

CANADA
PROVINCE OF QUEBEC
MUNICIPALITY OF THE TOWNSHIP OF HARRINGTON

BY-LAW RESPECTING THE INTERNAL MANAGEMENT OF THE SITTINGS OF THE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF THE TOWNSHIP OF HARRINGTON

Whereas article 491 of the *Municipal Code of Quebec* allows the council to adopt bylaws to regulate the manner in which debates of the council are to be carried out and the manner in which order and decorum are to be preserved during the sittings of the council;

Whereas the Municipality of the Township of Harrington has no regulations regarding these matters and wishes to act to maintain order and decorum during the sittings of the municipal council;

Whereas it is to the advantage of the council to adopt a bylaw regarding this matter;

Whereas a notice of motion for this bylaw was given at the sitting of the council on March 28, 2007;

THEREFORE, moved by councillor Frank Harris, seconded by councillor Maria Di Placido and resolved to adopt By-Law number 166-2007 titled "internal administration at the Council sessions of the Municipality of the Township of Harrington". A copy of the said By-Law is annexed in the By-Law book.

Three (3) councillors vote in favor of the adoption of this resolution. Councillors Claude La Roque, Rudy Weigand and Randy Watson vote against. The mayor votes in favor.

-adopted by a majority-

ARTICLE 1

Le preamble is an integral part of this bylaw.

SITTINGS OF THE COUNCIL

ARTICLE 2

The sittings of the council are public and include a question period.

ORDER AND DECORUM

ARTICLE 3

The sittings of the council are presided over by its head or by the acting mayor, or, in their absence, by one of its members chosen from among the councilors present.

ARTICLE 4

The officer presiding over the sitting of the council maintains order and decorum and decides questions of order, saving appeal to the council. He may order that any person disturbing a sitting of the council be removed from the place where the sitting is held.

RECORDING DEVICES

ARTICLE 5

Except for systems or devices installed and controlled by the Municipality, it is forbidden to film and take photographs inside the room where sittings of the municipal council take place, and the use of a camera, video camera, television camera or other camera is prohibited.

ARTICLE 6

The use of a mechanical or electronic voice recording device is authorized during sittings of the municipal council on condition that the device is used silently and in no way disturbs the proceedings of the assembly. The recording device must remain in the physical possession of the user or must be placed on a table or in a place designed and identified for that purpose. The recording device, the microphone or any other component of the recording device must not be placed on the council table, in front of the council table or near the council table or in any place other than as indicated above.

The use of any other device is prohibited.

QUESTION PERIOD

ARTICLE 7

Sittings of the council include a period during which the persons attending may put oral questions to the council members.

ARTICLE 8

This length of this period is a maximum of thirty minutes at each sitting, but may be ended prematurely if no more questions are addressed to the council.

ARTICLE 9

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

- a. identify himself before asking the question;
- b. address the president of the sitting ;
- c. state to whom the question is directed;
- d. ask only one question and one sub-question regarding the same subject. However, each person may ask a new question and a new sub-question once all persons who want to ask a question have had a chance to do so, and this process continues in turn, until the time set for the question period expires;
- e. express himself in polite terms and must not use abusive injurious or libelous language.

ARTICLE 10

Each person has a maximum of five minutes to ask his question and sub-question, and after this time the president of the sitting may put an end to the intervention, in which case the person asking the question must immediately end his intervention.

ARTICLE 11

The mayor or member of the council to whom the question was put may answer immediately, answer at a subsequent meeting or respond in writing.

ARTICLE 12

A member of the council may, with the permission of the president, complete the response that was given.

ARTICLE 13

Only questions of a public nature are allowed, as opposed to questions of private interest that do not concern the business of the municipality.

ARTICLE 14

Any member of the public in attendance at a sitting of the council who wishes to address a member of the council or the secretary treasurer may do so only during the question period.

ARTICLE 15

Any member of the public in attendance at a sitting of the council who addresses a member of the council or the secretary treasurer during the question period can only ask questions that comply with the rules established in articles 9, 10, 13 and 14.

ARTICLE 16

All members of the public in attendance at a sitting of the council must refrain from intervening, speaking, shouting, heckling, singing, making noise or any other action that is likely to interfere with the proper proceedings of the sitting.

ARTICLE 17

Any member of the public in attendance at a sitting of the council must obey a directive given by the person presiding at the assembly with regard to order and decorum during council sittings.

WRITTEN REQUESTS

ARTICLE 18

Petitions or other written requests addressed to council or to one of the members of council are not put onto the agenda or read during the assembly except in cases stipulated by law.

PROCEDURES FOR PRESENTING REQUESTS, RESOLUTIONS AND PROJECT BY-LAWS

ARTICLE 19

An elected representative may only take the floor by raising his hand to signify his intent to the president of the assembly. The president of the assembly gives the elected representative permission to speak in the order the requests were made.

ARTICLE 20

When requested by the president of the assembly the Secretary-Treasurer may express opinions, observations or suggestions that he believes are pertinent with regard to the matters under consideration.

VOTE

ARTICLE 21

During a vote, the motives of each member of council are not inserted into the minutes of the meeting.

ADJOURNMENT

ARTICLE 22

Any ordinary or special sitting can be adjourned by the council to any other hour of the same day or to a subsequent day without it being necessary to give notice of such adjournment to members who were not present;

No new affairs may be submitted or taken into consideration during the adjournment of a special meeting except if all members of the council are present and give their consent.

ARTICLE 23

Two members of the council, when there is no quorum present, may adjourn the sitting at the expiration of one hour from the time it is established that there is no quorum. The hour of the adjournment and the names of the members present must be entered into the minutes of the sitting.

In such a case a special notice in writing of the adjournment is given by the secretary-treasurer to the members of the council who were not present at the time of the adjournment. The service of such a notice must be established at the resumption of the adjourned sitting, in the same manner as that of the notice convening a special sitting.

PENALTY

ARTICLE 24

Any person whose actions do not comply with articles 5, 6, 9, 10 or 13 to 17 of this bylaw is in violation of this bylaw and is subject to a minimum fine of \$500 for a first violation and \$1 000 for a repeat violation, and in no case can this fine be more than \$2 000. The fees for each violation are in addition to the fine.

If the offender fails to pay within the delay granted by the Court, he will be liable to sanctions stipulated in the *Code of Penal Procedure of Quebec* (R.S.Q., c. C-25.1).

INTERPRETATION AND FINAL PROVISIONS

ARTICLE 25

No provision of this bylaw may be interpreted in a manner so as to restrict the powers granted by law to the members of the municipal council.

ARTICLE 26

This regulation enters into force according to Law.