

THE RURAL MUNICIPALITY OF MORRIS

BY LAW NO. 1111.

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF MORRIS TO REGULATE THE PROCEEDINGS OF THE COUNCIL OF THE MUNICIPALITY OF MORRIS AND THE COMMITTEES THEREOF.

WHEREAS Section 97 of "The Municipal Act", being Cap. M225 of the Statutes of Manitoba 1970 provides as follows:

"The council of each municipality may, by by-law, make regulations not contrary to law, respecting matters for which provision is not specifically made herein, and, without restricting the generality of the foregoing,

- (a) for governing the organization and proceedings of the council;
- (b) respecting the time and place of holding its meetings; and
- (c) for the calling of special or general meetings thereof;

and generally, but subject to The Public Health Act and any other Act of the Legislature and regulations made thereunder, may make such other regulations for the health, safety, morality, and welfare of the inhabitants and for the peace, order, and good government of the municipality as the council deems to be necessary or advisable."

AND WHEREAS Section 127 (1) of the said Act provides as follows:

"The council of each municipality may appoint committees, composed of as many of its members as it deems expedient; and it may delegate to them or any of them, its powers respecting

- (a) the examination of any question;
  - (b) the management of any business; and
  - (c) the execution of specified duties;
- or any of those powers; but not the revision of the assessment roll or the making of any contract."

AND WHEREAS it is necessary and expedient to make and establish rules and regulations according to which the proceedings of the Council of the Municipality of Morris and the Committees thereof shall be governed and conducted.

NOW THEREFORE THE COUNCIL OF THE RURAL MUNICIPALITY OF MORRIS, DULY ASSEMBLED IN OPEN COUNCIL, ENACTS AS FOLLOWS:

1. In all proceedings had or taken in the Municipal Council of the Rural Municipality of Morris, the following rules and regulations shall be observed and shall be the rules and regulations for the order and despatch of business in the said Council and in the Committees thereof, subject to the provisions of "The Municipal Act".
2. All proceedings of council shall be governed and conducted in accordance with Sections 113 to 142 inclusive of "The Municipal Act", being Cap. M 225 of the Statutes of Manitoba 1970, which shall form part of this by-law and which shall supersede all sections of this by-law inconsistent therewith.
3. The Council of the Rural Municipality of Morris (hereinafter referred to as the "Council") shall hold its first meeting in each year following the regular election on the fourteenth day next following the day on which a regular election is held, at 10 A.M., in the Council Chambers of the Rural Municipality of Morris, at the Town of Morris. The Council shall meet thereafter on the second Thursday of each month in the Council Chambers, at the Town of Morris, at the hour of 10 A.M., or at such other time and place as shall hereafter be fixed by resolution of the Council.

Continued: -

3. If such day or any regular meeting day shall be a legal holiday the said meeting shall be held upon the next following day which is not a legal holiday at the same time and place. The Head of Council may, on two clear days written notice given through the Clerk's office postpone any regular meeting of the Council to a day to be named in such notice, and such postponed meeting shall be held at the time and place provided in this section.
4. When at any session of the Council the hour of five o'clock in the afternoon shall be reached, the Reeve or other Presiding Officer shall declare the Council adjourned and leave the chair, unless the Council by unanimous resolution determines otherwise.
5. Special meetings of the Council may be convened at any time by the Head of the Council or by one-fourth of its members, by giving before the day of the meeting twelve hours notice of such meeting to all members of the Council. Such notice shall be oral or in writing and if in writing shall be mailed by the clerk to the address of each member of the Council and shall contain notice of the subjects which are to be taken into consideration. Special meetings shall be held at the ordinary place of meeting of the Council at the hour fixed for ordinary meetings, unless otherwise determined by the notice of the meeting, by an adjournment or by a by-law of the Council. Before proceeding to business at a special meeting Council shall, if such is the fact, set forth in the minutes of that meeting that the notice of meeting has been issued in conformity with the requirements of "The Municipal Act" and of this by-law to all members who are not present at the opening of the meeting.
6. As soon after the hour of meeting as there is a quorum present the Reeve or other Presiding Officer shall take the chair and call the members to order.
7. Every member previous to his speaking shall address the chair.
8. When two or more members address the chair at the same time, the Chair shall name the member who is to speak first, but in the case of any dissatisfaction, the other members may put the question as to which shall be heard.
9. When the Chair is called on to decide a point of order or practice he shall do so without comment unless requested so to do.
10. When the Chair is putting a question no member shall walk across or out of the Council Chamber or make any noise or disturbance, and when a member is speaking no other member shall hold discourse or interrupt him except to raise a point of order, nor pass between him and the chair.
11. A member called to order shall immediately sit down, but may afterwards be permitted to explain, and the Council if appealed to shall decide on the case without debate; if there be no appeal the decision of the chair shall be final.
12. No member shall speak beside the question in debate.
13. Any member may require the question, motion or document under discussion to be read for his information at any time during the debate but not so as to interrupt a member while speaking.
14. No member other than the one proposing a question or motion (who will be permitted to reply) shall speak more than once on the same question without leave of the Council except in explanation of a material part of his speech which may have been misconceived, but he is not to introduce new matter.
15. No member shall speak to the question or in reply for longer than five minutes without leave of the Council.

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16. A motion to adjourn takes precedence over all others and may be moved at any time, but this question cannot be received after another question is actually put and while Council is engaged in voting.
17. No motion shall be debated or put unless the same is in writing and is seconded, excepting only a motion to adjourn which shall not require to be in writing.
18. A motion that has been read may be withdrawn at any time before decision or amendment with the permission of the mover and seconder.
19. If the Reeve or other Presiding Officer desires to take part in the debate, he shall vacate the chair and shall call on one of the Councillors to fill his place until he resumes the chair.
20. Immediately before putting the question the Chairman shall have the privilege of summarizing the debate, but he shall not introduce new matter.
21. The Order of the Day shall have preference to any motion before the Council.
22. The Order of the Day, unless otherwise determined by the Reeve, shall be as follows:
  1. Calling the Council to Order.
  2. Reading and Confirming the Minutes.
  3. Reading of Correspondence.
  4. Delegations at 2 P.M.
  5. Reports of Committees.
  6. Reception of Petitions.
  7. By-Laws.
  8. Unfinished Business.
  9. New Business.
  10. Accounts.

By-Laws

23. By-Laws shall be introduced by motion for leave, or a motion to appoint a committee to prepare and bring in, or by an order of the Council or on a report of a committee.
24. Every by-law shall receive three separate readings before it is finally passed. Not more than two readings may be given at any one meeting unless, by a majority vote of the whole council, this requirement is suspended. (Sec.183 (2))
25. A proposed by-law may be amended on any reading thereof.
26. By-laws may be amended at any regular meeting by a vote of a majority of the entire Council; and notice of such amendment shall be given orally or in writing at the regular meeting previous to the meeting at which the amendment is considered.
27. When a by-law is read in council the clerk shall certify each reading on the back thereof.
28. Every by-law which has been passed by the Council shall immediately be signed by the Reeve, or other Presiding Officer and the clerk, and be sealed with the municipal seal, and shall be deposited by the clerk in a place of security in his office.
29. In forming a Committee of the Whole the Chairman shall leave the chair, prior to which he shall appoint a Chairman to preside with the same authority in the chair as the Head of the Council.
30. The rules of the Council shall be observed in the Committee of the Whole as far as may be applicable, except the rules limiting the number of times of speaking.
31. On motion of the Committee of the Whole to rise and report the question shall be decided without debate.

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32. At the first meeting of each newly elected council there shall be appointed annually by resolution the following committees, which shall compose the Standing Committees of the Council:
  - (a) Committee on Roads.
  - (b) Committee on Drainage.
  - (c) Committee on Finance.
  - (d) Committee on Equipment.
  - (e) Committee on Protective Services.
  - (f) Committee on Employee Relations.
  - (g) Committee on Morris Montcalm Weed Control.
  - (h) Committee on Building Maintenance
33. The Reeve shall be "ex officio" a member of all Standing and Special Committees, with the privilege of voting thereon.
34. Of the number of members appointed to compose any Standing or Special Committee, a majority shall constitute a quorum competent to proceed to business.
35. Regular meetings of the Standing Committees shall be held as may be determined by the Council or the Committee.
36. Special meetings of committees may be called by the chairman or by a majority of the members of the committee in the same manner as special meetings of council as provided in Section 5 of this by-law.
37. A Special Committee may be appointed at any time by resolution specifying the business to be dealt with by the committee.
38. The meetings of any of the Committees of Council may be attended by other members of Council, who shall not be allowed to vote; and such members, with the permission of the majority of the members of the committee, may be allowed to take part in any discussion.
39. The Committee Chairman shall preside at every meeting and shall vote on all questions submitted (unless he is personally interested) and in case of an equal division the question shall fail to be passed by the committee.
40. The Committee Chairman shall sign all such reports and documents as the committee may legally order.
41. Minutes of the transactions of the committee shall be kept, including all reports and recommendations to council. All such reports or recommendations shall be presented to council, either in writing or by an oral statement, by the chairman or an authorized member of the committee.
42. The general duties of committees shall be as follows:
  - (a) To report from time to time on all matters connected with the duties imposed on the committee and to recommend such action as may be deemed necessary.
  - (b) To prepare and introduce into council all such by-laws as may be necessary to give effect to the reports or recommendations that are adopted by the Council.
  - (c) To consider and report respectively on any and all matters referred to them by the Council.
  - (d) To perform all the duties prescribed by law, including the Statutes of the Dominion of Canada and the Province of Manitoba as well as the by-laws of this municipality.

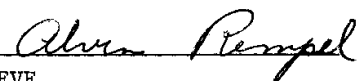
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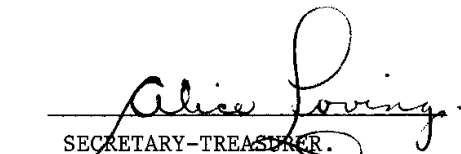
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43. No member of Council shall resist the rules or disobey the decision of the Reeve, or the Presiding Officer or, in the case of appeal, of the Council on questions of order or practice or in the interpretation of the rules of the council; and in case any member shall resist or disobey, he may be ordered by the Reeve, or other Presiding Officer to leave his seat for the meeting, and in case of his refusal to obey he may be removed therefrom by the constable for contempt of the Council and its rules. But, in case of ample apology being made by the offender, he may, by vote of the Council, be restored forthwith.
44. That in all points of order and procedure not provided herein Council and its Committees shall follow the rules of the Canadian House of Commons as interpreted in Beauchesne's.
45. That all By-Laws of the Rural Municipality of Morris, inconsistent herewith are hereby repealed.
46. That this by-law comes into force, and takes effect on the day it receives final passage by Council.

DONE AND PASSED in council assembled at the Council Chambers of The Rural Municipality of Morris, at the Town of Morris, Manitoba, this 18th day of DECEMBER A.D., 1978.

RURAL MUNICIPALITY OF MORRIS

  
REEVE.

  
SECRETARY-TREASURER.

Read a first time this 8th day of NOVEMBER A.D., 1978;  
Read a second time this 16th day of NOVEMBER A.D., 1978;  
Read a third time this 18th day of DECEMBER A.D., 1978, and finally passed.