

THE TOWN OF CARMAN
By-Law No. 69/1092

A by-law of the Municipality of The Town of Carman to regulate the proceedings of the council of the Municipality of The Town of Carman and the committees thereof.

WHEREAS Section 291 of "The Municipal Act", being Cap. 173 of the Revised Statutes of Manitoba 1954 and amendments thereto provides as follows:

"Every municipal corporation may make regulations not specifically provided for by this Act and not contrary to law, for governing the proceedings of the council, the conduct of its members, the appointing or calling of special or general meetings of the council, and generally such other regulations for the health, safety, morality, and welfare of its inhabitants as the corporation requires."

AND WHEREAS section 329 (1) of the said Act provides as follows:

"The council may appoint committees composed of as many of its members as it deems expedient, and it may delegate to them its powers respecting the examination of any question, the management of any business, or the execution of specified duties, but not for the revision of the assessment roll."

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 The Town of Carman and the Committees thereof shall be governed and conducted.

NOW THEREFORE THE COUNCIL OF THE MUNICIPALITY OF THE TOWN OF CARMAN DULY ASSEMBLED ENACTS AS FOLLOWS:

1. In all proceedings had or taken in the Municipal Council of the Municipality of The Town of Carman, 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 314 and 343 inclusive of "The Municipal Act", being Cap. 173 of the Revised Statutes of Manitoba 1954 and amendments thereto, 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 Municipality of The Town of Carman (hereinafter referred to as the "Council") shall hold its first meeting in each year on the first Tuesday in January in each year at the hour of ten in the morning at the Memorial Hall, Carman. The Council shall meet thereafter on the second and fourth Thursdays of each month in the Council Chamber at the Memorial Hall, Carman, Manitoba at the hour of seven thirty in the evening, or at such other time and place as shall hereafter be fixed by resolution of the Council. 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 Mayor 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 eleven o'clock p.m. shall be reached, the Mayor 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 any time by the Head of the Council or by one-fourth of its members, by giving before the day of the meeting twenty-four hours notice of such meeting to all members of the Council. Such notice shall be in writing and 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 the 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 Mayor or other Presiding Officer shall take the chair and call the members to order.
7. Every member previous to his speaking shall address the chairman.
8. When two or more members address the chairman at the same time, the Chairman 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 Chairman 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 Chairman 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 is no appeal the decision of the chairman 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 in 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.
16. A motion to adjourn takes precedence of 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 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 majority of the Council.
19. If the Mayor or other Presiding Officer desires to take part in the debate, he shall vacate his 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.

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21. The votes on any resolution or issue before council shall be recorded in the minutes of the proceedings of the Council if the voting thereon is not unanimous.
22. The Order of the Day shall have preference to any motion before the Council.
23. The Order of the Day, unless otherwise determined by the Mayor, shall be as follows:
 1. Calling the Council to order
 2. Reading and confirming the minutes
 3. Delegations
 4. Reception of Petitions and Communications
 5. Accounts
 6. By-Laws
 7. Unfinished Business
 8. Reports of Committees
 9. General Business
24. 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.
25. All by-laws shall be read in council twice before any amendments shall be made.
26. Every by-law shall receive three separate readings previous to being passed, which readings may take place on one day or at one sitting of the Council, except where otherwise required by The Municipal Act.
27. By-Laws may be amended at any regular meeting by a vote of a (two-thirds) 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.
28. When a by-law is read in council the clerk shall certify the readings on the back thereof.
29. Every by-law which has been passed by the Council shall immediately be signed by Mayor or other Presiding Officer and the clerk and be sealed with the municipality, and shall be deposited by the clerk in a place of security in his office.
30. 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.
31. 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.
32. On motion of the Committee of the Whole to rise and report the question shall be decided without debate.

COMMITTEES

33. 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. Administration and Finance
 - B. Protective Services
 - C. Committee on Transportation Services
 - D. Environmental Health Services
 - E. Committee on Public Health and Welfare
 - F. Environmental Planning & Community Services
 - G. Economic Development Services
 - H. Recreation and Cultural Services
 - I. Waterworks Utility

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34. The Mayor shall be "ex officio" a member of all Standing and Special Committees, with the privilege of voting thereon.
35. Of the number of members appointed to compose any Standing or Special Committee, a majority shall constitute a quorum competent to proceed to business.
36. The members of each Standing and Special Committee shall meet as soon as convenient after they are so appointed for the purpose of organization, which shall include the election of a committee chairman from among themselves.
37. Regular meetings of the Standing Committees shall be held as may be determined upon.
38. 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.
39. A Special Committee may be appointed at any time by resolution specifying the business to be dealt with by the committee.
40. 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.
41. 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.
42. The Committee Chairman shall sign all such reports and documents as the committee may legally order.
43. Minutes of the transactions of the committee shall be kept including all reports and recommendations to council. All such reports or recommendations shall be in writing and signed by the chairman and shall refer to the minute of the committee under which it is issued.
44. 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, which reports shall be presented to the Council by the Chairman of the Committee.
 - (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.
45. The special duties of the Standing Committees, in addition to the aforesaid general duties, shall be as follows:
 - A. Administration and Finance
 - (1) To consider and report on all matters relating to the provision of general administrative and general government services.
 - (2) To recommend to Council at the beginning of each year a detailed estimate of the cost of providing such services throughout the year.
 - B. Protective Services
 - (1) To consider and report on all matters relating to law and order within the jurisdiction of the Council, fire protection and emergency measures.
 - (2) To recommend to Council at the beginning of each year a detailed estimate of the cost of providing such services throughout the year.

C. Committee on Transportation Services

- (1) To consider and report on all matters relating to municipal land, buildings and equipment, including the acquisition, maintenance and disposal thereof, and street lighting.
- (2) To consider and report on all matters relating to highways (as defined in The Municipal Act), the opening, closing, altering, diverting and maintenance thereof.
- (3) To recommend to Council at the beginning of each year such projects, work and matters under its control as it considers essential to be carried out during the year for the welfare of the municipality, together with a detailed estimated cost of same.

D. Environmental Health Services

- (1) To consider and report on all matters relating to environmental health, including garbage, disposal, disposal sites, animal and pest control, and hospital district and health unit boards.
- (2) To recommend to Council at the beginning of each year a detailed estimate of the cost of providing such services throughout the year.

E. Committee on Public Health and Welfare

- (1) To consider and report on all matters relating to public health and welfare, including hospitalization, homes for the aged, health services, sanitation, maintenance of indigents, grants to hospitals and charitable institutions.
- (2) To recommend to Council at the beginning of each year a detailed estimate of the cost of providing such services as are within the jurisdiction of the committee throughout the year.

F. Environmental Planning & Community Services

- (1) To consider and report on all matters relating to the Carman Planning Schemes, community development and public housing.
- (2) To recommend to Council at the beginning of each year a detailed estimate of the cost of providing such services throughout the year.

G. Economic Development Services

- (1) To consider and report on all matters relating to natural resources, regional development, commissions, industrial parks and commissions, tourism, public receptions and other economic services.
- (2) To recommend to Council at the beginning of each year a detailed estimate of the cost of providing such services throughout the year.

H. Recreation and Cultural Services

- (1) To consider and report on all matters relating to recreation facilities, the Carman-Dufferin Public Recreation Commission, any community centre board or other related boards that may be established from time to time, cultural buildings, Dufferin Historical Society and other matters of a similar nature.
- (2) To recommend to Council at the beginning of each year a detailed estimate of the cost of providing such services throughout the year.

I. Waterworks Utility

- (1) To consider and report on all matters relating to the Waterworks Utility, including sewer and water main extensions.
- (2) To recommend to Council at the beginning of each year a detailed estimate of the cost of operating, maintaining such services.

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46. No member of Council shall resist the rules or disobey the decision of the Mayor or the Presiding Officer or, in case of appeal, of the Council on questions or 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 Mayor 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.
47. 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 Roberts Rules of Order.
48. That all other By-Laws of the Municipality of The Town of Carman inconsistent herewith are hereby repealed.
49. That this by-law comes into force and takes effect on the day it receives final passage by council.

DONE AND PASSED by the Council of the Municipality of The Town of Carman in Open Council Assembled at Carman in the Province of Manitoba this ninth day of October A.D. 1969.



Mayor



Secretary-Treasurer

Read a first time the eleventh day of September, A.D. 1969

Read a second time the twenty-third day of September, A.D. 1969

Read a third time the ninth day of October, A.D. 1969.