

CANADA  
PROVINCE OF QUEBEC  
MUNICIPALITY OF LITCHFIELD

BY-LAW 2024-255

**BY-LAW ON THE INTERNAL MANAGEMENT OF MEETINGS  
OF THE COUNCIL OF THE MUNICIPALITY OF LITCHFIELD**

WHEREAS section 491 of the *Quebec Municipal Code* (section 331 of the *Cities and Towns Act*), which allows the council to adopt by-laws to regulate the conduct of the Board's debates and to maintain the good order and decorum during sessions;

WHEREAS the Municipality of LITCHFIELD wishes to act in order to maintain order and decorum during Municipal Council meetings;

WHEREAS it is opportune for Council to adopt a by-law to this effect effect;

WHEREAS notice of motion and presentation of the present by-law was given at the regular meeting held on November 4, 2024 by Rick Frost;

IT IS THEREFORE PROPOSED by Rick Frost and resolved that the following by-law be adopted:

**TITLE**

**ARTICLE 1**

The preamble forms an integral part of the present by-law.

**BOARD MEETINGS**

**ARTICLE 2**

Ordinary Board meetings are held in accordance with the following schedule established by resolution of the Board, on the days and at the times specified therein, and which may be modified by resolution.

**ARTICLE 3**

The Board sits in the Council's Meeting Room, at the Municipal Office of the MUNICIPALITY OF LITCHFIELD located at 1362 route 148, Campbell's Bay Qc J0X 1K0 or at any other location determined by resolution.

**ARTICLE 3.1**

A member of a municipality's council may, if he or she so wishes, take part in the following activities of the Board meeting by remote means that allows all members of the people participating in or attending the session to see each other and to be heard in real time, in the following cases:

- 1 at a special meeting;
- 2 for a reason related to the safety or health of the employee or another person and, if a health reason is invoked, for a maximum of three regular meetings per year or, where applicable, for the duration indicated in a medical certificate attesting that the remote participation of the member is required;
- 3 because of an impairment resulting in a significant disability and is persistent, which is an obstacle to its participation in person at board meetings;
- 4 because of pregnancy or the birth or adoption of his or her child, in which case remote participation may not exceed the following number of consecutive weeks:
  - a) 50, if he or she has not been absent due to pregnancy or of birth or adoption of his child in accordance with section 317 of the *Act respecting elections and referendums in municipalities* (chapter E-2.2);
  - b) the number resulting from subtracting from 50 the number of

weeks during which he was absent for any reason.  
referred to in sub-paragraph A.

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Remote participation is permitted only if the member is participating to the session from a location in Quebec or any other province adjacent.

The minutes of the meeting must mention the name of any member of the board who participated remotely.

When the majority of council members participate remotely in a session, the municipality must make a video recording of the session and make it available to the public, on its website or on any other website that it may designate by resolution, from the day business day following the day on which the meeting ended.

**ARTICLE 4**

Board meetings are open to the public.

**ARTICLE 5**

Deliberations must be made in a loud and intelligible voice.

**ARTICLE 6**

Unless otherwise stated in the notice of meeting, special council meetings begin at 7:00 p.m.

**ORDER AND DECORUM**

**ARTICLE 7**

The council is chaired by the mayor or pr-mayor or, failing that, by a member chosen from among the councillors.  
present.

**ARTICLE 8**

The mayor or any member who presides in his place maintains order and decorum, and decides on questions of order during council meetings, except on appeal to the Board. He may order the expulsion of any person who disturbs order.

**AGENDA**

**ARTICLE 9**

The clerk-treasurer has prepared, for the use of the members of the Board, a draft agenda for any ordinary meeting which must be forwarded to Board members, together with the available documents, no later than 72 hours in advance. Failure to comply of this formality does not affect the legality of the meeting.

**ARTICLE 10**

The agenda must be drawn up in accordance with the following model:

1. Opening
2. Adoption of the agenda
3. Declaration of conflicts of interest by council members
4. Adoption of the minutes of the previous meeting;
5. Visitors
6. Urbanism
7. Roads/Equipment
8. Finance and Administration
9. Human Resources
10. Security
11. Transfer site/environmental
12. Halte
13. Correspondance
14. Miscellaneous
15. Closure

**ARTICLE 11**

The agenda of a regular meeting is completed and modified, at the

prior to its adoption, at the request of any council member municipal.

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#### ARTICLE 12

The agenda of a regular meeting may, after adoption, be amended as follows modified at any time, but only with the consent of the majority of the of council members present.

#### ARTICLE 13

Items on the agenda are called in the order in which they are figure.

### **RECORDING EQUIPMENT**

#### ARTICLE 14

It is forbidden to film or photograph inside the premises where council meetings are held, and the use of any of the photographic camera, video camera, video camera, etc. television or other is prohibited.

#### ARTICLE 15

**The use of a mechanical or electronic voice recording device is authorized during municipal council meetings, on condition that the person announces his intention to record and that the device is used silently and without in any way disturbing the proceedings of the meeting; the device used must be placed on a table or in a space designated and identified for this purpose; neither the recording device nor the microphone or any other component of this device may be placed on the council table in front of it or near it, or in any place other than those indicated above.**

### **QUESTION PERIOD**

#### ARTICLE 16

Council meetings include a period during which those present may ask oral questions of the members of the council.

#### ARTICLE 17

This period lasts a maximum of thirty minutes each time. session, but may be terminated prematurely if there are no further questions addressed to the council.

Persons residing within the territory of the municipality or who own a building or occupy an establishment located in this territory have priority to ask a question.

If there is any time left after these people have asked their questions, any other person may put a question to the municipal council.

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#### ARTICLE 17.1

People wishing to benefit from the priority for residents and owners must register with the clerk-treasurer, by providing proof of identity and ownership, where applicable.

Registration begins 30 minutes before the start of the meeting and ends five minutes before the start of the session.

#### ARTICLE 18

Any member of the public present wishing to ask a question must:

- a. first identify yourself;
- b. addresses the Chairman of the meeting;
- c. declares to whom your question is addressed;
- d. asks only one question and one sub-question on the same subject. However, anyone can ask a new question and a new sub-question, when all those wishing to ask a question have done so, and so on in turn until the question period expires;
- e. speak in polite terms and refrain from using abusive language and libelous.

#### ARTICLE 19

Each speaker is allocated a maximum of five minutes to ask a question and a sub-question, after which the chairman of the session may end the intervention.

#### ARTICLE 20

The Council member to whom the question has been addressed may either respond immediately, respond at a subsequent meeting or reply in writing.

#### ARTICLE 21

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Each member of the council may, with the permission of the mayor or any person who presides in his place, complete the given answer.

#### ARTICLE 22

Only questions of a public nature will be allowed, as opposed to those of a private nature, those of private interest that do not concern municipal business.

#### ARTICLE 23

Any member of the public present at a Council meeting who wishes to address a member of the council, may not only during the question period.

#### ARTICLE 24

Any member of the public present at a council meeting who wishes to address the mayor or any person who presides in his place, the during the question period, can only ask questions in accordance the rules laid down in articles 18, 19, 22 and 23.

#### ARTICLE 25

Any member of the public present at a council meeting must refrain from shouting, heckling, singing, making noise or posing any other gesture likely to hinder the smooth running of the session. Any member of the public in attendance must show respect for Board members and other members of the public present in the room.

#### ARTICLE 26

Any member of the public present at a council meeting must obey the rules and regulations from the person presiding over the meeting relating to order and decorum during board meetings.

### **WRITTEN REQUESTS**

#### ARTICLE 27

Petitions or other written requests addressed to the council or to members are neither placed on the agenda nor read out at the meeting. the meeting, except in the cases provided for by law.

### **APPLICATION PROCEDURES,**

### **RESOLUTIONS AND DRAFT BY-LAWS**

#### ARTICLE 28

An elected representative may speak only after having signified his or her intention to speak or intention to do so by raising his or her hand to the Chairman of the meeting. The Chairman of the assembly gives the floor to the elected representative according to the order of requests.

#### ARTICLE 29

Resolutions and by-laws are presented by an elected official who explains the project to the council or at the request of the mayor or any person who presides in his place.

Once the project has been presented, the chairman of the meeting must ensure that all council members who wish to express their opinion on the Question, have had the opportunity to do so.

Once the draft resolution or by-law has been submitted and all council members wishing to express their opinion on the matter have opportunity to do so, a member of the council may present a request to amend the project.

#### ARTICLE 30

When a request for amendment is made by a member of the council, the council must first vote on the proposed amendment. If the amendment is adopted, the council then votes on the project.

as amended. If the amendment is not adopted, the council votes on the original project. The rules applicable to voting on the project apply to the amendment vote.

#### ARTICLE 31

Any member of the council may at any time, during the debate, demand the reading of the original proposal or amendment, by the mayor or any person presiding in his place.

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#### ARTICLE 32

At the request of the mayor or any person presiding in his place, the clerk-treasurer may give his opinion or present his observations or comments or suggestions it deems appropriate in relation to the issues at hand or in deliberation.

#### **VOTE**

#### ARTICLE 33

Votes are taken orally and, at the request of a member of the Board, in writing. They are recorded in the Board's minute book.

#### ARTICLE 34

With the exception of the Chairman, all members of the Town Council are required to vote under penalty of the sanctions provided for by law, unless he or she can be exempted or prevented by reason of his interest in the matter concerned, in accordance with the *Act respecting elections and referendums in municipalities* (RLRQ, c. E-2.2).

#### ARTICLE 35

All decisions must be taken by a majority of members present, except for when the law requires a different majority.

#### ARTICLE 36

When votes are equally divided, the decision is considered to be as rendered in the negative.

#### ARTICLE 37

The motives of individual Board members in a vote are not binding and are not recorded in the minutes.

#### **ADJOURNMENT**

#### ARTICLE 38

Any regular or special meeting may be adjourned by the council to another time on the same day or on a subsequent day, without the be necessary to give notice of the adjournment to the members who were not present;

#### ARTICLE 39

Two members of the council may, when there is no quorum, adjourn the meeting one hour after the lack of quorum has been established. The time of adjournment and the names of the members of the present must be entered in the minutes of the session.

In this case, special written notice of the adjournment must be given by the clerk-treasurer to the members of the council who were not present at the adjournment. Service of such notice shall at the resumption of the adjourned meeting, in the same manner the same way as the notice of the special meeting.

Special notice of this adjournment must be given by the clerk, to council members absent at the time of adjournment. The time of adjournment, the names of council members present, the day and time when this meeting was adjourned are recorded in the council minute book.

#### **PENALTY**

#### ARTICLE 40

Any person who acts in contravention of sections 14, 15, 18e., 23 to 26 and 28 of the present By-law commits an offence and is liable a minimum fine of \$200 for a first offence and of \$400 for a repeat offence, said fine not exceeding \$1,000. Fees for each infraction are extra.

Failing payment within the time limit set by the Court, the offender will be subject to the penalties provided for in the *Code of Criminal Procedure of the Québec* (RLRQ, c. C-25.1).

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## **INTERPRETATIVE AND FINAL PROVISIONS**

### **ARTICLE 41**

No provision of these rules shall be interpreted in such a way as to render them unenforceable to restrict the powers granted by law to the council members.

### **ARTICLE 42**

This by-law will come into force in accordance with the law.

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Colleen Larivière, Mayor

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Julie Bertrand, General Manager and Clerk-Treasurer

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| <b>Notice of motion:</b>       | <b>November 4, 2024</b> |
| <b>Project submission:</b>     | <b>November 4, 2024</b> |
| <b>Adoption:</b>               | <b>December 2, 2024</b> |
| <b>Notice of promulgation:</b> | <b>December 3, 2024</b> |