

Lambton Area Water Supply System

By-Law Number 2-2019

To regulate the proceedings of Lambton Area Water Supply System Joint Board of Management

The Board of the Lambton Area Water Supply System enact as follows:

General

1. In all proceedings at or taken in this Board, the following rules and regulations shall be observed and shall be the rules and regulations for the order and dispatch of business in the Board, and in the committees thereof, and all rules existing and inconsistent with this by-law (not including the governance agreement contained in the July 3, 2003 transfer order - #W1-R/2003) at the time of passing thereof are hereby repealed.

Convening Meetings of Board

2. The regular meetings shall be held the last Thursday of each month at the Tourism Sarnia-Lambton Assembly Room, 1455 Venetian Blvd. Point Edward, ON N7T 7W77 at the hour of 12:00 p.m. standard time and daylight-saving time when applicable or at the call of the Chair.
3. Except as otherwise provided by the Municipal Act or other statutes, Board may, by resolution, dispense with, alter the time, day or place of any meeting.

Notice of Meeting

4.
 - a. The LAWSS General Manager shall give notice of each regular and special meeting of Board and of each Committee to the members of the Board.
 - b. The Notice shall be accompanied by the Agenda and any matter, so far as known, to be brought before such a meeting.
5.
 - a. The Board Chair may, at any time, summon a special meeting.
 - b. The Board Chair shall summon a special meeting upon receipt of the petition of the majority of the Board members, for the purpose and at the time mentioned in the petition.
 - c. In either case, notice must be given to all members of Board by the General Manager, in writing, but if time does not allow, it may be by telephone but confirmed in writing.

It Shall be the Duty of the Manager

6. To prepare the Agenda of Board and Committees.
 - a. The Manager shall accept items for the Agenda from the members of Board.
 - b. The Manager may also receive petitions and communication from the public and if in his/her opinion shall place the petition or communication on the Agenda of the Board.
 - c. Copies of all correspondence and petitions or a short statement of its contents, as well as any required report, must be attached to all Board and Committee agendas or noted thereon and forwarded to all members of Board.
 - d. All items for the agendas shall be delivered in writing to the Manager not less than the Thursday prior to Board and Committee meetings.

The Manager Shall have prepared for the use of the members at regular meetings the "Order of the Day" as follows

7. The prepared Agenda shall include:
 1. Call to Order
 - 1.1 Disclosure of Pecuniary Interest
 - 1.2 Delegations
 2. Adoptions of Minutes
 3. Consent Items
 4. Items for Discussion
 5. Deferred Matters/Additional Business
 6. Upcoming Meeting Dates
 7. Adjournment

The Conduct of Proceedings at a Meeting of the Board

8. It shall be the duty of the Chair:
 - a. To open the meeting of Board by taking the chair and calling the members to Order;
 - b. To announce the business before the Board in the order of which it is to be acted upon;
 - c. To receive and submit, in the proper manner, all motions presented by the members of Board;

- d. To put to vote all questions, which are regularly moved and seconded, or necessarily arise in the course of the proceedings, and to announce the result;
- e. To decline to put to vote motions which infringe the rules of procedure;
- f. To restrain the members, when engaged in debate, within the rules of order;
- g. To enforce on all occasions the observance of order and decorum among the members,
- h. To call by name any member persisting in breach of the rules of order of the Board, thereby ordering him/her to vacate the Board Chamber;
- i. To receive all messages and other communications and announce them to the Board;
- j. To authenticate, by his signature, when necessary, all by-laws, resolutions, minutes of Board;
- k. To inform the Board, when necessary or when referred to for the purpose, in a point of order or usage;
- l. To select the members who are to serve on committees;
- m. To represent and support the Board, declaring its will, and implicitly obeying its decisions in all things;
- n. To ensure that the decisions of Board are in conformity with the laws and by-laws governing the activities of the Board;
- o. To adjourn the meeting when the business is concluded;
- p. To adjourn the meeting without question in the case of grave disorder arising in the Board Chamber.

Decorum

- 9. No member of Board shall:
 - a. Disturb another, or the Board itself, by any disorderly deportment disconcerting to any member speaking;
 - b. Resist the rules of Board or disobey the decisions of the Chair or of the Board on questions of order or practice or upon the interpretations of the rules of order of the Board;

- c. Be permitted to retake his seat at any meeting after being ordered by the Chair to vacate after committing a breach of any rule of order of the Board, without making apology and the consent of Board expressed by a majority vote of the other members present, determined without debate.

Rules of Debate

- 10. In directing the course of debate, the Chair shall:
 - a. Designate the member who has the floor when two or more members rise to speak;
 - b. Preserve order and decide questions or order;
 - c. Read all motions presented in writing and state all motions presented verbally before permitting debate on the question, except when otherwise provided in this by-law.

Members

- 11. In addressing the Board no member shall:
 - a. Speak disrespectfully of Her Majesty the Queen or any of the Royal Family, or of the Governor-General, Lieutenant Governor or any member of the Senate, the House of Commons of Canada or the Legislative Assembly of Ontario;
 - b. Use indecent, offensive, libelous or insulting language in or against the Board, its members or any person or group, staff, or delegation;
 - c. Interrupt the member who has the floor except to raise a point or order.
- 12.
 - a. Any member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.
 - b. Any member may appeal the decision of the Chair on a point of order to the Board which shall decide the question without debate upon a majority vote of the members present.

Motions

- 13. Introduction Without Notice.
 - a. A motion may be introduced without notice in which case it shall be set out in full in the minutes of the meeting of Board at which it is considered.

14. Must Be Seconded.
 - a. A motion must be formally seconded before the Chair can put the question or be recorded in the minutes.
15. Withdrawal.
 - a. After a motion is read or has been stated by the Chair, it shall be deemed to be in the possession of the Board and can be withdrawn before decision or amendment only with leave of the Board and expressed by resolution.
16. Priority of Disposition.
 - a. A motion properly before Board for decision must receive disposition before any other motion can be received except a motion to amend, for the previous question, to adjourn, to extend the hour of closing proceedings, to commit or on a matter of privilege.
17. To Amend.

A notice to amend:

 - a. Only one motion to amend an amendment to the question shall be allowed and any further amendment must be to the main question;
 - b. shall be relevant to the question to be received;
 - c. Shall not be received proposing a direct negative to the question;
 - d. Two separate distinct proposals of a question may be made;
 - e. Shall be put in the reverse order to that in which it is moved.
18. To Adjourn.

A notice to Adjourn:

 - a. The meeting shall always be in order except as provided in this paragraph and shall be put immediately without debate;
 - b. When resolved in the negative, cannot be made again until after some intermediate proceeding shall have been completed by the Board;
 - c. Is not in order when a member is speaking, nor during the verification of a vote;
 - d. Cannot be amended.

19. Repetition.
 - a. A motion called in the order in which it stands upon the Agenda of the routine of business of a meeting and which is not decided by Board, shall be allowed to stand retaining their precedence upon the agenda of the routine of business of the next ordinary meeting of Board
20. Reconsideration.
 - a. A motion for reconsideration of a question which has been decided upon but not acted upon may be made at any time by a member who voted thereon with the majority and until decided by Board no further discussion of the question shall be allowed, but no such motion for the previous question or postponement.
21. To Commit.
 - a. A motion to commit or recommit a question to a committee or committees with or without instructions may be amended but must receive disposition by Board before the question or an amendment to the question, and when made prior thereto, before decision on a motion for the previous question or postponement.
22. Verbal
 - a. Incidental motions in respect of a matter of special privilege, suspension of rules of procedure, adjournment, postponement, for the previous question, or commitment may be made verbally.
23. Divided Motions
 - a. A motion containing distinct proposals may be divided with leave of Board

Voting on Motions

24. Question Stated
 - a. Immediately preceding the taking of the vote thereon, the Chair may state a question in the form introduced and shall do so if required by a member except when a motion for the previous question has been resolved in the affirmative he shall state the question in the precise form in which it was recorded in the minutes.

25. No Interruption After Question Stated
 - a. After a question is finally put by the Chair no member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
26. Division of Question
 - a. A separate vote shall be taken upon each proposal contained in a question divided with leave of Board.
27. Vote of Chair
 - a. When the Chair determines to vote on a question, his vote shall be spoken, signified, polled and recorded after the votes of each member voting.
28. Abstention Recorded Negative
 - a. If any member of Board does not vote when a question is put and a recorded vote taken, he shall be deemed as voting in the negative except where the member is prohibited from voting from statute.
29. Vote May Not Be Allowed
 - a. A member not present before the result of a division on a question is declared may not be entitled to vote on that question as determined by the Chair.
30. Unrecorded Vote
 - a. The manner of determining the decision of Board on a motion shall be at the discretion of the Chair and may be by voice, show of hands, standing or otherwise.
31. Recorded Vote
 - a. Upon the request of the Chair or member and before a vote is taken on a motion, the Recording Secretary shall record, in the minutes, the names of each Board member present and each member's vote in the affirmative or negative to the motion.
32. Member Social Media Etiquette
 - a. During a meeting information shall not be posted to any Social Media outlet and videotaping of the meeting is prohibited unless approved by the LAWSS Board.

33. Order of Business

- a. The Manager shall have prepared a list of the items in order of the topics set out as the routine of business for the use of each member at an ordinary meeting.

34. Minutes

The minutes shall record:

- a. The place, date and time of meeting;
- b. The names of the Chair and of the members present;
- c. The reading, presentation, correction and adoption of the minutes of prior meetings.

35. Deputation

- a. Persons desiring to verbally present information on matters of fact or make a request of Board may be heard on leave of Board but shall be limited in speaking not more than ten minutes except that a deputation consisting of more than five person shall be limited to two speakers each limited to speaking not more than ten minutes. All speakers should submit their presentation in writing to the Manager not less than the Thursday prior to the Board meetings.

36. Committee Reports

- a. Shall be received upon leave of Board;
- b. May be recommitted to the same or a different Committee.

37. Unfinished Business

- a. The items listed in the order of the topics set out as the routine of business of prior meetings which have not been disposed of by Board and the date of their first appearance on the Order of Business shall be noted, and repeated on each subsequent Order of Business until disposed of by Board unless removed for the Order of Business by leave of Board.

38. In Camera Board Meetings

In accordance with the Municipal Act, a meeting or part of a meeting may be closed to the public only if the subject matter is as follows:

- a. The security of property.
- b. Personal matters about an identifiable individual.
- c. Acquisition or sale of property for municipal purposes.
- d. Labour relations or employee negotiations.
- e. Litigation or potential litigation.
- f. The receiving of advice subject to solicitor-client privilege.
- g. A matter authorized to be closed by another Act.
- h. A matter subject to the Municipal Freedom of Information and Right to Privacy Act.

Before holding an in camera meeting the Board shall state the following by resolution:

- a. the fact of the holding of the in-camera meeting
- b. the general nature of the matter to be considered at the closed

The only exceptions to the above would be as in the Municipal Act.

39. Points Not Provided For

- a. All points of order or procedure not provided for in these rules shall be decided in accordance with Robert's Rules of Order.

40. This By-Laws repeals the By-Law number 2-2016 and all amendments thereto. This By-Laws supersedes and corresponding By-Law of LAWSS, through inadvertence, might not have been repealed.

41. The short title for this By-Law is the "LAWSS Procedural By-Law".

Read a first, second and third time and finally passed this _____ day of _____, 2019.

Mayor Bev Hand, Chair

Mayor Steve Arnold, Vice-Chair