



Town Council Meeting Rules of Procedure By-Law

Resolution No: 25-268

Approval date: July 10, 2025

Purpose

Pursuant to the authority vested in it under the Towns and Local Service Districts Act, T-6.2, Section 7(1)(a)., and all other powers enabling it, the following By-law has been created by the Town of Stephenville to establish Rules of Procedure for Town Council Meetings.

Procedure

1. Title

These regulations shall be known and cited as the Town of Stephenville Council Meeting Rules of Procedure By-law

2. Interpretation/Definitions

- 2.1. "Council" shall mean the Town of Stephenville Council.
- 2.2. "CAO" shall mean the Chief Administrative Officer of the Town of Stephenville.
- 2.3. "Clerk" shall mean the Town Clerk of the Town of Stephenville.
- 2.4. "Employee" or "Employees" shall mean any individual under an employment contract with the Town of Stephenville, including all members of staff, volunteers, contractors and members of Council.
- 2.5. "Council meeting" shall mean any meeting of the Town of Stephenville Council or its committees.
- 2.6. "Town" shall mean the Town of Stephenville.
- 2.7. "The Act" shall mean the Towns and Local Service Districts Act, 2025

3. Application

These regulations shall apply to all town council meeting, including open and closed meeting, and their attendees.

4. Meeting Information

In accordance with Section 40, of the Towns and Local Service Districts Act, all Council Meetings shall be open to the public, including public meeting, special meeting and committee meeting, unless it's closed in accordance with Section 41 of the Act.

The Town Clerk is responsible for calling all council meeting at the request of the mayor or two councillors outside the meeting schedule.

In accordance with Section 42 of the Act, a Councillor may participate remotely and shall be considered in attendance. The Chair must always attend in-person.

In extenuating circumstances where an in-person Council Meeting is not possible, the meeting may be held remotely via video conferencing. Council Meetings are typically available through live streaming on the Town's website, with options available for viewing after the meeting.

The Town Clerk or designated shall attend all meeting of council.

A councillors request to attend a meeting remotely should be received by the Town Clerk or designate in their absence a least twenty-four (24) hours before the start of the meeting.

Notice of absence from members of council shall be provide to the Town Clerk as soon as possible to commencing the meeting.

5. Council Meeting

Council Meetings serve as the primary forum for elected municipal officials to discuss important issues, make decisions, and carry out the business of the Council.

A regular or special meeting of council can be adjourned, by way of a motion of council, in order to conduct a privileged meeting to discuss a topic as stated above. Once the privileged meeting has concluded, the public meeting will resume. The public gallery will be asked to leave for the duration of the privileged meeting. Once a motion is passed to adjourn for a privileged meeting, live streaming will go into intermission and the broadcast will be paused.

Council of the Whole meeting or standing committee are open to the public, however, can be closed meeting to address matters as outlined in the ACT.

5.1 Regular Meetings of Council

A schedule of the regular meetings shall be approved annually by resolution of the Town Council and shall set out the date, time and place.

Public notice of regular meeting shall be advertised at least 24 hours prior to the meeting through the town's website, and social media platforms.

All councillors shall provide notice of absent to the Town Clerk preferably a minimum of twenty-four notice prior to the meeting.

These meeting shall be lived streamed and recorded for public viewing.

New business during the Regular Public Meeting of Council is limited to items of information, notice of upcoming events, attendance at previous events or congratulatory items. It is not intended for substantive items or those which require decisions or debate, unless otherwise decided by unanimous consent.

5.2 Special Public Meetings of Council

Special public meeting of council may be called for a specific reason between regular public meeting of Council.

Where a special meeting is called the Clerk shall give notice to all Councillors by delivering notice at least 24 hours before the time set for the meeting.

Public notice for special public meeting of council is to be provided at least 24 hours prior to the meeting and advertised on the town's website and social media platforms and the meeting shall be live steamed and recorded

The only business to be dealt with at a special meeting is that which is listed in the notice of the meeting or agenda or otherwise decided by majority vote.

The format of the agenda shall be:

1. Calling of the meeting to order
2. Adoption of the agenda
3. Agenda items
4. Adjournment

5.3 Committee Meetings

The purpose of these meeting is to discuss and review matters in detail before making recommendation to the Regular Public Meeting for final decision. The Town Clerk will provide minutes to the meeting to reflect what was discussed, not what individual councillors or staff said.

Committee of the whole meeting may replace all standing committees of council and consist of all members of council.

If standing committees are formed, the council shall appoint councillors to serve on the committees and appoint a chair of each committee, the mayor would be an ex-officio.

Regular schedule for committee meeting will be agreed upon by council and will remain in effect for the term of council unless otherwise approved by council.

Any decisions of council made at a committee meeting is not valid until that decision is brought forward and ratified by a vote of council at a public meeting.

Where a meeting is held as or needs to be declared to be a closed meeting, public in attendance must leave.

In the event a Committee meeting that is not a privileged meeting is held outside the regular schedule date and time, public notice for the meeting will be provided a least 24 hours prior to the meeting via the town's website, and social media platforms.

Committee meeting are not live streamed or digitally recorded.

5.4 Closed Meeting

In accordance with Section 41 of the Towns and Local Service Districts Act, meetings or parts of meetings may be closed to the public to discuss matters, including but not limited to:

- Personal, legal, financial, or proprietary information;
- Labour relations;
- Land acquisition or disposal negotiations;
- Matters subject to solicitor-client privilege.

If a privileged meeting is to be called outside of regular meeting schedule the Town Clerk is responsible for calling privileged meeting at the request of either the Mayor or any two (2) members of Council.

All councillors shall be provided with a minimum 24 hours' notice prior to the meeting, unless urgent matter needs to be addressed.

No business shall be conducted at the privileged meeting of Council other than that specified in the notice of such meeting, unless otherwise decided by majority vote.

Attendance is limited to Council, Chief Administrative Office, Deputy Administrative Officer, Town Clerk, and only those who council wish to be present.

In accordance with the act, minutes of the meeting shall record the date of the meeting, attendees, reason for the meeting. The minutes shall be brief and not reveal the detailed information or discussions that took place.

Any decision made by council during the meeting is not valid until the decision is brought forwarded and ratified by vote of councillors at a public meeting. shall be documented by a resolution. The decision shall be ratified at a public meeting where required.

The format of the agenda shall be:

1. Calling of the meeting to order
2. Adoption of the agenda
3. Agenda items
4. Adjournment

6. Presiding Officer

The Mayor, or in their absence, the Deputy Mayor shall preside at all public council meeting. In the absence of both the Mayor and Deputy Mayor, councillors shall appoint a chairperson.

The mayor or other person presiding at a meeting of a town Council who wishes to take part in debate may, in accordance with this section, be replaced as the presiding officer for the period during which the mayor or presiding person is speaking.

The duties of the Presiding Officer are to ensure order and decorum throughout the meeting as per the Rules of Procedure, and such order and decorum shall be followed by all in attendance, including council, staff and member of the gallery.

The Presiding Officer must always attend in person, except in the event of extenuating circumstances.

7. Entitlement to Speak

The council lead shall have the first opportunity to speak to their item. Every member intending to speak on any matter shall signify their intent to the Presiding Officer and upon being recognized shall only address the Presiding Officer. If two or more members raise their hand to speak, the Presiding officer shall determine, as required, which member is entitled to speak first

8. Order and Decorum

The Presiding Officer at any meeting shall preserve order during debate and maintain decorum at all times.

All debate and discussion should be carried out in a professional manner respecting the rights and views of all present. Any speaker who has the floor should not be interrupted by another member. Inappropriate language and personal attacks shall not be tolerated and may lead to expulsion from the meeting by a majority vote of council. In the case of the exclusion of a member of Council, an entry shall be made in the minutes of the reason for such.

It is the responsibility of each member of council to be prepared for a meeting and review all materials pertaining in advance of the meeting.

The Town's Respectful Workplace Policy and Codes of Conduct shall apply to all members of council, and staff.

Members of the gallery must maintain order and remain quiet. Conversation or discussions by members of the public are not permitted so as to not interrupt or disturb council session.

Members of the gallery must refrain from addressing members of the council unless permitted to do so.

When a member of the gallery, at any public council meeting or committee meeting engages in unacceptable behaviour or conduct, as determined by the Presiding Officer, the Presiding Officer will provide a warning to desist. If, in the option of the presiding officer, the behaviour continues, the individual may be requested to leave the meeting. This would be recorded in the minutes.

9. Quorum

In Accordance with Section 43 of the Act, a quorum shall consist of a majority of councillor in office or otherwise approved by the Minister of Municipal Affairs and Community Engagement. If no Quorum is present within fifteen minutes after the time appointed for the meeting, the clerk shall call the roll and take down the names of the member present, and the meeting shall than stand adjourned until the next regular meeting.

Where one or more councillors have declared conflict of interest and the number remaining is not sufficient to constitute a quorum, the number of councillors remaining, where not less than two, shall be considered to constitute a quorum for purposes of discussion and voting on the matter being considered.

10. Conflict of Interest

A councillor shall not abstain from voting on an item unless the Councillor is required to abstain from voting because of a conflict of interest under the Municipal Conduct Act.

The presiding officer shall advise council if a councillor or staff member is in a known conflict of interest if its not declared and request a decision in accordance with Municipal Conduct Act.

All municipal officials, all staff and volunteers are subject to the conflict-of-interest provisions as set out in Municipal Conduct Act.

11. Agenda

Prior to each meeting of council, the clerk shall prepare an agenda of all business to be brought before the council. The agenda is to be distributed to Councillors at least twenty -four (24) hours prior to the meeting.

Any member of council or departmental representative shall submit to the Town Clerk items for inclusion on the agenda for committee meeting.

Correspondence or information from the public shall be received by the Town Clerk or designate in order to be included on the agenda.

12. Minutes

Minutes of public meetings of Council shall be recorded by the town clerk or designate. 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 of or against each motion, and the names of those abstaining, declaring conflict of interest, rational, and recorded time;
- The title or brief description of comments will be provided for the purpose of the minutes, not a lengthy description of conversations.
- The Town Clerk will distribute draft minutes of council before the next Public Meeting, unless otherwise an administrative error is noted, no edits will be made before being reviewed and adopted at a Public Meeting of Council.

- Minutes of the Public Meeting of Council will be published to the Town's Website following their adoption.

13. Correction of Minutes

If any member of Council objects to any portion of the minutes of the preceding meeting, that member shall state the grounds of 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.

14. Use of Mobile Devices

All Mobile Devices, including cell phone, tables, computers and other electronic devices must be on silent or vibrate prior to the commencement of all meeting.

Any work – related records created and recorded on any devices including personal devices, is subject to the Provincial Government Access to information and Protection of Privacy Act.

15. Motions

All business is introduced by a motion. A motion, or resolution, is a formal proposal that is discussed and voted on at a meeting. Motions must be moved and seconded before discussed. If a seconder is not found, the motion cannot be discussed, and the meeting is to move on to other items of business. If another motion is on the floor, only procedural motions may be moved.

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.

15.1 Addressing the Motion

Members of Council shall address their remarks to the presiding officer and continue themselves to the question at hand.

15.2 Question of Privilege

A Councillor may raise a question of privilege at any time and no seconder is required. The Presiding Officer rules on whether the point is of privilege and normally, no vote is taken.

15.3 Rereading of Motion

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.

15.4 Point of Information

A motion is used to seek information from the speaker or the Presiding Officer, it is also used to interrupt a speaker to get or correct information. No seconder or vote is required.

15.5 Withdrawal of Motions

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 of an amendment has been made

15.6 Call to Order

The presiding officer may call a member to order while a 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

15.7 Appeal on a Point of Order

The decision of the presiding officer on a point of order is subject to an appeal to Council, which is to be decided by majority vote without debate.

15.8 Member Speaking not to be Interrupted

When a member is speaking or a question is being asked, no member shall hold any private discourse, make any noise or disturbance, or interrupt a speaker except to raise a point of order, explain, or ask a question.

16. Motions During Debate

Assists in modifying, amending, or disposing of a main motion. These motions take precedence over the main motion and are listed below in order of rank:

16.1 Lay on the Table

To temporarily set aside the pending business without setting a specific time for resuming its consideration. This motion is not intended to permanently delay or avoid the business at hand. It is intended to address an urgent matter

requiring immediate attention or to accommodate a member of the public with a vested interest in a matter later on the agenda.

16.2 Previous Question (Call the Question)

To close debate and move directly to a vote on the pending motion. If this motion passes, all debate on the motion ends, and it is put to a vote. Two-thirds vote is necessary to adopt this motion, as it limits the rights of debate

16.3 Postpone to a Certain Time

To postpone further discussion of an issue until a certain time. If postponed to the next meeting, the motion will automatically be included on the agenda. This motion must be seconded and debatable.

16.4 Motion to Commit or Refer

A motion to commit or refer is used where Council feels that further information is required, typically at the Committee of the Whole level, on a matter before a decision is taken. The motion may specify a time limit by which the matter should be reported to Council. This motion must be seconded and is debatable.

16.5 Friendly Amendment

To allow minor changes to a motion before it is formally stated by the Presiding Officer. Before the Presiding Officer states the motion, the mover may accept suggested changes without consulting the seconder. After the Presiding Officer states the motion, any proposed changes must be treated as formal amendments, requiring debate and a vote unless unanimous consent is provided.

16.6 Amend

Amendments must relate directly to the main motion (germane) and may be proposed in one of three ways:

1. Add words within or at the end of the motion;
2. Remove specific words or paragraphs; or
3. Replace specific text or substitute an entire paragraph.

Amendments are voted on in reverse order:

1. Secondary amendments are voted on first.
2. Primary amendments are voted on next.
3. The main motion (as amended, if applicable) is voted on last.
4. If there is general agreement, amendments may be approved without formal vote.

16.7 Postpone Indefinitely

To dispose of a motion without directly voting on it. This motion is commonly used to avoid voting on an awkward or controversial main motion. It prevents the motion from being reconsidered during the same meeting. This motion must be seconded and is debatable.

17. Motions That Bring a Question Again before the Council:

This class of motions brings back before the Council, business that has already been adopted. There is no ranking among the motions.

17.1 Rescind: Amend Something Previously

To entirely strike out a main motion, section, paragraph or rule that has previously been adopted, a motion to rescind can be made. If it is desired instead to change the previously adopted business, the motion to amend something previously adopted can be made.

Approval of either form of the motion requires

1. Two-thirds vote, or
2. a majority vote when notice of intent was given at the previous meeting or in the call of the meeting.

When something has been done as a result of the initial vote that is impossible to undo, these motions are not in order.

18. Notice of Motion

Prior to Councils consideration with the introduction of a By-Law, regulation, amendment or a specific action by the council, a Notice of Motion, must be tabled at a Regular meeting of Council.

The councillor making the Notice of Motion shall read the motion and there will be no discussion or debate.

At the next Public Meeting of Council, the Notice of Motion shall be moved by the Councillor making the Notice of Motion, and if seconded, shall be treated as a resolution of council as noted above.

19. Voting

All decision of council, unless otherwise specified under the Act or under these rules, shall be majority vote of the Councillors in attendance at the meeting except where a vote of 2/3 of the Councillors in office is required as specified in the Towns and Local Service Districts Act.

A Councillor shall not abstain from voting on a motion or resolution unless they are required to abstain due to a conflict of interest, as defined under conflict of interest under the Municipal Conduct Act, or they have been permitted to abstain by majority vote of the other councillors in attendance at the meeting.

A Motion must be made and carried in order for a member of Council to abstain from voting. The councillor requesting permission to abstain must provide a reason, and cannot vote on this motion

Where one or more Councillors abstain from voting on a motion due to provisions under the Municipal Conduct Act, and the number of Councillors remaining at the meeting is not sufficient to constitute a quorum, the number of Councillors remaining, where not less than two, shall be considered to constitute a quorum for purposes of discussion and voting on the matter being considered by the Council.

20. Standing Committees

Standing committees of Council shall be appointed by unanimously consensus of council. Members are appointed Annually.

21. Special Committees

Special committees of Council shall remain in effect only until the purpose for which they were set up has been accomplished. Special committees will automatically expire at the end of each year unless struck again by Council.

22. Advisory Committee

In accordance with Section 48 of the Towns and Local Service Districts Act, membership on advisory committees of Council is not limited to members of Council but rather may include members of the public appointed by a majority vote of Council at the discretion of Council.

23. Representation on External Committees

Member of council may be appointed to external committees or organizations where council representation is required. Such appointments must be ratified at a public meeting of council.

24. Committee Secretary

The Town Clerk or designate shall act as secretary to each committee of council

25. Review and Amendments

All sections of these rules and Governing Procedures have been developed in accordance with the Towns and Local Services District Act and Municipal Conduct Act.

This document is reviewed as required following new information or knowledge. In cases where this By-Law does not address specific situation of council meeting, the most recent edition of Roberts Rules of Order shall apply.

26. Repeal of Previous By-laws and Amendments

All previous rules of procedure of the Town of Stephenville Council are hereby repealed.

Adoption

The Town of Stephenville Rules of Procedure for the Conduct of Meetings By-law was adopted by Resolution of Council, this 10th day of July, 2025.