

BYLAW NUMBER 345

A Bylaw of the Municipal Corporation of the Meeting of Fort Liard in the Northwest Territories to make rules governing the procedures of Council, the administration of Council business, and adoption of the corporate seal according to the provisions of the Municipal Act, R.S.N.W.T., 2003, c. 22, s.33,40, and 55.

WHEREAS the Municipal Act requires that every Council make rules respecting its proceedings, meeting attendance, members' conduct, voting procedures, general business transactions, and adoption of a corporate seal.

NOW, THEREFORE, COUNCIL OF THE MEETING OF FORT LIARD, at a duly assembled Meeting, enacts as follows:

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SHORT TITLE

1. This by-law may be cited as the "**Council Procedural Bylaw.**"

[Signature]

INTERPRETATION

2. In this By-law:

“Act”	means	the Hamlets Act, R.S.N.W.T., 2033. C.22;
“Agenda”	means	the Agenda of a regular, special, or committee Meeting of Council as prepared by the S.A.O. under the direction of the Mayor/Chairperson;
“Chairperson”	means	means the presiding council member;
“Closed Meeting”	means	a Meeting or a portion of a Meeting which is closed to the public;
“Conflict of Interest”	means	includes a financial interest or circumstances where an individual is or could be influenced by a personal interest when carrying out their public duty, including anything that gives rise to bias, prejudice, close-mindedness or undue influence;
“Committee”	means	a committee appointed by Council;
“Council”	means	the Mayor and Councillors of the Meeting of Fort Liard;
“Councillor”	means	a Member of Council other than the Mayor;
“Deputy Mayor”	means	Councillor so elected under this Bylaw;
“Employee”	means	an Employee of the Meeting, including an Officer;
“Meeting”	means	the Meeting of Fort Liard, Northwest Territories;
”Majority”	means	more than half;
“Mayor”	means	the Mayor of the Meeting of Fort Liard, Northwest Territories;
“Meeting”	means	a regular, closed, special, or emergency Meeting called and conducted under the Hamlets Act, R.S.N.W.T., 2003. c.22.;
“Officer”	means	the Senior Administrative Officer or an employee of the Meeting appointed as an Officer by Council;
“Public Notice”	means	The giving of a notice to the public and council members per the <i>Hamlets Act</i> section 211;
“Record Vote”	means	the recording of the name and vote of every member who voted on any member or question;
“S.A.O”	means	the Senior Administrative of the Hamlet;

[DK] [JM]

“Schedule”	means	means a schedule is attached and forms part of this Bylaw;
“Statutory Public Hearing”	means	a hearing required to be held according to a statute of the Northwest Territories or a Bylaw of the Meeting before a proposed Bylaw may be enacted;
“Quorum”	means	a majority of members then hold office, including the mayor or chairperson.

APPOINTMENT OF ACTING MAYOR

2. Where both the Mayor and the Deputy Mayor are absent or unable to perform their duties, the Mayor or Deputy Mayor shall appoint an acting Mayor;

FIRST MEETING

3. Before the commencement of the first Meeting of Council following a general, every Member shall take an Oath of Office;

REGULAR MEETINGS OF THE COUNCIL

3. A newly elected Council shall hold its first Meeting 45 days after the election day at the time and place the Mayor designates.
4. Council shall transact business at its first Meeting once all persons declared elected by the *Local Authorities Elections Act* have taken and subscribed to the oaths of office.
5. At its first Meeting, the Council shall elect a Deputy Mayor from amongst Councillors for a term as decided by motion that does not exceed the elected member's term.
6. Council shall hold at least one regular Meeting each month at a time and place fixed by a council motion.
7. The SAO shall ensure that each Council member is prepared for each regular Meeting by having information packages containing the Agenda, previous minutes, briefing notes, financial reports, Bylaws and any correspondence needing attention at the Meeting available for pickup at the Meeting office at least two working days before the commencement of the Meeting.
8. If any member of the Council fails to attend three regular Meetings within one calendar year or three consecutive regular Meetings without being previously excused, they may be deemed by the Council to have resigned as a member of the Council.
9. All Regular Meetings are open to the public, and no public member shall be excluded from them except for improper conduct or as required by the Act.
10. Members shall provide Agenda items for consideration to the Mayor or SAO at any Meeting three working days before the Council Meeting.
11. When the time, date, or location of any regular Meeting is changed or a Meeting is cancelled, the Senior Administrative Officer will post a Public Notice.



12. The Order of Business shall be as follows:

- Call to Order
- Approval of Agenda
- Declaration of Conflict of Interest
- Adoption of Minutes
- Business arising from the minutes
- Delegations
- New Business
- Reports
- Correspondence
- Agenda Items for Consideration
- Date of next Meeting and Agenda items
- Adjournment

CLOSED MEETINGS OF THE COUNCIL

13. The Council may close a meeting with the public by resolution approved by at least two-thirds of Council members present.

14. A Meeting may be closed to discuss the following:

- a) Confidential information that could be harmful to the Meeting or persons involved;
- b) Commercial information that could be harmful to Meeting or the business involved;
- c) Employee information, including salary, benefits, or performance;
- d) Acquisition or disposal of property by or on behalf of the Meeting;
- e) Conduct of existing or expected legal hearings;
- f) Conduct of investigation of or enforcement of a Bylaw;
- g) Information that could prejudice public security or maintenance of law and order;
- h) Information received in confidence that could be prejudicial to the Meeting or persons involved; and,
- i) Information received in confidence that could be prejudicial to the Meeting or persons involved.

15. Public records will show the date and time the Meeting was closed and the nature of the issues discussed.



16. Members shall keep in confidence the matters considered during closed Meetings.
17. The Council has no power to make a Bylaw or a motion, other than a motion to adjourn, at a Meeting that is closed to the public except for -
 - a) giving instructions to a lawyer;
 - b) giving instructions to a person negotiating a contract on behalf of Meeting; or,
 - c) giving directions to staff on confidential matters.

SPECIAL MEETINGS OF COUNCIL

18. The Mayor or two councillors may call a Special Meeting by giving notice in writing to the SAO at least forty-eight hours before the proposed date and time.
19. Council may only conduct business at a special Meeting if all members are present and agree.
20. All Special Meetings are open to the public, and no public member shall be excluded from them except for improper conduct or as required by the Act.

EMERGENCY MEETINGS OF COUNCIL

21. Any member may call an emergency meeting by Act if an emergency exists in Hamlet.
22. The Council may only transact business related to the emergency.
23. The Council may declare a local emergency by the *Civil Emergencies Measures Act*.

ELECTRONIC MEETINGS

24. As provided in Section 26 (1) of the Hamlets Act, a council Meeting may be conducted using an electronic means of communication if
 - a) Council members can hear and speak to each other; and,
 - b) the public can hear council members.
25. Council members taking part in a Meeting in the manner referred to in section 24 are deemed to be present at the Meeting
26. Only council members who, at the time of the Meeting, are outside the Meeting or physically unable to attend a Meeting may participate in the manner described in section 24.
27. Council members or members of the public who wish to take part electronically must inform the SAO of their intent one day before the Meeting date.
28. The person chairing the Meeting must not take part electronically.



PUBLIC NOTICE

29. The Senior Administrative Officer shall ensure that members of the Council and the public are given three days advance notice of the time and place of each Council Meeting.
30. Notices shall be posted on the Hamlet website, programmable electronic signage, and the council chamber signage board.
31. The requirement for Public Notice may be met by posting a schedule of regular Meetings at least once a year.

PROCEDURES

31. The Hamlet shall conduct all Meetings following the Act.
32. The Mayor shall function as chairperson of all Meetings at which he/she is present.
33. In the absence or inability of the Mayor to act, or if the office of the Mayor is vacant, the Deputy Mayor shall act in the place of the Mayor. While acting, the Deputy Mayor shall possess the powers and perform the duties of the Mayor.
34. In the absence or inability of the Deputy Mayor to act, or if the office of the Deputy Mayor is vacant, a Councillor shall be elected to conduct a chairperson by a majority vote of the members present. While acting, the Councillor shall possess the powers and perform the duties of the Mayor.
35. The chairperson shall call the Meeting to order as soon as the time fixed for holding the Meeting has passed and a quorum is present.
36. A quorum must be present at Meetings on transacting business.
37. If no quorum is present one quarter (1/4) hour after the time appointed for the Meeting, the SAO or designate shall record the names of the members present, and the Meeting shall stand adjourned.
38. If a quorum is present, the chairperson shall take the chair at the time appointed for the Meeting and call for order.
39. Members who arrive late at a Meeting will not be allowed to vote on the subject under debate at the time of their arrival.
40. When the Mayor wishes to participate in a debate at a Meeting, the Mayor shall leave the chair and call the Deputy Mayor, if present or, if not present, a Councillor, to preside until the Mayor resumes the chair. The Mayor shall resume to the chair before any vote is taken.
41. The Mayor is only entitled to vote to break a tie vote on a motion.
42. The Mayor shall only, at any time, with authority given by the Council at a council meeting, make any decisions that will affect the Council or residents of Hamlet.
43. A member may request that a motion or matter under discussion be read at any time.
44. When required by legislation or whenever any member calls for a recorded vote, the SAO shall enter the names of those minutes who vote "for" or "against" in the minutes.



45. The chairperson shall keep order and decorum at all Meetings and decide questions of order without unnecessary remarks or comments.
46. Any Council member may appeal a question of order, in which case the chairperson shall ask the Council to decide the ruling.
47. The SAO or designate shall record the proceedings of all Meetings by the Act.
48. The minutes of the earlier Council Meeting(s) shall be approved by motion.
49. The minutes of the earlier Meeting shall only be read if a member requests it, in which case the SAO or designate shall read the minutes before considering their adoption.

CONDUCT OF MEMBERS

50. The Council shall adopt a *Code of Ethics for Members* by motion.
51. No member shall criticize any decision of the Council.
52. No member uses offensive words against the Council or any member.
53. When a Bylaw or motion is put to a vote, all Members shall vote, either by a show of hands or a recorded vote, except those that have declared an interest in the matter on which the vote is being taken.
54. Notwithstanding section, a Member may abstain from a vote.

DISCLOSURE OF CONFLICT OF INTEREST

55. When a Member has a Conflict of interest in any matter before Council and is present at a Meeting when this matter is the subject of consideration, that Member shall disclose their interest in the matter and the general nature and extent thereof and remove themselves from the Meeting during consideration of the matter.
56. When the interest of the Member has not been disclosed because of:
 - a) the Member being absent from the Meeting in which the matter was the subject of consideration;
 - b) the Member acquired the interest after the Meeting; or,
 - c) the Member shall disclose their interest in the matter at the next Council Meeting at which it will be considered.
57. All Members shall inform the SAO, in writing,
 - a) of any debt, except for property taxes, owed to the Meeting more than \$500 for more than 90 days; and
 - b) any controlling interest, as defined in the *Conflict-of-Interest Act*, in a private or public corporation indebted to the Meeting, except property taxes, for a sum exceeding \$500 for more than 90 days.
58. Members shall not participate in any discussion or vote(s) nor try to influence the matter during or after the Meeting.



BYLAWS

59. The power of the Hamlet to make Bylaws is subject to all enactments of the Northwest Territories and Canada.
60. A Bylaw applies only inside of the boundaries of the Hamlet;
61. Every Bylaw shall be in writing before receiving the first reading and shall have no blanks except to follow any legislation's provisions.
62. A Bylaw must have three distinct and separate readings except as the *Hamlets Act* allows.
63. The SAO shall endorse all Bylaws, certifying that the Bylaw has been made following the Hamlet's Act.
64. A copy of the Bylaw under the corporate seal of the Hamlet and certified by the Senior Administrative Officer to be a true copy is admissible in evidence without proof of validity. S.N.W.T. 2011, c.7 Sch.C,s.4.
65. After receiving the third and final reading, the Senior Administrative shall forward a copy of every Bylaw to the Minister of Municipal and Community Affairs.

GENERAL ADMINISTRATIVE DUTIES

66. The Minutes of Council proceedings shall be numbered in order each year, beginning with number one in the calendar year and continuing to the last Meeting of the same calendar year.
67. A record of Council members' attendance at all Council Meetings shall be kept during each calendar year.
68. The SAO shall maintain custody of the original copies of council minutes, Bylaws, and other records.

DIRECTION TO STAFF

69. Except for an official enquiry or an emergency, members of the Council shall deal with staff through the SAO, and the Council shall, as a standard practice, require that all directives be carried out through the office of the SAO.

VACANCIES IN COUNCIL

70. When a vacancy in the Council occurs, the SAO shall advise the remaining members and place the matter on the Agenda for the next Council Meeting.
71. The Council will fill vacancies on the Council according to the Act.

COMMITTEES

72. The Mayor shall be a member of all council committees with full powers and responsibilities.



73. Council may, by motion, appoint a special committee, create procedures, and establish a term of reference to deal with any issue that needs further investigation and consideration.
74. The committee chairperson shall write and sign all reports and recommendations of standing and special committees to the Council.

PUBLIC HEARINGS

75. The Council shall adopt by motion rules for a Public Hearing.

SEVERABILITY

76. Each provision of this Bylaw is independent of all other provisions. If a Court of competent jurisdiction declares any provision invalid for any reason. In that case, all other provisions of this Bylaw shall remain valid and enforceable, and the Bylaw shall be interpreted as such.

EFFECTIVE DATE

77. This Bylaw is effective upon third and final reading.

REPEAL

78. Bylaw 228 is repealed.

READ for a First Time on the 20th day of February 2025.

READ a Second Time this 20th day of February 2025.


READ a Third Time and finally passed this 20th day of March 2025.





Derwin Kotchea
MAYOR

As per Section 77(1)(d) of the Meetings Act, I certify that this bylaw has been made following the requirements of the Meetings Act and the Bylaws of the Meeting of Fort Liard.



John W. McKee
SENIOR ADMINISTRATIVE OFFICER

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