

**MUNICIPALITY OF KUGLUKTUK
BY-LAW NO. 203**

Being a by-law of the Municipality of Kugluktuk in the Nunavut Territory to regulate the proceedings of the Council of the Municipality of Kugluktuk and its' Committees pursuant to the provisions of the Hamlets Act, R.S.N.W.T., (1988), c. H-1, s. 29, 33, as amended by S.Nu.2003 c.3

AS, the Hamlets Act requires that every council shall make rules respecting the proceedings of Council;

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

PART I - GENERAL

Short Title

1. This by-law may be cited as the "Council Procedures By-Law."

Interpretation

2. In this by-law;
 - a) "Agenda" means the agenda for a regular or special meeting of Council or Committee of the Whole prepared by the SAO, the Mayor, or the Chairman;
 - b) "Chairman" means the person presiding at a meeting of the Council or Committee;
 - c) "Committee" means the Committee of Council but does not include the Committee of a Whole;
 - d) "Committee of a whole" means all members present at a meeting of the Council sitting as a Committee;
 - e) "Council" means the Council of the Hamlet;
 - f) "Council Member" means a Member of the Council;
 - g) "Councillor" means any Member of the Council other than the Mayor;
 - h) "Mayor" means the presiding Council Member;

- i) "Municipality" means the Municipality of Kugluktuk in the Nunavut Territory;
- j) "Quorum" means a majority of Members of the whole Council, including the Mayor or Chairman; and
- k) "SAO" means the Senior Administrative Officer of the Municipality.

PART II - MEETINGS

Regular Meetings

- 3. The next and each succeeding regular meeting of Council shall be held on a bi-weekly basis on a day and time fixed by the Council.
- 4. The SAO shall ensure the each Council Member is prepared for each regular meeting, either by delivering or having available for pick-up at the Municipal Office by Council Members, information packages which shall contain the notice of the meeting, financial reports, listing of accounts paid and payables, previous minutes and any correspondence needing attention at the meeting, at least 48 hours prior to the commencement of the meeting.
- 5. Any Council Member refusing or neglecting to attend three (3) consecutive meetings of the Council shall be deemed to have resigned as a Member of the Council unless he/she has received permission to be absent herself/himself from the Council, by a majority vote of the Council at a regular meeting, for a period not exceeding six (6) months.

Procedures

- 6. If a quorum is present, the Chairman shall take the chair on the hour appointed for the meeting and call for order.
- 7. In the event that a quorum not be present within 15 minutes of the time appointed for the meeting, the SAO shall take down the names of the Members present, and the Chairman shall adjourn the meeting and announce the time and date of the next meeting.
- 8. In the event that the Mayor does not attend within 15 minutes, the Deputy Mayor shall take the chair and call the meeting to order, if quorum is present.
- 9. If both the Mayor and the Deputy Mayor both be absent after the expiry of 15 minutes after the appointment time, the Councillors shall appoint from amongst themselves an acting Chairman who shall immediately take the chair and call the meeting to order. In

the event the Mayor and the Deputy Mayor should subsequently arrive at the meeting, the acting Chairman shall vacate the chair and turn it over to the Mayor or the Deputy Mayor.

10. As soon after the hour of meeting as there is a quorum present, the Mayor or the Deputy Mayor shall take the chair and call the Members to order.
11. Every Council Member, prior to addressing the Council as a Whole, shall raise his/her hand and request to the Mayor to speak.
12. When two or more Council Members address the Mayor at the same time, the Mayor shall name the Member who is to speak first. In the case of any dissatisfaction, the other Members may put the question as to which shall be heard.
13. When the Mayor is called to decide a point of order or practice he / she shall do so without comment unless requested to do so.
14. When a Mayor is putting a question, no Member shall leave his / her chair or make any noise or disturbance.
15. When a Member is speaking, no other Member shall interrupt him / her except to raise a point of order.
16. A Member called to order shall immediately cease speaking, but may afterwards be permitted by the Mayor to explain, and the Council if appealed to, shall decide on the case without debate. If there is no appeal, the decision of the Mayor shall be final.
17. Discussion shall be limited to the question in debate.
18. Any Member may require the question or motion under discussion to be read for his / her information at any time during the debate but not so as to interrupt a Member while speaking.
19. No Member, other than the one proposing a question or motion, shall speak more than once on the same question without permission of the Council except in explanation of a material part of his / her speech which may have been misunderstood, but he / she is not to introduce new matters.
20. No Member shall speak to a question or in reply for longer than five minutes without permission of the Council.
21. No motion shall be debated or put unless it is seconded.
22. A motion that has been read may be withdrawn at any time before a decision or amendment with the permission of the mover and seconder.

23. A motion to adjourn the Council or adjourn the debate shall be in order except:
- a) when a Member is in possession of the floor;
 - b) when a vote has been called for;
 - c) when the Members are voting;
 - d) when it has been decided that the previous question shall be not put; and
 - e) in the Committee of the Whole.
24. Immediately before putting the question the Mayor shall have the privilege of summarizing the debate, but no new matter shall be introduced.
25. The order of the day, unless otherwise determined by the Mayor, shall be as follows:
1. Call to order
 2. Approval of Agenda
 3. Declaration of Conflict of Interest
 4. Approval of Previous Minutes
 5. Delegations
 6. Old Business
 7. Financial Report
 8. Staff & Committee Reports
 9. Information
 10. Action
 11. Around the Table
 12. Accounts Payable
 13. Committee of a Whole (If requested)
 14. Adjournment
26. Each delegate to a meeting shall be allowed no more than 10 minutes to give his / her presentation unless he / she receives permission from the Mayor to extend the time.
27. The Council shall then either table the discussion on the item brought forward by the delegate or discuss it in presence of the delegate. This discussion shall not exceed 25 minutes. In the event that further discussion is needed before a decision is made, the item shall be tabled for the next meeting.
28. No meeting of Council shall be more than three (3) hours in duration unless all members of Council present agree to it.
29. The Chairman shall, when practical and in accordance with parliamentary procedures, call for a 10 minute recess at a time deemed to be the approximate mid point of the meeting. Should any member of Council disagree with the timing or need of a recess, the matter shall be brought to a vote and the majority decision shall prevail.

30. The Chairman shall have the opportunity to exercise his / her right to vote on any and all issues that are on the table.
31. Meetings shall be called in accordance with the provisions contained in the Hamlet's Act.

Conflict of Interest

32. In addition to the provisions of the **Conflict of Interest Act, R.S.N.W.T., 1988, c. C-16**, a Council Member who declares a conflict of interest shall leave the room in which the meeting is being held when the item which he / she has declared conflict of interest in is being discussed. For the purpose of payment of accounts, the member may address any account which does not place him / her in a conflict prior to leaving the chambers.

PART III - COMMITTEES

Committee of the Whole

33. Council may, by resolution, resolve into Committee of the Whole, and the Chairman of the meeting shall chair the Committee of a Whole unless the resolution names an alternate Chairman.
34. The Chairman of the Committee of the Whole shall maintain order in the Committee and shall report the proceedings.
35. No by-law or report of a Committee shall be referred to the Committee of the Whole unless such by-law or report has been previously printed and placed in the hands of the Members.
36. Proceedings during Committee of the Whole shall not be recorded in the minutes of the Council and the business transacted shall be reported by the Chairman of the Committee of the Whole to the Council when it reconvenes.
37. The rules of the Council shall be observed in the Committee of the Whole except that the number of times speaking to a motion shall not be limited.

Standing and Special Committees

38. The Mayor is by virtue of his / her office a member of every committee. The Council shall, at its' first regular meeting following the general election, appoint one Councillor to chair each of the following committees which shall comprise the standing committees of the Council:
 - a) Finance, Legislative, Administration and By-Law Committee
 - b) Community Planning, Land and Economic Development Committee
 - c) Community Wellness, Recreation and Youth Committee
39. Committee members appointed by Council may be members of the community at large in addition to Council members.
40. Any member of a Committee who refuses or neglects to attend three (3) consecutive meetings, special or regular, of the Committee shall be deemed to have resigned as a member unless he / she has received permission to absent himself / herself from the Committee by a majority vote of the Committee, which the permission shall not exceed a period of three (3) months.
41. If, for any reason, a seat on any Committee becomes vacant, the chairman of that Committee shall recommend a replacement to fill that vacancy.
42. The rules of the Council governing the conduct of the members at the Council meetings shall be observed by the Committee Members at all committee meetings.
43. The general duties of all committees of the Council 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 to Council all such by-laws as may be necessary to give effect to the reports or recommendations that are adopted by the Council; and
 - c) to consider and report respectively on any and all matters referred to it by the Council.

Roles and Responsibilities of Standing and Special Committees

44. The special duties of the Standing Committees, in addition to those set out in Section 48 shall be accordance to Schedule "A"

45. The Council may, by resolution, appoint a Special Committee to deal with any issue that needs further investigation and consideration by the Council and request the Special Committee to make recommendations to the Council for their action.
46. All reports and recommendations of the Standing and Special Committee to the Council shall be put in writing and signed by the committee chairman.

PART IV - DUTIES OF THE COUNCIL MEMBERS

47. The Mayor shall be the chief executive officer of the Municipality with duties as follows:
 - a) to be vigilant and active in causing the laws of the Municipality to be duly executed and obeyed;
 - b) to communicate to the Council, from time to time, such information and recommend to it such measures as may tend to the improvement of the finances, health, security, cleanliness, and comfort of the Municipality; and
 - c) to oversee the conduct of all officers and employees of the Council and, as far as practicable, cause any negligence, carelessness, or violation of duty to be prosecuted and punished.
48. The Mayor shall not, at any time, without authority given by Councillors at a regular or special meeting of the council, make any decisions which would affect the Municipality or its' residents in part or in whole.
49. Council members have the following responsibilities:
 - a) to consider the welfare and interests of the municipality as a whole and to bring to Council's attention anything that would promote the welfare or interests of the municipality
 - b) to participate generally in developing and evaluating the policies and programs of the municipal corporation
 - c) to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council
 - d) to keep in confidence matters discussed in private at a council or council committee meeting until they are discussed at a meeting held in public; and
 - e) to perform any duty or function imposed on council members by this or any other enactment or by the council.
50. All Council Members shall endeavor to attend meetings at the appointed time.
51. Any Council Members who arrives late at a meeting of the Council shall not be permitted to vote on the subject under debate at the time of his / her arrival.

52. Council shall endeavor to meet with outside or community agencies, groups, individuals, or representatives who have advised Council at least ninety-six hours in advance of the purpose of the visit and arrival date of the delegation.

PART V - GENERAL ADMINISTRATIVE DUTIES

53. The minutes of the Council proceedings shall be numbered in order in each year, commencing with number 1 of the first meeting in the calendar year, followed by the year and continuing through to the last meeting of the calendar year. This numbering shall be applied in strict order whether the meeting recorded is a regular or special meeting and must appear on every document or copy of the minutes to which it refers.

59. Resolutions of the Council shall be numbered in order in each calendar year and shall be recorded in a minute book, including the resolution number and the year of the meeting.

60. A record of attendance of the Council Members for all meetings of the Council shall be maintained during each calendar year.

61. The person in charge of any work for the Council shall be subject only to the direction of the Council and shall not be subject to any Members of the Council acting as an individual.

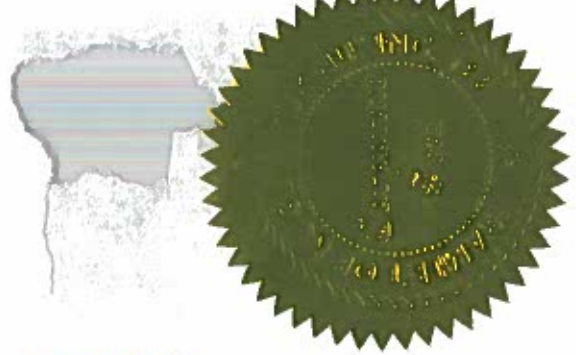
62. By-Law Number 180 is hereby repealed.

READ a FIRST time this 26th day of February, 2007

READ a SECOND time this 26th day of February, 2007



Mayor



Senior Administrative Officer

READ a THIRD time and finally PASSED this 26th day of February, 2007



Mayor



Senior Administrative Officer

**MUNICIPALITY OF KUGLUKTUK
BY-LAW NO. 203
SCHEDULE "A"**

STANDING COMMITTEE STRUCTURE AND TERMS OF REFERENCE

1. INTRODUCTION

1.1 Whereas Section 126 of the Hamlet Act enables the Hamlet Council to appoint committees, the Municipality now therefore establishes the following standing committees of the Council and the term of reference in order to operate more efficiently.

1.2 All standing committees of the Council are advisory in nature. Each committee is responsible for addressing and researching issues and items consistent with that committee's terms of reference and formulating recommendations for the consideration of Council. All committee recommendations require Council's approval prior to implementation.

1.3 Pursuant to the Act, the Mayor is an ex-officio voting member of all standing committees.

1.4 All Council members may attend and participate in any committee meeting; however only committee members and the Mayor may vote upon recommendations.

1.5 Administrative support will be provided for each committee as indicated wherever duties permit. Wherever staff cannot be present at the committee meetings to take minutes, the chairman is responsible for ensuring that the minutes are taken at the meeting and delivered to the Senior Administrative Officer within two business days.

1.6 The responsibilities of the staff at the committee meetings are:

- 1) To provide information and expertise with respect to issues brought forward to the committee in order to assist committees in making well informed decisions;
- 2) To record information and produce a report of the meeting.

Other than these duties, staff receive their directions from Council through the Mayor and the Senior Administrative Officer.

1.7 The Chairperson of each committee will review and prepare an agenda with the office staff assigned to that committee at least one day before the scheduled day of the committee meeting.

- 1.8 Quorums for the various committees are outlined herein.

STANDING COMMITTEE AND COMPOSITION

2.1 **FINANCE LEGISLATIVE, ADMINISTRATIVE AND BYLAW COMMITTEE**

- Quorum - 2 Voting members
CHAIRPERSON- Mayor
MEMBERS - 2 Councillors
STAFF - Senior Administrative Officer, Director of Finance and Interpreter/Translator (when required).

2.2 **COMMUNITY PLANNING, LAND AND ECONOMIC DEVELOPMENT COMMITTEE**

- Quorum - 51% voting members
CHAIRPERSON- 1 Councillor from membership
MEMBERS - 3 Councillors
MAYOR - Ex-Officio Voting Member
STAFF - Community Lands Administrator, Community Development Manger

2.3 **COMMUNITY WELLNESS, RECREATION AND YOUTH COMMITTEE**

- Quorum - 51% Voting members
CHAIRPERSON- 1 Councillor from membership
MEMBERS - 2 Councillors
STAFF - Wellness Coordinator

3. TERMS OF REFERENCE

3.1 **FINANCE LEGISLATIVE, ADMINISTRATIVE AND BYLAW COMMITTEE**

The Finance Legislative, Administrative and Bylaw Committee is responsible for addressing researching and formulating recommendations for Council consideration concerning the following issues:

- Finances and Budget
- Unbudgeted items
- Administrative policies
- Tenders
- Personnel administration as outlined in the Employment Policy
- Personnel and Finance Performance Evaluations of Hamlet Operations
- Human Resource Initiatives
- Capital Plans
- Liaise with local boards and committees (i.e.: HTO, Education Council, Housing Association etc.)
- Fire Department

- Fire Department
- By-Law Enforcement
- Municipal Roads

3.2 COMMUNITY PLANNING, LAND AND ECONOMIC DEVELOPMENT COMMITTEE

The Community Planning, Land and Economic Development Committee is responsible for addressing, researching and formulating recommendations for Council consideration concerning the following issues:

- General Development Plans
- Land Applications
- Request for Road Closures
- Issues and Items Affecting Development either present or future
- Employment and Training Initiatives for the Hamlet and the community
- Community Development Funding Programs and Initiatives
- Issues and items affecting present or future development
- Liaising with the Business Community, HTO, KEDC and similar authorities

3.3 COMMUNITY WELLNESS, RECREATION, AND YOUTH COMMITTEE

The Community Wellness, Recreation, and Youth Committee is responsible for addressing, researching and formulating recommendations for council consideration concerning the following issues:

- General wellness planning as specified in the strategic plan
- Alcohol and Drug Initiatives
- Prenatal Support
- Youth Peer Support and Suicide Prevention
- Income Support
- Liaising with Elders and Youth Groups
- Liaising with the Interagency Committee
- Recreation programs and facilities operated by the Hamlet
- Community celebrations (i.e.: Xmas, Hamlet Day, July 1 etc.)
- Liaise with community groups involved with the provisions of recreational or community activities (i.e.: recreation board, brownies, girl guides, jr. rangers, church groups, etc.)
- Recruitment of volunteers for special programs and special events

3.8 YOUTH JUSTICE COMMITTEE

The Youth Justice Committee is an independent body that provides alternative justice sentencing for youth. The committee is supported by a Contribution Agreement between the Hamlet and the Department of Justice.

Meeting Schedule Dates are completely arbitrary at this time.
