



Hamlet of Kugluktuk By-Laws

By-Law Name:	Council Procedures
By-Law Number:	342

Description

A BY-LAW OF THE Municipal Corporation of the Hamlet of Kugluktuk in the Nunavut Territory to regulate proceedings in Council meetings, and to establish the Terms of Reference for its Standing Committees, pursuant to the provisions of the **Hamlets Act, R.S.N.W.T., 1988, c.H-1. Section 29 as amended by S.Nu. 2003, c.3., c.29.**

By-Law

As Council shall, by by-law, make rules respecting procedures for Council.

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF KUGLUKTUK, in a duly assembled meeting, enacts as follows:

1. **Short Title**

This by-law may be cited as the **Council Procedures Bylaw.**

2. **Interpretation**

In this Bylaw:

“Chairperson”	means the Member of Council who presides over a meeting of the Council or Committee of Council.
“Committee of the Whole”	means a Committee created by a Council Motion passed at a Regular Meeting that allows the Council to enter into Committee of the Whole to permit a debate, on a topic without the requirements to record the discussion in the Minutes. Council will, by Motion, revert to the Regular Meeting and make whatever motions were recommended during the “Committee of the Whole” session.
“Council”	means the Hamlet Council of Kugluktuk
“Councillor”	means a Council Member, other than the Mayor
“Emergency Meeting”	means a meeting that the Mayor or Councillor can call if he/she believe an emergency exists or may exist in the Municipality
“Hamlet”	means the Municipal Corporation of Kugluktuk



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“In Camera”	means a Private Meeting that is closed to the Public, authorized by a Motion of Council and where the Council feels that to do so is in the public interest. The Motion must be approved by at least 2/3 of the Council Members present. The Council has no power when “In Camera” to make a bylaw or pass a motion other than a motion to revert to the public meeting
“Mayor”	means the presiding Council Member
“Member”	means a member or members of Council and/or subcommittees, inclusive of the Mayor
“Quorum”	means the majority of the Council Members who comprise the Council
“Regular Meeting”	means a meeting of Council on a specified date and time throughout the calendar year
“Standing Committee”	means a Committee that has been approved and established by this Bylaw chaired by a Councillor
“SAO”	means the Senior Administrative Officer (SAO) appointed by Bylaw
“Special Meeting”	means a meeting that is called by the Senior Administrative Officer when requested to do so in writing by the Mayor or two Councillors
“Deputy Mayor”	means the Councillor who has been chosen by the Council to act as Deputy Mayor
“Summer Hours”	means the summer meeting schedule for the months of July and August where the Hamlet Council may choose to meet only once in those months

3. Meetings of Council

3.1 Unless otherwise determined by the Mayor, the Council shall hold its first regular meeting following a general election on the first Tuesday.

3.2 Subsequent regular meetings of Council shall be held every second week on Tuesday, at 7:00p.m., unless otherwise decided by resolution of Council of Council passed by a majority of Members present at any regular meeting of Council. If the Tuesday falls on a holiday, the regular meetings of Council shall be on the next regular working day, at 7:00p.m.

3.3 If there is no quorum by 7:15p.m. the SAO shall record the names of those Councillors who are present and name the date and time for the next meeting.



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3.4 The times for meetings are from 7:00p.m. until 11:00p.m. To continue the meeting past 11:00p.m., a motion to extend shall be passed.

3.5 If the Mayor does not attend the Regular Meeting by 7:15p.m., the Deputy Mayor shall take the Chair and call the members to order. If the Mayor and the Deputy Mayor are both absent, the Councillors in attendance shall appoint a Chairperson to take the Chair and call the members to order. Should the Mayor or the Deputy Mayor arrive later in the meeting, the Chairperson shall hand the meeting over to the Mayor or Deputy Mayor.

3.6 Under no circumstances will there be more than two (2) regular meetings per month and four (4) special meetings per year.

4. PROCEDURES OF MEETINGS

4.1 All Regular, Special and Committee Meetings shall be held in Public unless the meeting is conducted in-camera.

4.2 The SAO, or designate, will record the Minutes of each meeting and record attendance of the Members.

4.3 The Mayor or designate shall keep order at the meetings and decide questions of order.

4.4 The Mayor or designate shall vote only in the event of a tie.

4.5 No member of Council shall walk out of the room or make any disturbances while any member of the Council is speaking, except to raise a point of order, or in case of sanitary emergencies.

4.6 No person, except the Members and Officers of the Council, shall be allowed to participate during the discussions of Council in a Council Meeting unless they have been given permission of the Council.

4.7 The Agenda for each Regular Meeting shall be as follows:

1. Call to Order
2. Opening Prayer
3. Approval of Agenda
4. Declaration of Conflict of Interest
5. Delegations and Guests
6. Approval of Previous Minutes
7. Old Business
8. Financial Matters
9. Mayor, Staff and Committee Reports
10. Information
11. Action
12. Around the Table
13. Committee of the whole
14. Adjournment



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4.8 The agenda for each regular meeting of Council and Standing Committee, and all supporting material, shall be provided to Members at least forty-eight (48) hours preceding the meeting. Delegations and Correspondence Requiring Action must be received ninety-six (96) hours preceding the meeting.

4.9 The agenda format for each regular meeting of Council shall be as established in Schedule A of this Bylaw, which may be amended from time to time, by resolution of Council.

4.10 The supporting material for each agenda item shall follow the order of business established in paragraph 4.7.

4.11 The resolutions of Council shall be numbered in order each year, commencing with number one for the first resolution in the calendar year. This number to be followed by the year, and continuing through to the last meeting of the calendar year.

4.12 At all Council meetings there shall be a ten (10) minute recess after two (2) hours of continuous business, unless such recess is waived by unanimous consent of council.

4.13 Each delegate attending a Council Meeting will be limited to ten (10) minutes to speak to the Council, unless otherwise decided by the Mayor or designated Chairperson.

4.14 Questions to a Motion will be allowed only after a Motion has been made and seconded.

4.15 A Motion to Adjourn the Meeting of Council or to adjourn a debate shall always be in order except:

- a. When a member is speaking;
- b. When the vote has been called for;
- c. While the vote is taking place;
- d. When Council is in Committee of the Whole.

4.16 Discussions shall be limited to the question in debate.

4.17 No member, other than the one proposing a question or motion, shall speak more than once on the same question without permission of the Chairperson.

4.18 No member shall speak to the question or in reply for longer than 5 minutes.

4.19 The adjournment of a Regular and Special meeting of Council shall be done by motion which shall include the time of adjournment.

5. APPOINTMENTS AND COMMITTEES

5.1 The Council, voting by secret ballot, shall appoint a Councillor to be the Deputy Mayor.



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5.2 At the first Regular Meeting of the newly elected Council, the following Standing Committees will be appointed:

Executive

Finance and Administration

Recreation

Community Planning and Lands

Health and Wellness

Economic Development

Bylaw Review

5.3 Council may create additional committees at its discretion and as the need arises. When formed, such committees shall identify the tasks of the committee and the date of dissolution of the committee, if applicable.

5.4 As per the Hamlets Act, by virtue of his or her office the Mayor is a member of all Committees of Council.

5.5 The Council shall review the nominees and volunteers and appoint all committee members by Motion.

5.6 The Council representative to each committee shall be the chairperson unless it is deemed that another member from the appointments is more suited and the Council representative agrees.

5.7 The Chairperson of each Committee will make a monthly report to the Council of the activities and recommendations of the Committee.

5.8 The Terms of Reference and indemnity for the standing Committees of Council shall be stated in the Committees Bylaw.

5.9 All reports and recommendations of standing and special committees shall be put in writing and no report shall be referred to the Committee of the whole or Council until printed copies of the report have been given to the Members of the standing committee and approved.

6. ATTENDANCE AND RELATED MATTERS

6.1 A Councillor who fails to attend three consecutive Regular Meetings, or a total of six (6) Regular Meetings during the previous twelve (12) months without prior approval of the Council, unless it is for reasons of a medical or compassionate nature, shall be deemed to have resigned as a Member of the Council. This excludes Special Meetings.



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6.2 All Members of Council shall represent the Hamlet's interests to the best of their ability.

6.3 All Members of Council, if and when selected to attend meetings out of the community will attend such meetings. Failure to carry through, if resulting in extra expense not included in the budget, may be charged to the Member of Council and held against them until such time as it is reimbursed to the Hamlet from their person.

7. BYLAWS

7.1 No Bylaw shall be referred to the Committee of the Whole or Council until printed copies of the bylaw have been given to the Members of Council unless Council decides otherwise by resolution. A motion to this effect must be put to the vote without debate.

7.2 Every bylaw shall be introduced by a Member upon motion or permission to do so stating the title of the bylaw.

7.3 A vote for First Reading of a bylaw, shall be decided without amendment or debate.

7.4 The bylaw shall be open for debate and amendment before it is ordered for a second reading.

7.5 A vote on Third Reading of a bylaw shall be decided without amendment or debate.

8. VOTING

8.1 All Councillors present shall vote when the question is put by the Chair except in the case of Councillors who have declared a pecuniary or other special interest in the question, in which case the fact that they did not vote, and the reason for not voting, shall be recorded in the minutes, and their abstention shall not be counted as a negative or affirmative.

8.2 The names of all Councillors voting shall be recorded and whether for or against the motion.

8.3 After a question is finally put by the Presiding Officer, no Member shall speak to the question, nor shall any other motion be made, until after the result of the vote has been declared.

8.4 The Presiding Officer shall not vote on any motion at a Regular or Special Meeting of Council except to cast the deciding vote for or against the motion in the case of a tie.

9. MINUTES

9.1 The Minutes of Council proceedings shall be numbered in order each year, commencing with number one for the first meeting in the calendar year; this number to be followed by the year and continuing through to the last meeting of the calendar year. This numbering is to be applied in strict order whether the meeting is recorded to be Regular or Special and must appear on every document or copy of the Minutes to which it refers.

10 REPEAL


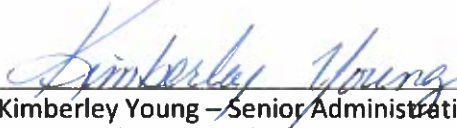
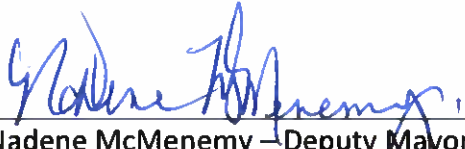



10.1 Bylaw Number 203 and all other related Bylaws are hereby repealed.



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11. EFFECTIVE DATE

11.1 This By-Law shall come into effect upon receiving Third and Final reading.

Date of First Reading	3rd	May	2022
 			
Nadene McMenemy – Deputy Mayor		Kimberley Young – Senior Administrative Officer	
Date of Second Reading	17th	May	2022
 			
Nadene McMenemy – Deputy Mayor		Kimberley Young – Senior Administrative Officer	
Date of Third Reading	7 th	June	2022
 			
Simon Kuliktana – Mayor		Kimberley Young – Senior Administrative Officer	





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"SCHEDULE A"

AGENDA

REGULAR COUNCIL MEETING

1. Call to Order
2. Opening Prayer
3. Approval of Agenda
4. Declaration of Conflict of interest
5. Delegations
6. Old Business
7. Financial Report
8. Mayor, Staff & Committee Reports
9. Information
10. Action
11. Around the Table
12. Committee of the Whole
13. Adjournment



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“SCHEDULE B”

CODE OF CONDUCT

FOR ELECTED MUNICIPAL OFFICIALS

I. PURPOSE

The public expects the highest standards of professional conduct from Members elected to local government. The purpose of this Code is to establish guidelines for the ethical and inter-personal conduct of Members of Council (“Members”). The Council is answerable to the community through democratic processes and this Code will assist in providing for the good government of the Municipality of Kugluktuk.

II. STANDARDS OF CONDUCT

Members shall uphold the law and at all times:

- (a) Seek to advance the common good of the municipality as a whole while conscientiously representing the communities they serve;
- (b) Perform the functions of office truly, faithfully and impartially to the best of their knowledge and ability in accordance with the following core values:
 - (i) **Integrity** – giving the municipality’s interests absolute priority over private individual interests;
 - (ii) **Honesty** – being truthful and open;
 - (iii) **Objectivity** – making decisions based on a careful and fair analysis of the facts;
 - (iv) **Accountability** – being accountable to each other and the public for decisions taken;
 - (v) **Leadership** – confronting challenges and providing direction on the issues of the day.
- (c) Uphold this Code as a means of promoting the standards of behaviour expected of Members and enhancing the credibility and integrity of Council in the broader community.



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III. COUNCIL RESPONSIBILITIES

The Council (or its designated committee) will:

- (a) Review the municipality's Code of Conduct as required and make any amendments considered appropriate
- (b) Review, consider or take other action concerning any violation of the Code of Conduct which is referred to Council for consideration.

Where there is any conflict between the Code of Conduct and the requirements of any statute of the territorial or federal government, provincial or federal statutes shall take precedence.

IV. MEMBER RESPONSIBILITIES

CONDUCT TO BE OBSERVED

Members are agents of the public whose primary objective is to address the needs of the citizens. As such, they're entrusted with upholding and adhering to the bylaws of the municipality as well as all applicable territorial and federal laws. As public servants, Members must observe a high standard of morality in the conduct of their official duties and faithfully fulfill the responsibilities of their offices, regardless of their personal or financial interests.

DEDICATED SERVICE

All Members should faithfully work towards developing programs to address the needs of the citizens in the course of their duties. Members should strive to perform at a level which is expected of those who work in the public's interest.

RESPECT FOR DECISION-MAKING PROCESS

All Members recognize the responsibility of the Mayor or Council Member to accurately communicate the decisions of the Council, even if they disagree with such decisions, such that respect for the decision-making processes of Council is fostered.

CONDUCT AT MEETINGS

Members shall respect the chair, colleagues, staff and members of the public present during Council meetings or other proceedings of the municipality. Meetings shall provide an environment for transparent and healthy debate on matters requiring decision making.

RELEASE OF CONFIDENTIAL INFORMATION PROHIBITED

No Member shall disclose or release to any member of the public any confidential information acquired by virtue of their office, in either oral or written form except when required by law or authorized by the municipality to do so. Nor shall Members use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.



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GIFTS AND BENEFITS

No Member shall show favoritism or bias toward any vendor, contractor or others doing business with the municipality. Members are prohibited from accepting gifts or favors from any vendor, contractor or others doing business with the municipality personally, or through a family member or friend, which could give rise to a reasonable suspicion of influence to show favor or disadvantage to any individual or organization.

USE OF PUBLIC PROPERTY

No Member shall request or permit the use of municipal-owned vehicles, equipment, materials or property for personal convenience or profit, except where such privileges are granted to the general public. Members shall ensure that the business of the municipality is conducted with efficiency and shall avoid waste, abuse and extravagance in the provision or use of municipal resources.

OBLIGATIONS TO CITIZENS

No member shall grant any special consideration, treatment, or advantage to any citizen or group of citizens beyond that which is accorded to all citizens.

INTERPERSONAL BEHAVIOUR

Members shall treat every person, including other Members, corporate employees, individuals providing services on a contract for service, and the public with dignity, understanding and respect and ensure that their work environment is free from discrimination, bullying and harassment.

COMMUNITY REPRESENTATION

Members shall observe a high standard of professionalism when representing the municipality and in their dealings with members of the broader community.

V. GOOD GOVERNANCE

Members accept that effective governance of the municipality is critical to ensuring that decisions are taken in the best interests of all stakeholders and to enable the municipality to function as a good corporate citizen.

VI. GOVERNMENT RELATIONSHIPS

Members recognize the importance of working constructively with other levels of government and organizations in Nunavut and beyond to achieve the goals of the municipality.

VII. CONFLICT OF INTEREST AVOIDANCE

Members are committed to making decisions impartially and in the best interests of the municipality and recognize the importance of fully observing the requirements of the *Conflict of Interest Act* with regard to the disclosure and avoidance of conflicts of interest.



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VIII. REPORTING BREACHES

Persons who have reason to believe that this Code has been breached in any way are encouraged to bring their concerns forward. No adverse action shall be taken against any Member or municipal employee who, acting in good faith, brings forward such information.

IX. CORRECTIVE ACTION

Any reported violation of the Code will be subject to investigation by the Council. Violation of this Code by a Member may constitute a cause for corrective action. If an investigation finds a Member has breached a provision of the Code, Council may impose corrective action commensurate with the nature and severity of the breach, which may include a formal warning or reprimand to the Member.



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APPENDIX "C"

STATEMENT OF COMMITMENT TO COUNCILLORS' CODE OF CONDUCT

I, (Full Name) _____ declare that as a Councillor of the Municipality of Kugluktuk, I acknowledge and support the Councillors' Code of Conduct.

Signed: _____

Declared this _____ day of _____, 20__.

Before me:

Senior Administrative Officer