

**Town of Stephenville Crossing  
Rules of Procedure for the Conduct of Meetings**

**AUTHORITY**

Whereas Section 7 (1a) of the TLSD Act requires that every council shall adopt rules of procedure for its meetings.

Therefore, the Council of the Town of Stephenville Crossing enacts the following rules and regulations:

**REGULAR MEETING OF COUNCIL**

1. Regular meetings of council shall be held on the third Wednesday of each month at 6:00 p.m. in the council chambers of the Town Hall, unless council by resolution directs otherwise.

**SPECIAL MEETINGS OF COUNCIL**

2. In accordance with Section 39 (1) (4) of the TLSD Act, special meetings of council may be called by either the mayor or any two members of council by giving written notice to the clerk.

**NOTICE**

3. Notice of all meetings of council shall be by way of the Agenda, which shall be provided to all members of council forty-eight hours prior to each meeting. The failure of any councilor to have received notice shall not invalidate a meeting of council.

**MEETING ON A LEGAL HOLIDAY**

4. When the day fixed for a meeting of council falls on a legal holiday, the said meeting shall be held on the following Wednesday, which is not a legal holiday.

**PRESIDING OFFICER**

5. The mayor shall preside at all meetings of council. In the absence of the mayor, the deputy mayor shall preside. In the absence of both the mayor and deputy mayor, the clerk shall take the chair, call the members to order, and if a quorum is present, a chairperson shall be appointed from among the councilors present. Such chairperson shall preside during the meeting or until the arrival of the mayor or deputy mayor.

**QUORUM**

6. In accordance with Section 43 of the TLSD Act, a quorum shall consist of a majority of councilors as established under Section 1-4.

**IF NO QUORUM**

7. If there is no quorum present within fifteen minutes after time appointed for holding a meeting, the clerk shall call the roll and take down the names of the members then present. The meeting shall then stand adjourned until the next regular meeting.

**ATTENDANCE**

8. In addition to the mayor and councilors, the following people shall attend all meetings of council:
  - (a) The town clerk/manager or designate.
  - (b) The town clerk or designate
  - (c) The town manager or designate

9. Department heads and other employees of council shall attend meetings when requested to do so by the council or the town clerk/manager.

#### **MEETINGS OPEN TO**

10. In accordance with Section 40 (1) of the TLSD Act, every meeting of the council shall be open to the public, unless it is held as a closed meeting or declared by a vote of the councilors present at the meeting to be a closed meeting.
11. In accordance with Section 41 (1-3), where a meeting is held or declared to be a closed meeting, all members of the public present at the meeting shall leave.
12. In accordance with Section 41 (3) of the TLSD Act, where a decision is made by the councilors at the closed meeting, the decision, in order to be valid, shall be ratified at a public meeting of the council.
- 13.(a) A town council may allow a councilor to participate in a town council meeting or town council committee meeting by electronic means.  
(b) A councilor participating in a town council meeting or town council committee meeting by electronic means is considered to be in attendance at the meeting.

#### **MINUTES**

14. Minutes of meetings of council shall be recorded by the town clerk or designate. Such minutes shall contain:
  - a. All motions and resolutions coming before the council, including the names of the movers and seconds thereof.
  - b. The title or brief description of all reports, petitions, other documents submitted to the council. Reports accepted by the council shall be attached to the minutes.

#### **CORRECTION OF MINUTES**

15. If any member of council objects to any portion of the minutes or the minutes of the preceding meeting, they shall state the grounds of objection, and if council agrees, the motion adopting the minutes shall contain the necessary corrections.

## **AGENDA**

16. Prior to each regular meeting of council, the clerk shall prepare an agenda of all businesses to be brought before the council. As indicated in Rule 3, the agenda is to be distributed to councilors forty-eight hours prior to council meetings.
17. Any member of council, up until 4:00 p.m. of the Friday prior to the council meeting, may submit to the town clerk an item for inclusion on the agenda.
18. The format of the agenda shall be as follows:
  - a. Calling of meeting to order
  - b. Land acknowledgement
  - c. Adoption of Agenda
  - d. Adoption of minutes
  - e. Business arising from minutes
  - f. Delegations
  - g. Correspondence
  - h. Committee Reports
    - (a) Finances
    - (b) Building and planning
    - (c) Beautification/Conservation
    - (d) Waste Management
    - (e) Policy Committee
    - (f) Policy Committee
    - (g) World Energy
    - (h) Sewage Treatment
    - (i) Fire Dept
    - (j) Parks and Recreation
    - (k) Special Events
    - (l) HR Committee
  - i. Exemptions
  - j. Regulations
  - k. Unfinished Business
  - l. Notices of motion
  - m. Round Table
  - n. Closed
  - n. Adjournment

## **AGENDA FOR SPECIAL MEETING**

19. When a special or closed meeting is called for the consideration of some particular matter, the order of business as set out in Rule 17 shall not apply. Council shall proceed immediately to consideration of the business for which the meeting was called, and only the business specified in the notice shall be dealt with, unless otherwise decided by majority vote.

## **ORDER AND DECORUM**

20. The presiding officer at any meeting shall preserve order during debate and maintain decorum at all times.

A councilor should be mindful of the rules of order, to speak in turn and only carry on one conversation at a time. A councilor or the public talking out of turn or having a side conversation with another person when a debate is taking place shall be removed from the chambers.

No outside audio and videos shall be permitted at a council meeting only that of the Town.

All cell phones should be put on vibrate and not sit on the chamber table.

When speaking of other groups, be mindful of what you have to say and how you say it and be mindful of who is present. **DISORDERLY PERSONS**

21. The presiding officer may expel and exclude from a meeting a member of council or another person is guilty of improper conduct at a meeting. In the case of the exclusion of a member of council, an entry shall be made in the minutes of the reason for such exclusion.
22. Any member expelled from a meeting under the provisions of rule 20 may be permitted, by a majority vote of councilors at the meeting in progress, to resume his place after making an apology to the presiding officer.

#### **NOTICE OF MOTION**

23. Every notice of motion shall be in writing and be placed on the agenda in the manner set out in Rule 16.

#### **DEBATE**

24. When a question is under debate, the following non-written motion shall be in order:
  - a. To extend the time of the meeting
  - b. To refer or commit
  - c. To amend
  - d. To lay on the table
  - e. To postpone indefinitely
  - f. To move the previous question

#### **MOTIONS TO BE SECONDED**

25. Every motion shall be seconded before being put to debate.

#### **WITHDRAWAL OF MOTION**

26. 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.

#### **DIVISION OF MOTION**

27. Any motion or question which contains several distinct propositions may, by the direction of the presiding officer or upon the request of any member, be divided if the sense of the motion permits. The vote on each such division shall be taken separately. If a motion cannot reasonably be so divided, any request to do so shall be declared out of order by the presiding officer.

#### **ADDRESSING THE MOTION**

28. Members of council shall address their remarks to the presiding officer and confine themselves to the question at hand.

#### **ENTITLEMENT TO SPEAK**

29. If two or more members speak at the same time, the presiding officer shall determine which member is entitled to speak.

**CALL TO ORDER**

30. The presiding officer may call a member to order while 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.

**APPEAL ON A POINT OF ORDER**

31. In accordance with Appeal on a Point of Order of the TLSD Act, 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.

**MEMBERS SPEAKING NOT TO BE INTERRUPTED**

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

**LENGTH OF DEBATE**

33. No member, without the consent of council, shall speak longer than five minutes at any one time, or more than once on any motion or amendment thereto. The mover of motion, however, may speak twice. Debate shall be closed after this second occasion.

**REREADING OF MOTION**

34. A motion before the Town Council shall be decided by majority vote of the TLSD Act councilors in attendance at the meeting where a vote of 2/3 (5) of the councilors in office is required.

**VOTING**

35. All decisions of council, unless otherwise specified either by the TLSDA or under these Rules, shall be by majority vote of the members present.

**RECORDED VOTE**

36. Any member of council may request that the vote on a question before council be recorded and the clerk shall record the names of those voting in favor of the motion, those voting against the motion, and those abstaining.

**NO SECRET BALLOT**

37. No vote shall be taken in council by ballot or by any other method of secret voting.

**RECONSIDERATION**

38. Any question, except one of indefinite postponement, or one that has resulted in a tie vote, may be reconsidered, provided a notice of reconsideration is given in accordance with Rule 22.

39. If the motion to reconsider is carried by a majority of members present and voting, the main question shall then be read and will be open to debate the same as an original motion.

**TIE VOTE**

40. In accordance with Section 44 Subsection 5 of the TLSD Act, where there is a tie vote on a motion, that motion shall be considered to be defeated.

**MOTION TO ADJOURN**

41. A motion to adjourn is always in order except when:
  - a. A member is addressing the chair.
  - b. A vote is being taken; It has been decided that the previous question shall be taken
42. A motion to adjourn the council meeting or adjourn the debate cannot be amended and is not debatable. However, a motion to adjourn the council meeting or the debate to a given day may be amended and is open to debate.
43. No second motion to adjourn the council meeting or the debate shall be made until some intermediate proceedings have transpired.

**MOTION TO POSTPONE INDEFINITELY**

44. A motion to postpone indefinitely shall not be amended, and indefinitely, it shall not be taken up again during the same meeting.

**MOTION TO LAY ON THE TABLE**

45. A motion to lay a question on the table shall not be debatable. However, a motion "to lay on the table" with addition, qualification or opinion, shall be subject to amendment and debate.

**MOTION TO SUSPEND THE RULES**

46. A motion to suspend the rules requires a two-third vote of members present.

**PRIVILEGE**

47. Whenever a member of privilege arises, it shall be dealt with immediately by council.

**AUTHORITY TO FORM**

48. In accordance with Section 28 (s.294 for Community Council) of the TLSD Act, council may from time to time appoint committees. The mayor shall be an ex-officio member of all committees.

**STANDING COMMITTEES**

49. Standing committees to council shall remain in effect for the life of council, and members shall be appointed at the first council meeting of each year.

**SPECIAL COMMITTEES**

50. 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.

**COMMITTEE MEMBERSHIP**

51. Membership of all committees of council is limited to members of council.

**QUORUM OFF COMMITTEES**

52. A majority of the members of any committee shall constitute a quorum.

## **COMMITTEE CHAIRPERSONS**

53. When council appoints a committee, it shall also appoint one of its to be chairperson of that committee.

## **COMMITTEE SECRETARY**

54. The town clerk/manager (or designate) shall act as secretary to each committee of council.

## **COMMITTEE MINUTES**

55. Prior to the next meeting of the committee, the secretary shall prepare minutes of the previous meeting for submission to and confirmation by the committee.

## **COMMITTEE REPORT**

56. Following every committee meeting, the secretary shall prepare for the chairperson a report on all matters which require council action.

## **MINORITY REPORT**

57. Members of a committee dissenting from a report which has been adopted by the majority of a committee may make and present to council a minority report. Such a report must be presented at the same meeting of council to which the majority report is submitted and must be signed by the dissenting member(s).

## **CONFLICT OF INTEREST**

58. Whereas a councilor or a member of the town staff fails to disclose that they are in a conflict of interest as set out in The Code of Conduct, the onus is upon the presiding officer to inform council of such conflict of interest.
59. If the presiding officer is unaware of or fails to act as in Rule 61, any councilor or staff member shall advise council of such conflict of interest and request a decision in accordance with the Code of Conduct.

## **AMENDMENT OF RULES**

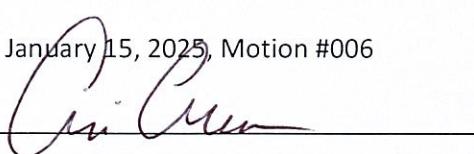
60. Any motion to amend these rules must be presented to council in accordance with Rule 22 and must be passed by a two-third majority of members present.

## **EFFECTIVE DATE**

61. These rules and regulations shall become effective upon date of enactment.

Revised January 15, 2025, Motion #006

Mayor



Clerk Manager

