



**BY-LAW NO. 2026-01**

**A BY-LAW RESPECTING THE PROCEEDINGS OF FUNDY ALBERT MUNICIPAL COUNCIL AND COMMITTEE MEETINGS**

Pursuant to the authority vested in it by the Local Governance Act, SNB 2017, c.18 and its amendments, the municipal council of Fundy Albert duly assembled enacts as follows:

**PURPOSE:** A By-law of Fundy Albert, in the Province of New Brunswick, for the purpose of establishing the proceedings of the Council of Fundy Albert and Council committees.

**1. TITLE**

This by-law shall be cited as the “Procedural By-Law”.

**2. DEFINITIONS**

“Act” means the Local Governance Act, S.N.B. 2017, c. 18 and regulations made thereunder, as amended;

“Administration” means the Chief Administrative Officer and senior staff of the municipality;

“Ad hoc Committee” means a committee established by Council to address a specific task or topic, and dissolved after the completion of the task or achievement of the objective, and regulated as per Section 12.1 of this by-law;

“CAO” means the person appointed to the position of chief administrative officer by Council under the provisions of the Act;

“Clerk” means the person appointed to the position of clerk by Council under the provisions of the Act;

“Closed Meeting” means a meeting of Council not open to the public, so convened in accordance with section 68 Local Governance Act;

“Committee(s) of Council” means committees created by resolution of Council to address specific mandates or ongoing responsibilities, consisting of appointed Members of Council, a Chair and Vice-Chair, and supported by Administration, with approved Terms of Reference, and reporting to Council in an advisory capacity.



“Council” shall mean the mayor and the councillors of Fundy Albert;

“Councillor” designates a member of council of Fundy Albert other than the mayor;

“Deputy Mayor” means the member who is appointed pursuant to the Act to act as Mayor in the absence or incapacity of the Mayor;

“Electronic Communications” means that members of Council may attend a Council meeting through electronic communications. This can include using a telephone with the use of the speaker, via personal computer, or other means as technology advances;

“Emergency Meeting” means a meeting of council other than an ordinary and/or special meeting;

“Mayor” designates the elected mayor of Fundy Albert;

“Member” means a member of Council duly elected and continuing to hold office (including the Mayor), or where the context requires, a member of a Council committee appointed by Council;

“Mover” means the person who submits a motion to council;

“Municipality” means the Village of Fundy Albert, established under the laws and regulations of the Province of New Brunswick;

“Notice of Motion” means by which a member of Council brings business before Council that is not on the agenda;

“Point of Information” means a procedural mechanism by which a Councillor may rise to request clarification on matters relevant to the business under discussion. A Point of Information shall not be used to enter into debate, offer opinion, or provide unsolicited information;

“Point of Order” means a procedural mechanism by which a Councillor may rise when it is believed that this By-law, the *Local Governance Act*, or accepted meeting procedure has been violated or incorrectly applied. Upon being raised, the Mayor shall rule immediately on the validity of the Point of Order before debate continues;

“Point of Privilege” means a procedural mechanism by which a Councillor may rise to address a matter that directly affects the rights, dignity, integrity, or ability to participate of the Council, an individual Member, or municipal staff, including but not limited to defamatory, offensive, or misleading statements, or circumstances that disrupt a councillor’s participation in the meeting;

“Presiding Officer” means the Mayor, or in absence of the Mayor, the Deputy Mayor, or in the absence of the Deputy Mayor the the Clerk shall call the meeting to order and, in accordance with the Local Governance Act, request a volunteer from among the Members present to act as Presiding Officer, to be appointed by resolution.

“Public Hearing” means a meeting of Council convened to hear matters pursuant to the Act or the Community Planning Act, S.N.B. 2017, c.19;

“Public Statements and Inquiries” means the agenda item providing an opportunity for members of the public to address Council briefly on matters within municipal jurisdiction, subject to the rules in this by-law;

“Quorum” means a majority of those members of council holding office at the time of the meeting;

“Seconder” means the person who supports a motion submitted to Council

“Special Meeting” means a special meeting called by the Mayor pursuant to the Act or this by-law;

“Unanimous Consent” means an informal way of taking a vote, used only for routine and non-controversial decisions of a procedural nature;

### **3. APPLICATION**

The rules of this by-law:

3.1 This bylaw applies to all meetings of Council;

3.2 shall be used for the order and dispatch of business in council and committee meetings;

3.3 To the extent that a matter is not dealt with in the Act or this bylaw, Council shall refer to Robert’s Rules of Order;

3.4 The precedence of the rules governing the procedures of Council is:

- (a) the Act;
- (b) other provincial legislation;
- (c) this bylaw; and
- (d) Robert's Rules of Order.

#### **4. MEETINGS OF COUNCIL**

- a. When a meeting must be canceled due to a storm or for any other reason, the decision will be made by the Mayor after consultation with the clerk before 2:00 p.m. on the same day and public notice shall be provided via the municipal website and any other reasonable means available. The meeting will be rescheduled to the next business day at the same time.
- b. Unless otherwise specified, all Meetings of Council shall be held in the Council Chamber of the municipal office.
- c. Every person wishing to speak during a Council meeting shall address their comments through the Mayor, and no person shall be permitted to speak unless and until the Mayor has granted that person permission.
- d. If any Member wishes to ask a question of Administration during a meeting, any such questions shall be directed to the CAO, who may either answer or call upon the appropriate Administration official to respond.

#### **4.1 FIRST MEETING OF A NEWLY ELECTED COUNCIL**

- a. A newly elected Council shall hold its first Regular Meeting on the day prescribed by the *Local Governance Act*.
- b. No business shall be transacted until all Members elected to office have:
  - (i) taken and subscribed to the Oath of Office, and
  - (ii) completed and submitted their Disclosure of Conflict of Interest Form.
- c. The Clerk shall administer the Oaths of Office to all Members prior to the commencement of any other Council business.
- d. Council shall elect a Deputy Mayor in accordance with Section 11.

#### **4.2 REGULAR MEETINGS**

- a. Subject to the Act, Council shall hold its Regular (Public) Meetings on the first (1st) Tuesday of each month, beginning at six o'clock in the evening (6:00 pm) unless otherwise determined by Council. In the event that Tuesday is a holiday, the meeting shall be held on the following business day of that week.
- b. If there are changes to the date and time of a regular meeting, the municipality must give at least twenty-four (24) hours' notice of the change to all Council and the public. Public notice shall be provided via the municipal website and any other reasonable means available.
- c. Council may waive a Regular Meeting or change the date for such meeting when, by Resolution of Council made at least 1 (one) week prior thereto, the Council deems it appropriate. However, the Mayor, if concerned about a safety factor or due to compassionate reasons, may cancel or reschedule a Regular Meeting on short notice if deemed necessary.
- d. Unless otherwise determined by Council, all Regular, Special, and Emergency Meetings of Council shall be held in the Village Council Chambers.
- e. No Regular Meetings of Council or Committee of the Whole Meetings shall be held during the months of August and December, unless otherwise determined by resolution of Council; however, this shall not preclude the calling of Special or Emergency Meetings as permitted under this By-law and the Act.

#### **4.3 SPECIAL MEETINGS**

- a. The Clerk, upon the request of the Mayor, shall call a Special Meeting of Council. The Mayor may at any time summon a Special Meeting and shall do so upon the verbal or written request of a majority of Members.
- b. The Clerk, upon receipt of a written request signed by a majority of Members of Council, shall call a Special Meeting for the purpose and on the date specified in the request.
- c. The Clerk shall provide notice of each Special Meeting to all Members of Council at least twenty-four (24) hours before the time set for the meeting. The notice shall specify the time, date, and business to be transacted.
- d. No business shall be transacted at a Special Meeting other than that specified in the notice calling the meeting, except by unanimous consent of all Members present.

e. Public notice of all Special Meetings shall be provided via the municipal website and any other reasonable means available.

#### **4.4 EMERGENCY MEETINGS**

a. The Mayor, or any three (3) Members of Council, may call an Emergency Meeting.

b. Notice periods applicable to Special Meetings do not apply to Emergency Meetings; however, every effort shall be made to provide Members of council and the public with as much notice as possible

c. An Emergency Meeting may be convened only to address matters of an urgent nature that cannot be deferred to a Regular or Special Meeting, including but not limited to situations affecting public safety, municipal operations, or essential services.

d. Only the subject matter of the emergency shall be considered at an Emergency Meeting.

#### **4.5 CLOSED MEETINGS (public excluded)**

A council meeting or a committee of council meeting may be closed to the public for the duration of the discussion if it is necessary to discuss:

a) information of which the confidentiality is protected by law;

b) personal information as defined in the Right to Information and Protection of Privacy Act;

c) information that could cause financial loss or gain to a person or the local government or could jeopardize negotiations leading to an agreement or contract;

d) the proposed or pending acquisition or disposition of land;

e) information that could violate the confidentiality of information obtained from the Government of Canada or from the government of a province or territory;

f) information concerning legal opinions or advice provided to the local government by its solicitor or privileged communications between solicitor and client in a matter of the local government business;

- g) litigation or potential litigation affecting the local government, or any corporation referred to in subsection 8(1) of the Local Governance Act or the local government's agencies, boards or commissions including any matter before an administrative tribunal;
- h) the access to or security of buildings and other structures occupied or used by the local government or access to or security of systems of the local government, including computer or communication systems;
- i) information gathered by the police, including the Royal Canadian Mounted Police, in the course of investigating any illegal or suspected illegal activity, or the source of that information;
- j) labor and employment matters, including the negotiation of collective agreements.

In accordance with the Act, if a meeting of council or of a committee is closed to the public, no decision can be taken during the meeting except for decisions relating to:

- a) procedural matters;
- b) directions to an officer or employee of the local government;
- c) directions to a solicitor for the local government.

#### **4.6 MEETING THROUGH ELECTRONIC COMMUNICATIONS**

- a. Eligibility to Participate Remotely - A Member of Council may participate in a Council meeting, including meetings open to the public and meetings closed to the public, by electronic means of communication only if the Member is:
  - i. outside the territorial boundaries of Fundy Albert; or
  - ii. physically unable to attend the meeting in person.
- b. Use of Electronic Means - It is permitted to use electronic means of communication in a Council meeting if the technology allows Members of Council to hear and speak to each other and, in the case of a meeting that is open to the public, allows the public to hear the Member of Council participating electronically.
- c. Announcement by Presiding Officer - The Presiding Officer shall announce to those in attendance at the meeting that a Member of Council is attending the meeting by means of electronic communication.

d. Notice to Clerk - A Member of Council who intends to participate in a meeting by electronic means shall provide sufficient notice to the Clerk to allow:

- i. meeting materials to be provided to the Member; and
- ii. the appropriate electronic means of communication to be arranged.

e. Closed Sessions - A Member of Council participating electronically in a meeting closed to the public under subsection 68(1) of the Local Governance Act shall, at the beginning of the closed session, confirm that

- i. they are alone; and
- ii. the discussion cannot be overheard by any other person.

f. Deemed Presence - A Member of Council who participates in a meeting by electronic means in accordance with this section shall be deemed to be present at the meeting for the period of time that the electronic connection remains active.

g. Voting - When a vote is called, Members of Council participating by electronic means shall be asked to state their vote after all Members of Council physically present at the meeting have cast their votes.

#### **4.7. COMMITTEE OF THE WHOLE**

Committee of the Whole meetings will be held the third (3rd) Tuesday of each month beginning at four-thirty pm (4:30 pm) unless otherwise determined by Council. In the event that Tuesday is a holiday, the meeting shall be held on the following business day of that week.

The Mayor, and in the absence of the Mayor, the Deputy Mayor, shall be the presiding officer of the meeting.

The Committee may:

- (a) Conduct non-statutory public hearings (for information);
- (b) Receive delegations and submissions;
- (c) Meet in private pursuant to the Act;
- (d) Receive information from Administration on emerging items; and
- e) Discuss and debate policy matters to formulate recommendations to Council.

The Committee may make the following motions:

- (a) To receive agenda reports as information;
- (b) To refer matters to Administration or a Committee for review;
- (c) To make recommendations to Council; and
- (d) To move into a private meeting or to revert to an open meeting.

The Committee shall be composed of all Members of Council, with the Clerk, Chief Administrative Officer, and other required administrative staff in attendance to provide presentations and respond to questions.

Every person wishing to speak during a Committee meeting shall address their comments through the Presiding Officer. No person shall be permitted to speak unless the Presiding Officer has granted that person permission.

Members of Council shall submit all agenda items to the Clerk at least 48 (forty-eight) hours prior to the Committee of the Whole Meeting. No additional items will be added to the agenda unless so approved by a Majority vote of Council.

## **5. PROCEDURE**

### **5.1 CALL TO ORDER**

a. The Mayor, and in the absence of the Mayor, the Deputy Mayor, shall be the presiding officer of meetings. The presiding officer shall call the members to order at the commencement of the meetings.

b. Where the Mayor and Deputy Mayor are absent, the Clerk shall call the meeting to order and, in accordance with the Local Governance Act, request a volunteer from among the Members present to act as Presiding Officer, to be appointed by resolution.

### **5.2 AGENDAS**

a. The agenda for each regular Council meeting shall be prepared by the Clerk from submissions from Council and where applicable, senior staff and the public.

b. The agenda will be circulated to each Member of Council by the Thursday prior to the meeting.

c. Any additional matter not included on the agenda shall only be considered with unanimous consent by all members of council during the approval of the agenda

d. If, during discussion on an agenda item of business, a related item of business not on the agenda is raised by a Member or Administration, it may be dealt with in one of the following ways:

(i) An actionable motion may only be approved with the unanimous approval of all members present at the meeting; or

(ii) Direction may be given to the CAO to bring the item forward at a future meeting. The CAO may require that Council formally approve this request, if it is believed the request will require a significant amount of administrative time and resource.

e. Senior staff (department head) may request the addition of a matter to the agenda as urgent business after the agenda has been prepared and distributed by the Clerk. In these circumstances, the Department Head shall submit a request to the CAO including the reason(s) and degree of urgency as soon as possible. The Clerk shall advise Council of any addition(s) to the agenda and distribute the updated agenda as soon as it becomes available.

f. The general order of business on the Regular Council Meeting agenda shall be as follows; however, the actual order of conduct may be adjusted by Council as necessary:

- (a) Call to Order
- (b) Adoption of Agenda
- (c) Conflict of Interest Declarations
- (d) Adoption of Minutes
- (e) Consent Agenda
- (f) Public and Administrative Presentations
- (g) Reports and Recommendations from Committees and Private Meetings
- (h) Reports from Administration
- (i) Unfinished Business
- (j) Bylaws
- (k) Mayor & Councillor Statements & Inquiries
- (l) Public Statements and Inquiries
- (m) Notices of Motion and Resolutions
- (n) Closed Session
- (o) Adjournment

g. The consent agenda portion of a meeting means that portion where business items, other than bylaws, are moved and voted on without debate as one item regardless of the number of reports included. Items on the consent agenda should

be adopted by an omnibus motion in which the recommendations presented by Administration are approved. A member of council may exempt any item or items from the consent agenda motion and vote. The Presiding Officer will call for a motion to adopt the remaining items on the Consent Agenda, any items removed from the Consent Agenda will be considered under the Reports from Administration portion of the Agenda.

### **5.3 MINUTES**

- a. The Clerk or designate shall record the minutes of Council meetings, in accordance with the Act.
  
- b. If a Member arrives late, leaves before the meeting is adjourned, or is absent or temporarily absent from the meeting, it shall be so recorded in the minutes.
  
- c. The Minutes shall record all resolutions, decisions, and proceedings of the Council, and include, but not be limited to:
  - (i) municipal corporation name;
  - (ii) meeting date and time;
  - (iii) names of Members of Council present, Participating Remotely, and absent;
  - (iv) adoption (with corrections noted where applicable) of previous meetings' Minutes;
  - (v) disclosures of Conflict of Interest;
  - (vi) name of Members of Council who made or seconded a motion;
  - (vii) all motions made and an indication of whether they were passed or defeated;
  - (viii) time the session was adjourned, signature of the Mayor, or designated Presiding Officer, and the Clerk, or Assistant Clerk.
  
- d. The Minutes shall be an account of Council decisions, not a full recount of Council proceedings. The Minutes are an official record of what has been decided, not on what was said. The Clerk is ultimately responsible for the content of the Minutes. The Council and staff are responsible for pointing out any errors to be corrected in the content. Errors shall be corrected after a resolution to that effect has been passed.

### **5.4 PRESENTATIONS**

a. The Presentations portion of a Council meeting shall provide an opportunity for individuals to appear as a formal delegation or on their own to make brief presentations to Council on matters within the subject matter jurisdiction of Council.

b. All individuals or groups wishing to address Council and wishing to be listed on the meeting agenda should register with the Clerk at least seven (7) calendar days prior to the date of the meeting, providing their name, topic of concern, and indicating whether there has been any previous contact with a member of Council or Administration regarding the matter. The Clerk will be responsible for preparation of the Council Report Form, if required, for all registered presentations from members of the public. In order to ensure system compatibility and that Members receive all required materials in advance of the meeting, any presentations requiring the use of audio/video technology must be submitted to the Clerk at least three (3) business days prior to the date of the meeting, otherwise they will not be accepted for use at the meeting.

c. Registered presentations shall be limited to ten (10) minutes each, followed by questions from Members of council if applicable.

d. Individuals or groups wishing to address Council by appearing at the meeting with no previous registration should sign in at the door and will be called in the order they register. No audio-visual presentations will be permitted for unregistered presentations. Unregistered presentations shall be limited to five (5) minutes each, followed by questions from Members of council if applicable.

e. Members of the public recognized to speak shall state their name and civic address (or organization represented) for the record.

f. Members of administration, or external consultants/service providers on behalf of Fundy Albert, may make presentations to Council during the Presentations portion of a Council meeting. Such presentations shall not be limited to any amount of time.

g. Council will not entertain submissions from the public on issues that:

- (i) may be considered in a Closed Meeting under Section 68 (1) of the Act;
- (ii) are before the Planning Advisory Committee, the Assessment and Planning Appeal Board, or the courts;
- (iii) require a statutory Public Hearing.

h. Under the heading Public Statements and Inquires, questions and comments by members of the public will be addressed as follows:

- (i) the Presiding Officer gives the floor to a member of the public, who provides their name and address, and/or the name of the organization being represented if applicable;
- (ii) the member of the public must address any questions to the entire Council;
- (iii) with approval from the Presiding Officer, Members of Council may ask the presenter for further information; and
- (iv) during Public Statements and Inquires at Regular Meetings, members of the public do not have the right to speak, unless the Presiding Officer authorizes them to do so.

(i) A response to each presenter's comments or concerns may be provided through 1 (one) or more of the following:

- (i) immediate response provided directly at the meeting by either a Member of Council or Administration if the matter does not require further research;
- (ii) a motion to refer the matter to Administration for review and recommendation at a subsequent time, depending on the significance of the issue and time required to adequately research the matter; or
- (iii) referral of the matter to the Mayor for a follow-up letter on behalf of Council.

j. The presenter will be informed of the method of communication by which a response will be received.

## **5.5 NOTICE OF MOTION**

a. Members may bring forward notices of motion under the Notice of Motion and Resolutions portion of the agenda of a regular Council meeting. Once the Notice of Motion is stated, it will be recorded in the meeting's minutes.

b. A written copy of the Notice of Motion shall be provided to the Clerk prior to the meeting's adjournment.

- c. The Notice of Motion will be placed under the Reports from Administration section of the agenda for the next regular Council Meeting at which the Member who made the Notice of Motion is present, to vote on the matter or determine if it requires additional administrative information.
- d. A Member may request that a Member's motion for which notice has not been provided be considered immediately if a vote dispensing with notice is supported by unanimous approval of Members present.
- e. If the Notice of Motion given at a regular Council meeting is deemed to require additional administrative information, it will be addressed in a time frame not beyond the end of the second month from when it was presented, unless Council directs differently.
- f. A Notice of Motion cannot be made at a special Council meeting.
- g. A motion on Notice is not debatable until a Member moves the motion.

#### **5.6 Motions**

- a. Council decisions shall be made at a Regular, Special, or Emergency Meeting and adopted by by-law or resolution.
- b. A motion must be moved and seconded before it may be debated.
- c. Once moved and seconded, a motion belongs to Council.
- d. A motion may be withdrawn by the mover, with the consent of the seconder and Council, before the vote is taken.
- e. A motion that is substantially the same as one already decided at the same meeting shall not be introduced.
- f. A recommendation in a report is not a motion unless it is formally moved and seconded.
- g. Members may speak only when recognized by the Presiding Officer and shall address all remarks through the Presiding Officer.

#### **5.7 Debate**

- a. Debate shall be limited to the motion or amendment under consideration.

- b. The Presiding Officer shall control the order of speakers and may keep a speakers list.
- c. The mover of a motion may speak first and shall have the right to a final reply before the vote.
- d. Unless Council decides otherwise, a Member may speak:
  - once to the main motion,
  - once to an amendment
- e. No Member may speak longer than ten (10) minutes at a time unless Council permits otherwise.
- f. Members shall not interrupt another speaker, repeat their own arguments unnecessarily, use disrespectful language, make personal attacks, or question the motives of others.
- g. The Presiding Officer may call a Member to order and require the Member to stop speaking if these rules are not followed.

### **5.8 Amendments**

- a. A motion may be amended if the amendment relates directly to the motion.
- b. An amendment may add, remove, or replace words.
- c. Only one amendment may be considered at a time.
- d. Amendments shall be debated and voted on before the main motion.
- e. An amendment that changes the intent of the motion may be ruled out of order by the Presiding Officer.
- f. The Presiding Officer or Clerk may require amendments to be submitted in writing.

### **5.9 Points of Order, Privilege, and Information**

- a. A Member may raise a Point of Order, Point of Privilege, or Point of Information when recognized by the Presiding Officer; a Point of Order may be raised immediately.

b. When a Point of Order or Point of Privilege is raised, debate shall stop until the Presiding Officer rules.

c. A Point of Information is limited to requesting clarification and shall not be used for debate or opinion.

### **5.10 Appeal of a Ruling**

a. A Member may appeal a ruling of the Presiding Officer immediately after it is made.

b. An appeal shall be decided by a majority vote of Members present.

c. No debate is permitted on an appeal.

d. The ruling and the result of the appeal shall be recorded in the minutes.

### **5.11 Non-Debatable Motions**

The following motions are not debatable. When raised, all debate shall cease until the matter is addressed by the Presiding Officer:

- Point of Order (rules issue)
- Question of Privilege (ability to participate)
- Point of Information (request for clarification)

The following motions are not debatable but shall be decided by a vote of Council:

- Withdrawal of a motion
- Recess or adjournment
- Appeal of a ruling of the Presiding Officer

### **5.12 Voting**

a. When the Presiding Officer calls the vote, debate shall end immediately.

b. No further discussion or motions are permitted until the result of the vote is declared.

c. Before the vote, the Presiding Officer or Clerk shall restate the motion, including any amendments, if requested.

d. The Mayor is a Member of Council and is entitled to vote on all motions and questions before Council, except where prohibited by legislation due to a declared conflict of interest.

## **6. PUBLIC HEARINGS**

Where a public hearing is required for a planning matter under the Community Planning Act, unless otherwise determined by Council the hearing will follow the procedure described in Appendix "A", which forms a part of this By-law.

## **7. QUORUM**

a. More than half of all Members constitute a quorum, unless otherwise indicated in this by-law.

b. When quorum is present at the time set for commencement of a Council meeting, the Mayor shall call the meeting to order.

c. If there is a quorum present at the time set for commencement of a Council meeting, but the Mayor and Deputy Mayor are absent, the clerk shall call the meeting to order and shall call for a Presiding Officer from the Members of council in attendance to be chosen by resolution.

d. If quorum is not constituted within fifteen (15) minutes from the time set for commencement of a Council meeting, the Clerk shall record the names of all the members present and shall adjourn the meeting.

e. Whenever a vote on a motion before Council cannot be taken because of a loss of quorum resulting from:

(a) the declaration of a conflict of interest; or

(b) a Member of council not being present for all or part of a Public Hearing;

then the motion shall be the first order of business to be proceeded with and disposed of at the next meeting of Council under that particular order of business.

f. If a quorum is lost for any other reason the meeting is adjourned.

## **8. BYLAWS**

- a. Every bylaw shall be read 3 (three) times by title and read in its entirety in a Regular or Special meeting of Council at least once prior to third reading by title, except where a notice describing the by-law by summary and the subject matter has been posted to the Villages' website for 14 (fourteen) days, the by-law may be passed by reading of the summary, If no member objects.
- b. A proposed by-law may be amended at any time prior to the third reading.
- c. Not more than 2 (two) of the three (3) readings by title may take place at one (1) meeting of Council.
- d. A bylaw shall be passed when a majority of the Members present vote in favour of third reading.
- e. When a bylaw has been given the required readings and enacted, it shall be signed by the Clerk and the Mayor, or the presiding officer at the meeting at which is received third reading by title for enactment and sealed with the seal of the municipality, and filed with the Clerk.
- f. Notwithstanding section (e) any by-law which required Provincial approval only comes into effect once Provincial approval is received.
- g. Clerical, typographical and grammatical errors in bylaws may be corrected by the Clerk.
- h. The Clerk may combine one or more bylaws into a single updated bylaw when it makes sense to do so. When this happens, the Clerk must include all approved amendments and remove any sections that no longer apply because they were repealed
- i. Any bylaw, resolution, or record that is certified by the Clerk as a true copy is accepted as official and valid proof of that document.

## **9. RULES OF PUBLIC DECORUM**

1. During a meeting of Council or Committee, there is the need for Council or Committee of the Whole to carry out the public business expeditiously in order to ensure that the public has an opportunity to be heard and that Council or Committee of the Whole has an opportunity for its deliberative process. While any meeting of Council or Committee of the Whole is in session, the following rules shall be observed:

(a) A member of the public addressing Council or Committee of the Whole shall only do so from the podium or designated table and all comments shall be addressed to Council or Committee of the Whole as a whole or to the Presiding Officer, and not to any single Member, member of administration, or member of the audience.

(b) A member of the public addressing Council or Committee of the Whole shall not engage in any conduct which disrupts the orderly conduct of any Council or Committee of the Whole meeting.

(c) No person in the audience at a Council or Committee of the Whole meeting shall engage in conduct that disrupts the orderly conduct of any Council or Committee of the Whole meeting, including, but not limited to, the utterance of loud, threatening or abusive language, whistling, clapping, stamping of feet, repeated waving of arms or other disruptive acts.

(d) No signs, placards or banners shall be permitted in the Council Chamber or Committee meeting room.

(e) No person shall interrupt Members or the Clerk during a Council or Committee of the Whole meeting.

(f) No person, other than Members and Fundy Albert administration, shall be admitted into the Council seating area of the Council Chamber.

## **10. PETITIONS**

1. Petitions will be submitted to the Clerk and will be processed in accordance with this by-law

2. On receipt of a petition, the Clerk may do any of the following:

(a) include it as an item on the agenda for the next regular meeting of Council in full or summary form;

(b) refer it to Administration for a report to Council or appropriate Council committee;

(c) refer it to Administration for action and/or reply, with a copy of Administration's response being sent to Council;

(d) refer it to the Mayor for direct reply, with a copy of the Mayor's response being sent to Council; or

(e) circulate it to the members of Council individually as information if it does not require any further action by Council.

## **11. DEPUTY MAYOR**

1. Council shall elect a Deputy Mayor at its first meeting and annually thereafter at a regular meeting

2. In the event that the Mayor is unable to act, the Deputy Mayor shall perform the duties of the Mayor, including but not limited to presiding over Council and Committee of the Whole meetings.

## **12. COMMITTEES AND BOARDS**

### **Establishment and Appointments**

1. Council shall appoint Council representatives to such committees, boards, and commissions as required by legislation, agreement, or by-law, or as Council deems necessary.
2. Unless an immediate appointment is required mid-term, appointments to committees shall be made for the elected term of Council and remain in effect until the next municipal election or until otherwise amended by Council.
3. Upon recommendation of the Mayor, Council may make appointments to a committee or board at any time.

### **Committees of Council**

1. A Committee of Council shall be established by resolution of Council for a specific purpose or area of responsibility.
2. Prior to the establishment of a Committee of Council, proposed Terms of Reference shall be submitted to Council for review and approval.
3. The Terms of Reference shall include, at a minimum:
  - (a) the purpose and mandate of the Committee;

- (b) membership composition and quorum requirements;
- (c) reporting requirements to Council;
- (d) scope of authority and limitations; and

### **Composition of Committees of Council**

1. Each Committee of Council shall consist of:
  - (a) a Chair, appointed by Council;
  - (b) a Vice-Chair, appointed by Council;
  - (c) one or more Members of Council, as determined by Council; and
  - (d) one member of Administration, designated by the Chief Administrative Officer, to provide administrative and technical support.
2. The Mayor shall be an ex-officio member of all Committees of Council and bodies to which Council has the authority to appoint members under the Act.
3. The Mayor shall be advised of Committee of Council meetings in the same manner as other committee members.

### **Authority and Conduct**

1. Committees of Council shall act in an advisory capacity only, unless authority is expressly delegated by Council by resolution or by-law.
2. Meetings of Committees of Council shall be conducted in accordance with this Procedural By-Law and applicable legislation.
3. It shall be the duty of the Presiding Officer of each committee or board to summon members for meetings.

### **Reporting**

1. Appointed Council members shall keep Council informed of the activities of committees or boards to which they are appointed by providing regular activity highlights through Councillors' reports or statements to Council.
2. Committees of Council shall report to Council in accordance with their approved Terms of Reference or as otherwise directed by Council.

### **Amendment and Dissolution**

1. Council may amend the membership, Terms of Reference, or mandate of a Committee of Council by resolution.
2. A Committee of Council may be dissolved by resolution of Council at any time.

## 12.1 Ad Hoc Committees

(a) Ad hoc Committees: Council shall establish Ad hoc Committees via a Resolution of Council for specific topics and timeframes.

(i) Chairperson: The Chairperson shall be a Member of Council, designated by the Mayor and appointed by Resolution of Council.

(ii) Vice-Chairperson: The Vice-Chairperson shall be a Member of Council, designated by the Mayor and appointed by Resolution of Council.

(iii) Committee Composition: The Ad hoc Committees shall consist of the Chairperson, Vice-Chairperson, the appropriate senior staff member (determined by specific topic(s)) and various members of the community and consultants as deemed necessary by the Chairperson and Vice-Chairperson. The Mayor shall be an ex-officio member of all Ad hoc Committees.

(iv) Committee Membership: Individuals interested in volunteering on a Fundy Albert Ad hoc Committee are asked to email the Clerk expressing their interest, which will be reviewed by Council for consideration and approval.

(v) Operations and Governance: The Ad hoc Committees will provide input and recommendations to Council regarding the specific topic they have been assigned by Council. Following are key factors of the operations of an Ad hoc Committee:

- the Chairperson will be responsible to ensure open communication and dialogue during meetings and direct the affairs of the committee in accordance with applicable Village by-laws, policies and procedures, and provincial regulations;
- the committee will make recommendations to Council and shall have no decision-making authority;
- a Quorum of an Ad hoc Committee shall consist of the Chairperson or Vice-Chairperson, the relevant Department Head, and a Majority of the remaining committee membership (*i.e.: the Chair or Co-Chair must be in attendance and the Department head must be in*

*attendance; the Quorum is based on the remainder of the committee members and a number greater than half of the remaining membership must be in attendance);*

- at times, an Ad hoc Committee may be established for the specific purpose of discussing, researching and making recommendations to Council;
- the Ad hoc Committee members shall sign a Confidentiality Agreement; failure to respect the terms of the Confidentiality Agreement may result in dismissal from the committee.

### **13. CONFLICT OF INTEREST**

1. Any Conflict of Interest will be governed by Part 8 of the Act. Upon taking office, each Member of Council shall file with the Clerk the prescribed statement disclosing any Conflict of Interest of which the Member has or should reasonably have knowledge.

2. Each Member shall declare a Conflict of Interest at the commencement of each meeting where there is a conflict with respect to any matter on the agenda, shall disclose the nature of the conflict as soon as the matter is introduced, and shall withdraw from the meeting room prior to debate and vote. The Clerk shall record the declaration in the minutes.

### **14. CONFIDENTIALITY**

1. Until a matter is formally presented at a public meeting of Council, items of a sensitive, personal or business nature shall not be publicly disclosed by Members, committee members, Administration or staff, except as permitted by law.

2. Failure to respect confidentiality may result in action under applicable policies or by-laws, including any Code of Conduct for Elected Officials.

### **15. MEDIA INQUIRIES**

The Mayor is the primary spokesperson on issues of concern to the Municipality on behalf of Council in accordance with the Act. Members and staff shall exercise caution in interactions with the media and consider the greater interests of the Municipality.

## 16. CONSEQUENCES OF DISRESPECTFUL ACTIONS

When any Member deliberately acts against Council's wishes, breaches confidentiality, or otherwise puts the Municipality at risk of legal and/or reputational harm, Council may take action consistent with applicable legislation and any Code of Conduct by-law, which may include verbal cautions, written warnings, removal from committee appointments, or other remedies available at law.

## 17. REPEAL

(a) Village of Fundy Albert By-law No. 2022-03, A By-law Respecting the Proceedings of Fundy Albert Council and Committee Meetings, enacted on December 19, 2022 and all amendments are hereby repealed.

(b) The repeal of By-law No. 2022-03 shall not affect any by-law infraction, penalty, forfeiture or liability incurred before such repeal or any proceedings for enforcing the same, completed or pending at the time of repeal.

## 18. ENACTMENT

In witness whereof the Local Government of Fundy Albert has caused its corporate seal to be affixed to this by-law.

**FIRST READING: March 3, 2026**  
**(By Title Only)**

**SECOND READING: March 3, 2026**  
**(By Summary in accordance**  
***with Local Governance Act, SNB 2017, C.18*)**

**THIRD READING: April 7, 2026**  
**(By Title Only)**

**FINAL READING: April 7, 2026**  
**(By Title Only) and ENACTED**

-----  
Mayor, Jim Campbell

-----  
Kim Beers, Clerk

**APPENDIX A**

**PROCEDURE FOR PUBLIC HEARING**

1. The Clerk reads the agenda item and advises if objections or other correspondence has been received.
2. Administration provides a presentation explaining the application, administration report, overview of objections and recommendations.
3. The Applicant/Developer is then called upon to add any further explanation or information in support of the application.
4. Members of the public in favour of the application are called forward to speak.
5. Members of the public against the application are called forward to speak.
6. The Applicant will be given an opportunity to respond to the proponents/objectors and respond to noted concerns.
7. Members of Council may then pose questions of the applicant, proponents or objectors, but shall not enter into a debate.
8. The Mayor then asks if there is anyone else who wishes to speak to the agenda item. Every person wishing to speak to the item is given an opportunity to do so.
9. When all presentations have been completed, the Mayor shall declare that the public hearing is closed (adjourned).
10. Council debate and decision on the agenda matter at a regular or special meeting of Council, and not during the public hearing.