a direct or indirect pecuniary interest, as defined in the " Conflict of Interest Act" of the Northwest Territories.

5.2 When a Councillor has any direct interest in any matter in which Council is considering, and is present at the meeting at which the matter is the subject of consideration, the Councillor shall declare interest in the matter before Council or Committee of Council. The Councillor shall state the nature of the interest and remove himself/herself from the meeting during consideration of the matter.

5.3 Every Declaration of interest shall be recorded in the minutes of the meeting.

**6. Oath of Office and Secrecy**

6.1 The release of confidential information that Council receives through the course of their duties may have a significant impact on the Hamlet' s ability to manage its affairs or to maintain a perception of impartiality and integrity with its residents.

To protect the interests of the Hamlet, its residents and the public, confidential information that Council members receive through their duties must not be divulged to anyone other than persons who are authorized to receive the information both during their term of office or after they complete their term of office.

## COUNCIL PROCEDURES BYLAW

Bylaw 196/05

6.2 Failure to comply with the Oath of Office and Secrecy could result in disciplinary action up to and including removal from office.

6.3 In the case of a former member of Council, failure to comply with the Oath of Office and Secrecy may result in legal action against the former member of Council.

6.4 A copy of the Oath of Office shall be attached as Appendix A.

### 7. Decorum

7.1 Every member intending to speak on any matter shall signify their intent to the Presiding Officer and, upon being recognized, shall address only the Presiding Officer.

7.2 Members shall address the Presiding Officer as “ Mr. or Madam Mayor” , “ Your Worship” , or “ Mr. or Madam Chair” .

7.3 No member may speak more than twice to a motion and no speech longer than five minutes shall be permitted except with the consent of Council by resolution.

7.4 No member of Council shall use offensive words, speak disrespectfully, or make personal remarks or comments regarding one' s personal life in referring to any member of the Council, a delegation, any member of the public or any officer or employee of the Hamlet.

**COUNCIL PROCEDURES BYLAW**  
Bylaw 196/05

7.5 No member of Council shall neither indulge in personalities in the course of debate nor reflect on the motives of members who may have voted for a particular motion.

7.6 Use of profanity or vulgar language is prohibited.

7.7 In all cases not provided for in this bylaw, Robert' s Rules of Order shall be followed so far as they may be applicable.

***8. Committees of Council***

8.1 Each standing and Special Committee shall be composed of at least three (3) Members of Council.

8.2 The Mayor is an Ex-officio member of all Committees.

8.3 In any Committee, two (2) of its members shall be a quorum.

8.4 Regular meetings for standing Committees shall be fixed as to date and time by council and shall only be changed by resolution of Council.

8.5 Every member of a regular or special committee has one vote for each item presented at a meeting of that committee providing the member is in attendance.

8.6 Special meetings of any Committee may be called whenever it is deemed necessary by the chairman or any two (2) Members of that committee and all Council members shall be notified.

**COUNCIL PROCEDURES BYLAW**  
Bylaw 196/05

8.7 The general duties of all committees of Council shall be to report to Council whenever it may require them to do so and to recommend such action as may be deemed necessary.

8.8 All reports and recommendations of standing and special committees shall be put in writing and no reports shall be referred to the Committee of the Whole or Council until printed copies of the report have been given to the members unless Council decides otherwise by resolution. A motion to this effect must be put to the vote without debate.

**9. Council Elections**

9.1 Mayor and Council shall be elected every two (2) years by means of a general election.

9.2 If a vacancy occurs within Council, the vacancy shall be filled by means of a by-election.

9.3 Council may postpone the vacancy until the next general election by conducting a vote and the majority of Council votes in favor of the postponement.

9.4 Notwithstanding any vacancy on Council, Council may proceed with any business at hand and may establish committees and make appointments to these committees.

**10. Conduct**

**COUNCIL PROCEDURES BYLAW**  
Bylaw 196/05

10 The Mayor or any Council member may be removed from their position for the following reasons;

10 a. A conviction of an offense under the Criminal Code (Canada), Controlled Drug and Substance Act or the Liquor Act.

10 b. A breach of Council Oath and Secrecy.

10 c. A contravention of Motion Number 11-12(6), Declaration on Family Violence adopted by the Legislative Assembly of the Northwest Territories.

**11. Deputy Mayor**

11.1 At the first meeting after an election year, Council will elect a Deputy Mayor by way of a vote via a nomination or expression of interest who shall serve for a period of one calendar year, at which time another vote shall be held for the position

11.2 No person shall serve for more than one consecutive term.

**12. Repeal**

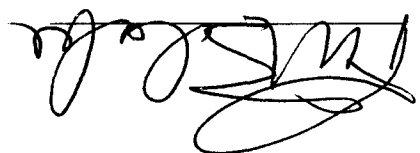
By-laws, 109/95, 123/98, 140/99, 166/01, 177/02 and 182/03 are hereby repealed.

Read a first time this 11<sup>th</sup> day of January, 2005.

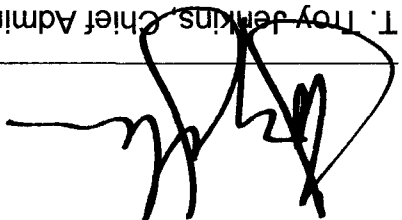
Read a second time this 11<sup>th</sup> day of January, 2005.

Read a third and final time this 25<sup>th</sup> day of January, 2005.

**COUNCIL PROCEDURES BYLAW**  
Bylaw 196/05



Mayor Phillip M. Blake



T. Troy Jenkins, Chief Administrative Officer