



CANADA
PROVINCE OF QUEBEC
MRC BROME MISSISQUOI
MUNICIPALITY OF WEST BOLTON

BY-LAW No. 466-2024
RESPECTING THE INTERNAL GOVERNANCE OF
COUNCIL MEETINGS OF THE MUNICIPALITY OF WEST BOLTON

WHEREAS section 491 of the Municipal Code of Québec allows Council to adopt by-laws to regulate the conduct of Council proceedings to maintain good order and decorum during meetings;

WHEREAS the Municipality of West Bolton wishes to take action to maintain order and decorum at Municipal Council meetings;

WHEREAS it is expedient that Council adopt a by-law to that effect;

WHEREAS a notice of motion for this by-law was given at the meeting of November 11, 2024;

NOW THEREFORE, it was moved by Councillor Marie-Blanche Richer, seconded by Councillor Loren Allen and unanimously resolved that the following by-law be adopted:

TITLE

Article 1

The preamble forms an integral part of these by-laws.

Article 2

Regular Council meetings shall be held in accordance with the schedule established by Council resolution, on such days and at such times as may be fixed therein and that may be amended by resolution.

Article 3

Council shall meet in the Council chamber at the West Bolton Town Hall located at 9 Town Hall Road, West Bolton, Quebec J0E 2T0, or at such other place as may be fixed by resolution.

Article 3.1

A member of Council may, if he or she wishes, participate remotely in a Council meeting by a means that allows all persons participating in or attending the meeting to see and hear each other in real time, in the following situations:

1. At a special meeting;
2. For a reason related to the member's health or safety, or the safety of a loved one and, if a health reason is invoked, for a maximum of three (3) regular meetings per year or, if applicable, for the duration indicated in a medical certificate attesting that it is necessary for the member to participate remotely;
3. Due to an impairment resulting in a significant and persistent disability that constitutes an impediment to their in-person participation in Council meetings;
4. Due to pregnancy or the birth or adoption of their child, in which case their remote participation may not exceed the following number of consecutive weeks:

- a) 50, if the person was not absent for reason of pregnancy or birth or adoption of a child in accordance with section 317 of the *Act respecting elections and referendums in municipalities* (chapter E-2.2);
- b) The number resulting from subtracting from 50 the number of weeks during which the councillor was absent for a reason referred to in subparagraph (a).

Remote participation is permitted only if the member participates in the session from a location in Quebec or a neighbouring province.

The minutes of the meeting must mention the name of any member of Council who participates remotely.

Where a majority of the members of Council participate remotely in a meeting, the Municipality shall make a video recording of the meeting and make it available to the public, on its website or on any other website designated by the Municipality by resolution, beginning on the business day following the day on which the meeting adjourned.

Article 4

Council meetings are public.

Article 5

Deliberations must be made aloud and intelligibly.

Article 6

Unless otherwise stated in the notice of meeting, special Council meetings shall begin at 7:00 p.m.

ORDER AND DECORUM

Article 7

Council meetings shall be chaired by the mayor or the deputy mayor or, failing that, by a member chosen from among the Councillors present.

Article 8

The mayor or any person presiding in place of the mayor shall maintain order and decorum and decide matters of order during Council meetings unless the matter is appealed to Council. The mayor or the person presiding can order the expulsion of anyone who is disruptive.

AGENDA

Article 9

The Clerk-Treasurer (the Clerk) shall cause to be prepared, for the use of the members of Council, a draft agenda for any regular meeting that shall be sent no later than seventy-two (72) hours in advance. Failure to complete this formality does not affect the legality of the session.

Article 10

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

- a) Call to Order
- b) Adoption of the Agenda
- c) First Question Period
- d) Adoption of the Minutes of the Previous Meeting (English and French)
- e) Correspondance
- f) Administration
 - 1) Presentation of Accounts
 - 2) Adoption of By-laws
 - 3) Notice of Motion – Proposed By-laws
 - 4) Committee Reports
- g) Roads and Infrastructure
- h) Environment
- i) Public Security
- j) Health and Well-being

- k) Recreation and Culture
- l) Varia
- m) Second Question Period
- n) Adjournment

Article 11

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

Article 12

The agenda of a regular meeting may, after its adoption, be amended at any time, with the consent of a majority of the members of Council present.

Article 13

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

RECORDING DEVICES

Article 14

It is forbidden to film and photograph inside the place where Municipal Council meetings are held, and the use of any photographic camera, video camera, television camera or other camera is prohibited.

Article 15

The use of a mechanical or electronic voice recording device is authorized during municipal Council meetings, 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 and identified space. Neither the recording apparatus nor the microphone or any other component of the recording apparatus shall be placed on or near the table of Council, in front of it, or in any place other than those indicated above.

QUESTION PERIOD

Article 16

Council meetings include two question periods:

- 1) In the first question period, those present may ask only questions concerning the agenda.
- 2) In the second question period, those present may ask oral questions to members of Council.

Article 17

The first question period is for a maximum of ten (10) minutes at each meeting but may end prematurely if there are no more questions addressed to Council.

The second period shall last a maximum of thirty (30) minutes at each meeting but may end prematurely if there are no more questions addressed to Council.

Persons who reside in the territory of the municipality or who own an immovable or occupy a business establishment located in this territory have priority to ask a question.

If there is time left after these people have asked their questions, any other person may ask a question to Council.

Article 17.1

Individuals wishing to have priority for residents and owners must register with the Clerk-Treasurer (Clerk), providing proof of their identity and ownership, if necessary.

The registration period begins thirty (30) minutes before the start of the session and ends five (5) minutes before the start of the session.

Article 18

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

- a) Identify himself/herself;
- b) Address the Chair of the meeting;
- c) Declare to whom the question is addressed;
- d) Ask only one question and one sub-question on the same topic. However, any person may ask a new question as well as a new sub-question, when all persons who wish to ask a question have done so, and so on in turns until the expiry of the question period;
- e) Be polite and do not use abusive and libellous language.

Article 19

Each speaker shall have a maximum of two (2) minutes to ask a question and a sub-question, after which the Chair may put an end to the question.

Article 20

The member of Council to whom the question was addressed may either answer the question immediately, respond to it at a subsequent meeting, or answer it in writing.

Article 21

Each member of Council may, with the permission of the Chair, complete the response.

Article 22

Only matters of a public nature will be permitted, as opposed to matters of private interest not relating to the affairs of the Municipality.

Article 23

Any member of the public present at a Council meeting who wishes to address a member of Council or the Director General may only do so during Question Period.

Article 24

Any member of the public present at a Council meeting who addresses a member of the Council or the Director General during Question Period may only ask questions in accordance with the rules set out in sections 18, 19, 22 and 23.

Article 25

Any member of the public present at a Council meeting must refrain from shouting, heckling, singing, making noise or take any other action likely to hinder the smooth running of the meeting.

Any member of the public present must show respect to Council members and other members of the public who are present.

Article 26

Any member of the public present at a Council meeting must obey an order of the Chair relating to order or decorum.

WRITTEN REQUESTS

Article 27

Petitions or other written requests addressed to Council or to any of the members shall not be placed on the agenda or read at the meeting, except as provided by law.

APPLICATION PROCEDURES, RESOLUTIONS AND DRAFT BY-LAWS

Article 28

An elected representative does not speak until he/she has indicated an intention to do so by raising his/her hand. The Chair gives the floor to elected representatives in the order in which the requests were received.

Article 29

Resolutions and by-laws are presented by an elected official who explains the draft to Council or, at the request of the Chair, by the Clerk.

Once the draft has been presented, the Chair must ensure that all members of Council who wish to speak on the matter have had an opportunity to do so.

Once the draft resolution or by-law has been presented and all members of Council who wish to speak on the matter have had an opportunity to do so, a member of Council may table a request for an amendment.

Article 30

When a request for an amendment is made by a member of Council, Council must first vote on the amendment presented. When the amendment is adopted, Council then votes on the original draft as amended. When the amendment is not adopted, Council votes on the original draft. The rules applicable to voting on the original draft shall apply to voting on amendments.

Article 31

Any member of Council may at any time during the debate require that the original draft or amendment be read and the Chair, or the Clerk, at the request of the Chair, shall read same.

Article 32

At the request of the Chair, the Clerk may give his or her opinion or make such observations or suggestions as he considers appropriate with respect to the matters under consideration.

VOTING

Article 33

Votes shall be cast in person and, at the request of a member of Council, they shall be entered in the book of proceedings of Council.

Article 34

Except for the Chair, every member of Council is required to vote under penalty of the sanctions provided for in the Act, unless he or she is exempted or prevented from doing so because of his or her interest in the matter concerned, in accordance with the *Act respecting elections and referendums in municipalities* (CQLR, c. E-2.2).

Article 35

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

Article 36

When there is a tie in the votes, the decision is considered to have been rendered in the negative.

Article 37

During a vote, the reasons of each member of Council are not recorded in the minutes.

ADJOURNMENT

Article 38

Any regular or special meeting may be adjourned by Council to another time of the same day or to another day, without the need to notify members who were not present about the adjournment;

No new business may be submitted or considered at an adjournment of a special meeting unless all members of Council are present and consent to it.

Article 39

- a) When a quorum is not attained, two members of Council may adjourn the meeting thirty (30) minutes after the absence of a quorum is noted. The time of the adjournment and the names of the members of Council present shall be recorded in the minutes of the meeting.

In such a case, a special written notice of the adjournment shall be transmitted by the Clerk to the members of Council who were not present at the adjournment. The service of this notice must be recorded, on the resumption of the adjourned meeting, in the same manner as that of the notice to convene a special meeting.

Special notice of such adjournment shall be given by the Clerk to the members of Council who are absent at the time of the adjournment.

The time of the adjournment, the names of the members of Council present, the day and the time at which the meeting was adjourned shall be entered in the book of proceedings of Council.

PENALTY

Article 40

Any person who acts in violation of sections 14, 15, 18E., 23 to 26 and 28 of this by-law is guilty of an offence and is liable to a minimum fine of \$200 for a first offence and \$400 for a subsequent offence, up to a maximum of \$1,000. The fee for each violation is extra.

If the offender fails to pay within the time limit set by the Court, he/she will be liable to the penalties provided for in the *Code of Penal Procedure of Québec* (CQLR, c. C-25.1).

INTERPRETATIVE AND FINAL PROVISIONS

Article 41

Nothing in this by-law shall be construed as limiting the powers granted by law to members of Council.

Article 42

This by-law will come into force in accordance with the Act.

Denis Vaillancourt
Mayor

Léa Laplante, Director General
and Clerk-Treasurer

Notice of Motion:
Adoption:
Publication:
Coming into force:

November 11, 2024
December 9, 2024
December 20, 2024
December 20, 2024