

PROVINCE DE QUÉBEC

CITY OF MONTREAL  
BOROUGH OF PIERREFONDS-ROXBORO

BY-LAW CA 29 0046

BY-LAW GOVERNING THE HOLDING, THE ASSEMBLY PROCEEDINGS AND  
RULES FOR THE CONDUCT OF COUNCIL MEETINGS OF THE BOROUGH OF  
PIERREFONDS-ROXBORO

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At a regular sitting of the Pierrefonds-Roxboro borough council, held in the council room situated at 13,665 boulevard de Pierrefonds, in the city of Montreal, on October 4, 2010, at 7 p.m., in conformity with the Cities and Towns Act (L.R.Q., Chapter C-19), at which were present:

The Mayor of the Borough

Mrs. Monique Worth

Councillors

Mrs. Catherine Clément-Talbot  
Mr. Dimitrios (Jim) Beis  
Mr. Christian G. Dubois  
Bertrand A. Ward

all members of the council and forming a quorum under the chairmanship of the Mayor Mrs. Monique Worth.

The Director of the Borough, Mr. Jacques Chan, and the Secretary, M<sup>e</sup> Suzanne Corbeil, were also present.

*CONSIDERING the Act to reform the municipal territorial organization of the metropolitan regions of Montreal, Quebec and the Outaouais (2000, chapter 56) as amended, in particular section 130 of schedule 1 to the act;*

*CONSIDERING section 331 of the Cities and Towns Act;*

THE PIERREFONDS-ROXBORO BOROUGH COUNCIL ENACTS THE  
FOLLOWING:

**CHAPTER I**

**INTERPRETATION**

SECTION 1. For the purposes of this by-law, the following words have the signification attributed to the present section:

“**Mayor**”- means mayor of the borough or acting mayor of the borough;

“Secretary”- means the borough secretary, as defined in the charter of Ville de Montréal, as amended. He exercises, under the authority of the city clerk, the powers of the city clerk, and is the custodian of the borough office and the archives preserved in that office. Sections 86 to 93 of the Cities and Towns Act (L.R.Q., chapter C-19), adapted as required, apply to the secretary of the borough.

## **CHAPTER II**

### **SCHEDULE AND CALLING OF MEETINGS**

SECTION 2. The regular council meetings are held at least ten times a year in the council room situated at 13665 boulevard de Pierrefonds in the city of Montreal. The council establishes by resolution, before the beginning of each year, the schedule of the regular meetings of which the secretary gives public notice.

SECTION 3. The notice of meeting and a copy of the agenda of every regular meeting must be delivered to every council member no later than 24 hours before a meeting is held.

SECTION 4. The mayor may call a special council meeting when he sees fit, by verbal or written order to the secretary. The secretary draws up a notice of meeting listing the business to be submitted for consideration at the meeting and serves notice on every member of council no later than 24 hours before the time set for the meeting. The posting of a notice by registered mail at least two clear days before a meeting is equivalent to service of the notice of meeting.

SECTION 5. Where the mayor refuses to call a special meeting when required by at least two members of council, those members may, by a written request to the secretary, signed by them, order the calling of a meeting. On receipt of the request, the secretary issues a notice of meeting within the period set in article 2 of this by-law, specifying the business for which the meeting is called.

SECTION 6. The notice of special meeting serves as the agenda. The agenda includes a public question period. At a special meeting, no business other than the one specified in the notice of meeting may be considered, unless all the members of council are then present and consent to it.

SECTION 7. Where, at a special or a regular meeting, the business to be considered has not been fully dealt with, the council may adjourn as often as necessary to consider and deal with the unfinished business, without giving notice of adjournments to the members present or absent. But no new business may be submitted or considered at any adjournment of a special meeting unless all the members of council are then present and consent to it.

At an adjournment of a regular meeting, any new business may be submitted or considered if the majority of members of council present consent to it.

### **CHAPTER III**

#### **CONDUCT OF MEETINGS**

##### **SECTION 1: General provisions**

SECTION 8. The secretary draws up the agenda of every council meeting.

SECTION 9. The floor is reserved for the mayor, members of council, and city officers and employees. The public is admitted at the place reserved for that purpose.

SECTION 10. The seats assigned to members of council are determined by the mayor.

SECTION 11. All council meetings are public.

SECTION 12. The majority of members of council constitute a quorum for the dispatch of business, unless otherwise provided in the act. The mayor is considered a member of council for the purposes of a quorum.

SECTION 13. The mayor presides over council meetings.

SECTION 14. The council shall appoint among its members a councillor as acting mayor of the borough for the period it determines.

The acting mayor shall have and exercise the powers of the mayor when the mayor is absent from the territory of the borough or unable to perform the duties of his office.

SECTION 15. The presiding member maintains order and decorum during meetings. He may expel from a meeting any person who disrupts the proceedings.

SECTION 16. The minutes of council meetings and votes are drawn up and entered in a book kept for that purpose by the secretary, and after being approved at the next meeting, are signed by the secretary and the mayor.

SECTION 17. The secretary enters in the minutes the names of members of council present.

SECTION 18. No member of council may leave the council chamber unless it is recorded in the minutes of the meeting by the secretary.

SECTION 19. A member who wishes to speak must address the mayor or the acting mayor by raising his hand. The mayor or the acting mayor assigns the floor to members of council, according to the order of requests.

SECTION 20. Members of council must limit themselves to the subject matter and avoid personal references, insinuations, violent, offensive or disrespectful remarks about anyone, and unparliamentary language.

SECTION 21. Every member of council who is present at a meeting where a matter in which he has a direct or indirect pecuniary interest is considered must disclose the general nature of his interest before the beginning of the debate on the matter, and refrain from taking part in the debate and from voting, or attempt to influence the vote on the matter.

Where the matter is considered at a meeting not attended by the member of council, he must disclose the general nature of his interest at the next meeting he attends. But this obligation does not apply where the member's interest consists of remuneration, allowances, reimbursements of expenses, fringe benefits or other conditions of employment attached to his duties at the city. Nor does it apply where the interest is so minor that the member could not reasonably be influenced by it.

SECTION 22. No member of council may speak more than once on the same item. But he has the right of reply where a member moves a motion.

The mayor or the acting mayor must ensure that all councillors who wish to speak have done so before the reply as the reply ends the debate.

SECTION 23. No member of council may speak for more than 15 minutes at a time on an item, unless authorized by the mayor.

SECTION 24. The council must consider and deal with all items on the agenda. The mayor or acting mayor calls each item on the agenda.

SECTION 25. No photographic cameras, movie cameras, recorders and similar apparatuses, except those used by the secretary, may be used without the mayor's authorization.

**SECTION 2:  
Motions**

SECTION 26. Every motion must be moved by a member of council and seconded by another member.

SECTION 27. A motion may be simply withdrawn at any time before its proposal. After its proposal, it may be withdrawn with the consent of the majority of members present.

SECTION 28. During the debate on or the consideration of a motion, no other motion is in order unless it be to:

- a) amend the motion;
- b) suspend the debate or defer the consideration of a motion or its adoption to another meeting;
- c) move the previous question;
- d) adjourn the meeting.

SECTION 29. A motion to adjourn or to adjourn or suspend the debate is out of order where:

- a) member of council has the floor;
- b) a motion has been put;
- c) a motion to the same effect has just been rejected by the council and the council has not yet resumed debate on the item being considered or on another item.

SECTION 30. A main motion may be amended. A motion to amend may be amended. A motion to amend an amendment may not be amended.

SECTION 31. A motion to amend must have the effect of amending the content or subject matter of the main motion. It may not constitute a negation of the main motion and may not introduce new matters or items.

SECTION 32. A motion to amend an amendment must have the effect of amending the subject matter of the motion to amend. It may not constitute a negation of the amendment or a repetition of the main motion.

SECTION 33. Only one motion at a time may be raised on the floor: a main motion, a motion to amend, or a motion to amend an amendment.

SECTION 34. The mayor, on his own authority or at the request of a member of council, may require that a complex motion be divided.

SECTION 35. The council must first rule on the motions to amend an amendment that are raised, then on other further motions to amend, and finally on the main motion, in its original or amended version, as the case may be.

SECTION 36. A member of council may end any debate and ask that the item considered be put to a vote where the majority of members present vote in favour of a motion to move the “previous question.”

The council immediately rules on the matter, without debate.

SECTION 37. If the motion to move the “previous question” is rejected, the debate on the motion resumes at the point where it was interrupted. If the motion is adopted, no other motion is in order and the council then rules on the motion that was raised, without further debate or amendment.

SECTION 38. A member of council may, at any time during proceedings, require the reading of the motion being considered. The secretary, at the request of the mayor or the acting mayor, must then act on that request.

SECTION 3:  
**Adoption without vote and votes**

SECTION 39. The majority of members present at council meetings decide the items and matters submitted, except where a larger number of concurrent votes are required by law.

SECTION 40. All votes of members of council are public.

SECTION 41. If there is no debate on one point of the agenda or when the debate is closed and that no request on the holding of a vote is made, the mayor declares it as adopted. A member of the council may ask the secretary to note his dissidence in the minutes.

SECTION 42. A motion is put to a vote where the mayor has closed the debate and has ordered, on his own authority or at the request of a councillor, that the vote be taken. That motion is not debatable.

SECTION 43. No member of council may enter or leave while the secretary records the votes. No member of council then absent may return to his seat until the results are declared. He may vote on the matter. The secretary takes a roll call in the order determined by the mayor.

SECTION 44. Members of council vote by stating that they are “for” or “against” the motion considered, without making comments.

SECTION 45. The mayor is entitled to vote but is not required to do so. Every other member of council must vote, except as provided in article 21.

SECTION 46. When a vote taken by the members of the council results in a tie, the mayor’s vote, who is participating to this tie, has the deciding vote.

SECTION 47. The secretary takes note of the vote of each member of council in the minutes.

SECTION 48. No member of council may criticize on a council vote.

SECTION 4:  
**Questions of privilege**

SECTION 49. Any member of council may raise a question of privilege on the floor if he considers that his honour has been compromised or that his rights, privileges and prerogatives or those of the council have been encroached on.

He then briefly states his case and a debate may follow. Where other members of council are involved, they have the right to give their version of the facts.

That motion is not debatable and may not be amended.

If the mayor considers that the matter is well-founded, he then takes the proper measures. The mayor may at any time declare the matter closed.

SECTION 5:  
**Questions of members of council**

SECTION 50. Any member of council may put questions to the mayor or a member of council. Every question must bear on a matter of public interest under the jurisdiction of the council, on a matter of public interest for which a member of council is responsible or has promoted, or on the council's intentions concerning a regulatory or an administrative measure.

SECTION 51. Questions must be in the interrogative and may only contain the words necessary to obtain the information requested. No question may be based on a hypothesis, contain statements of opinion, deductions, allusions, or attribution of motives. No question may bear on more than one subject.

SECTION 52. The reply to a question must bear on the item considered, and be brief and clear, without arguments or statements of opinion.

SECTION 6:  
**Public question period**

SECTION 53. The public question period lasts 30 minutes.

On motion presented by a councillor, it can be extended by 15 minutes.

When at the expiry of the duration anticipated in the second subparagraph, not all people registered were heard, the question period is suspended and, on motion presented by a councillor, it can be extended by 30 minutes after the agenda of the meeting has been disposed of.

The question period ends at the expiry of the duration anticipated in the first, the second or the third subparagraph, according to the case, or earlier, if the people present do not have any more questions to ask.

SECTION 54. The person who wishes to ask a question must:

- a) present himself to the secretary 15 minutes prior to the question period;
- b) indicate his family name and first name and the name of the organization he represents, if any;
- c) indicate the subject of his question(s)

SECTION 55. The mayor announces the beginning and the end of the question period.

SECTION 56. At the appointed time, the mayor gives the floor by turns to the persons registered for the question period.

The mayor can limit to two interventions the number of questions bearing the same object.

A person can ask only two questions as long as all the persons registered did not have the chance to ask their questions. In such a case, they are recalled in the order of their inscription until the question period ends.

SECTION 57. Questions must bear on matters of public interest under the jurisdiction of the borough or the city, of its council or its executive committee, or on the intentions of the council or one of its members relating to a legislative or an administrative measure of the borough or the city.

SECTION 58. A question must be short, clear and must contain only the words necessary to obtain the requested information. A question is out of order where:

- a) it has a pointless preamble;
- b) it contains a hypothesis, a deduction, or attribution of motives;
- c) the answer would require or constitute a professional opinion or a personal evaluation;
- d) it bears on a matter pending before a court or a quasi-judicial body, or on a matter under investigation, where the words spoken may be prejudicial to a person or reveal part of the evidence or argument;
- e) it contains seditious or abusive comments.

SECTION 59. No person present in the assembly may:

- a) use violent, offensive or disrespectful language when addressing the council or any person;
- b) refer to the mayor other than by his title;
- c) interrupt or disrupt the proceedings by applause, pandemonium, row or other.

SECTION 60. The answer to a question must bear on the subject matter, and be brief and clear.

SECTION 61. The member of the council to whom a question is addressed or the member of council designated to answer may refuse to answer where:

- a) it is not considered in the public interest to provide the information requested;
- b) much work, disproportionate of its usefulness, would be required to collect the information requested;
- c) the question bears on information contained in a report that has not yet been tabled with the council;
- d) the question relates to a hanging cause before a court or an administrative organization or on an item being the subject of an investigation;
- e) the question has already been asked;
- f) without giving reason.

The refusal to answer a question without giving reason cannot be discussed.

SECTION 62. A member of the council cannot be obliged to produce a document in response to a question or at the time of the question period.

SECTION 63. The mayor must ensure that the question period does not give rise to any debate, either between members of council, or between a member of council and a person present.

SECTION 64. The mayor may limit or rule out of order any person in violation of this by-law or who exceeds the time allowed for the question period or the right of any person present to ask questions.

## **CHAPTER IV**

### **FINAL PROVISION**

SECTION 65. This by-law comes into force in accordance with the law and replaces as from this date the by-law CA 02 0001 governing the rules for conduct of council meetings of Pierrefonds/Senneville Borough and the by-law CA02 0005 concerning the fixing of the regular council meetings of Pierrefonds/Senneville Borough as amended.