

THE RURAL MUNICIPALITY OF GIMLI

BY-LAW NO. 26 0003

COUNCIL PROCEDURE BY-LAW

BEING A BY-LAW to regulate the proceedings and conduct of the Council of the Rural Municipality of Gimli and the committees thereof, and to promote open, orderly, and effective municipal governance.

WHEREAS subsection 149(1) of The Municipal Act (Manitoba) requires Council to establish by by-law rules of procedure and to review the by-law at least once during its term of office and after the regular election to ensure dates and times align for Council Members;

AND WHEREAS Council considers it advisable to adopt a procedural by-law that supports timely preparation of information, orderly debate, and meaningful public access;

NOW THEREFORE the Council of the Rural Municipality of Gimli, duly assembled, enacts as follows:

1.1 This by-law may be cited as the "Rural Municipality of Gimli Council Procedure By-law".

1.2 The purpose of this by-law is to provide for open and effective local government by regulating meetings of Council and committees, including agendas, notice, public participation, debate, voting, and conduct.

2. Definitions and Application

2.1 In this by-law, unless the context otherwise requires:

"Act": means The Municipal Act (Manitoba), as amended from time to time.

"Agenda": means the list of items and order of business for a Meeting.

"Chair": means the Mayor, or another person appointed by Council to preside at a Meeting.

"CAO": means the Chief Administrative Officer appointed by Council under the Act.

"Committee": means a committee of Council established by Council, including Committee of the Whole unless the context indicates otherwise.

"Committee of the Whole": means a committee comprised of all Members present, convened for discussion and direction, and to make recommendations to Council where permitted by this by-law.

"Council Agenda Item Request Form": means the form in Schedule "C" used by Members to request an item be placed on a future Agenda.

"Delegation Request Form": means the form in Schedule "B" used by members of the public to request to appear before Council or a Committee.

"Electronic Meeting": means a Meeting conducted wholly or partly by a communication facility.

"General Holiday": has the same meaning as in the Interpretation Act (Manitoba) and includes Saturdays and Sundays.

"In Camera": means a Meeting, or portion of a Meeting, that is closed to the public as permitted by the Act.

"Meeting": means a Regular Meeting or Special Meeting of Council or a Committee, but does not include a Public Hearing unless expressly stated.

"Member": means the Mayor or a Councillor, and "Members" has a corresponding meaning.

"Operational Matter": means a service request, complaint, or question relating to the administration, operation, implementation, or enforcement of municipal programs, services, policies, or by-laws that can be addressed by administration without a Council decision.

"Public Hearing": means an advertised meeting convened to hear matters pursuant to the Act, The Planning Act, or another statute.

"Staff Report": means written material prepared by administration that provides sufficient background, analysis, options, financial implications, and a recommended action (where appropriate) to support informed deliberation.

"Time Sensitive": means requiring Council action prior to the next regularly scheduled Regular Meeting in order to meet a statutory deadline, protect public safety, avoid material financial loss, meet an external deadline, or respond to an emergency.

2.2 This by-law governs Regular and Special Meetings of Council and Committees and all Public Hearings, and is binding upon all Members, Members at Large, and staff when participating in Meetings.

2.3 When a matter of procedure is not addressed in this by-law, the Chair may apply Robert's Rules of Order as a guide, provided that this by-law and the Act prevail in the event of conflict.

2.4 In the absence of a statutory obligation, Council may waive a provision of this by-law by resolution passed by a majority of Members present, unless this by-law requires a higher threshold.

2.5 Council must review this by-law and any proposed amendments within the first twelve (12) months following a general election.

3. Inaugural Meeting

3.1 An Inaugural Meeting shall be held in accordance with the Act at the time and place set by Council, and will include declarations of office and other organizational matters as required by law.

4. Quorum

4.1 Quorum for Council is determined in accordance with the Act.

4.2 Quorum for a Committee is a majority of the Committee members unless Council has otherwise provided by resolution or by-law.

4.3 As soon as there is a quorum after the hour fixed for the Meeting, the Chair shall call the Members to order.

4.4 If quorum is not present within thirty (30) minutes of the scheduled start time, the Meeting stands adjourned, and the names of Members present must be recorded and appended to the next Agenda.

4.5 The only actions permitted in the absence of quorum are to fix a time to adjourn, recess, or take measures to obtain quorum.

4.6 If quorum is lost after the Meeting is called to order, the Meeting is suspended until quorum is regained; if not regained within thirty (30) minutes, the Meeting stands adjourned.

5. Regular Meetings of Council and Committees

5.1 Regular Meetings of Council shall be held on the second and fourth Wednesday of each month at 10:00 a.m. at the municipal council chambers, unless changed by Council by resolution in accordance with this by-law.

5.2 Regular meetings of Committee of the Whole shall be held on the third Wednesday of each month at 10:00 a.m. at the municipal council chambers, unless changed by Council by resolution in accordance with this by-law.

5.3 Council may schedule Public Hearings under applicable legislation and may commence a Regular Meeting following the conclusion of a Public Hearing held on the same day.

5.4 If a Regular Meeting falls on a General Holiday, the Meeting will be held on the next day that is not a General Holiday, at the same time and place unless otherwise resolved.

5.5 Council shall post an annual Regular Meeting schedule for the following calendar year by the last Regular Meeting in December, or other date as Council determines.

5.6 The Agenda item in the process of Council consideration four (4) hours after the scheduled start time will be the last item considered unless Council, by majority vote, decides to extend the time of adjournment. Only one half-hour extension shall be permitted. This subsection also applies to Committee of the Whole meetings.

5.7 Members shall provide advance notice to the Mayor and CAO if they are unable to attend a Regular Meeting, and the CAO shall maintain an attendance record in accordance with the Act.

6. Agendas for Regular Meetings

6.1 Agenda submission deadline:

(a) All items requested for inclusion on the Agenda must be provided to the CAO by email no later than noon six (6) days prior to the scheduled start of the Regular Meeting.

(b) Requests from Members to place an item on the Agenda should be submitted to the CAO using the Council Agenda Item Request Form (Schedule "C"), which is intended to support timely preparation, clarity of the requested decision, and assessment of staff reporting needs.

(c) Items submitted after the deadline are "Late Items" and are processed in accordance with subsection 6.6.

6.2 Draft Agenda publication: The CAO shall prepare and make available a Draft Agenda and supporting materials to Members no later than 4 p.m. five (5) days prior to the date set for the Regular Meeting.

(a) Draft Agenda publication: The CAO shall prepare and make available Draft Agenda to the public no later than 4 p.m. two (2) days prior to the date set for the Regular Meeting, by posting on the municipal website.

6.3 Order of business: The order of items on a Regular Meeting Agenda is set out in Schedule "A", which Council may amend from time to time.

6.4 Final Agenda: Council adopts the Final Agenda at the beginning of the Regular Meeting. Council may vary the order of business by general consent of Members present, provided that public hearing requirements and statutory notice requirements are respected.

6.5 Post-distribution changes (unanimity rule): After the Draft Agenda has been published under subsection 6.2 (a) no addition to or deletion from the Agenda shall be made unless all Members present unanimously agree to the change when adopting the agenda.

6.6 Late Items (staff readiness and urgency):

(a) A Late Item may only be considered for addition to the Agenda if the item is approved to be added by Council and doesn't require a Request for Decision (RFD) or staff analysis as per the CAO, or Council determines, that the item is Time Sensitive as defined in this by-law.

(b) Where the Late Item requires staff analysis, Council shall not debate or decide the substantive merits of the Late Item unless a Staff Report has been provided, or the CAO advises that sufficient information is available for informed deliberation.

(c) If the requirements in clause (b) are not met, Council may:

(i) receive the Late Item as a Notice of Motion for a future Meeting;

(d) Council acknowledges that informed decision-making requires adequate preparation and public transparency.

7. Agendas for Committee of the Whole Meetings

7.1 Agenda submission deadline:

(a) All items requested for inclusion on the Agenda must be provided to the CAO by email no later than noon six (6) days prior to the scheduled start of the Committee of the Whole Meeting.

(b) Requests from Members to place an item on the Agenda should be submitted using the Council Agenda Item Request Form (Schedule "C"), which is intended to support timely preparation, clarity of the requested decision, and assessment of staff reporting needs.

7.2 Draft Agenda publication: The CAO shall prepare and make available a Draft Agenda and supporting materials to Members no later than 4 p.m. five (5) days prior to the date set for the Committee of the Whole Meeting.

(a) Draft Agenda publication: The CAO shall prepare and make available Draft Agenda to the public no later than 4 p.m. two (2) days prior to the date set for the Committee of the Whole Meeting, by posting on the municipal website.

7.3 Final Agenda: The members adopts the Final Agenda at the beginning of the Committee of the Whole Meeting. The members may vary the order of business or by general consent of Members present.

7.4 Post-distribution changes (unanimity rule): After the Draft Agenda has been published under subsection 7.2

(a) no addition to or deletion from the Agenda shall be made unless all Members that are present unanimously agree to the change when adopting the agenda.

7.5 Late Items (staff readiness and urgency):

(a) A Late Item may only be considered for addition to the Agenda if the Chair rules, or the Members determines, that the item is Time Sensitive as defined in this by-law.

(b) Where the Late Item requires staff analysis, the Members shall not debate or decide the substantive merits of the Late Item unless a Staff Report has been provided, or the CAO advises that sufficient information is available for informed deliberation.

(c) If the requirements in clause (b) are not met, the Members may:

(i) receive the Late Item as a Notice of Motion for a future Meeting;

(d) The Members acknowledge that informed decision-making requires adequate preparation and public transparency.

7.6 Items may be added to a Committee of the Whole agenda prior to adoption by a majority vote of Members present

8. Special Meetings of Council

8.1 The Mayor may call a Special Meeting at any time and shall call a Special Meeting upon receiving a written request stating its purpose from at least two (2) Members.

8.2 The Mayor shall call the Special Meeting within forty-eight (48) hours of receiving a valid request. If the Mayor fails to do so within that period, the CAO shall call the Special Meeting as provided in this by-law.

8.3 Notice of a Special Meeting must be provided no less than forty-eight (48) hours before the Meeting to each Member and to the public, and must state the time, date, place, and the general nature of the business to be conducted.

8.4 Notice to Members may be electronic or written. Notice to the public shall be given by posting at the municipal office and on the municipal website (or other public-facing platform).

8.5 A Member may waive the right to notice by notifying the CAO in writing, and is then deemed to have received notice.

8.6 Only business stated in the notice may be transacted at a Special Meeting unless all Members are present and unanimously consent to consider additional business.

8.7 Emergency Special Meetings: In a time-sensitive emergency, Council may hold a Special Meeting with less than forty-eight (48) hours' notice if a majority of the whole Council

agrees in writing before the Meeting begins. Public notice may be waived only where the circumstances make notice impracticable.

9. Electronic Meetings

9.1 Council, Committees, and Public Hearings may be conducted by Electronic Meeting where permitted by the Act and in accordance with this by-law.

9.2 The CAO shall establish administrative practices for electronic participation, including authentication of participants, voting method, public access to open sessions, and record retention.

9.3 Members intending to participate electronically must notify the CAO no later than twenty-four (24) hours before the Meeting, except in emergencies.

9.4 An Electronic Meeting begins with a roll call; Members participating electronically are deemed present for quorum and may vote as if attending in person.

9.5 The Chair may pause proceedings for up to five (5) minutes to address technical disruption. The disruption and resumption times must be recorded in the minutes.

9.6 Public access: Notice of an Electronic Meeting shall include instructions to allow delegations or presenters access the open session. Public delegations during an Electronic Meeting may be permitted where feasible, subject to Section 11.

10. In Camera Meetings

10.1 Meetings are open to the public except as permitted by the Act.

10.2 The Deputy Mayor will chair the In Camera Meetings of Council.

10.3 Council or a Committee may close all or part of a Meeting to the public only where the subject matter falls within a category permitted by the Act, including but not limited to: personnel matters; matters in preliminary stages that could prejudice municipal negotiations; solicitor-client privilege and legal proceedings; investigations or enforcement; ombudsman reports; personal or business information protected under access and privacy legislation; emergencies; and security of documents or premises.

10.4 Before closing a Meeting, Council or the Committee must pass a resolution stating:

- (a) that the Meeting (or portion) will be closed;
- (b) the general nature of the subject; and
- (c) the applicable category under subsection 10.2 or the Act.

10.5 No by-law or resolution may be passed in camera except a resolution to reopen the Meeting to the public.

10.6 Confidentiality: Information discussed in camera is confidential and must not be disclosed except as authorized by Council or required by law.

11. Delegations (Public Presentations)

11.1 Set Expectations: The Chair will outline expectations for respectful participation, confirm that questions from Council are for clarification purposes, and remind participants that comments should relate to the matter before Council.

11.2 Purpose: Delegations provide information to Council or a Committee on matters within Council's mandate to assist Council in decision-making. Delegations are not intended to function as operational service meetings or complaint investigations, which are addressed through administrative processes.

11.3 Request and form: A person wishing to appear as a Delegation must complete and submit the Delegation Request Form (Schedule "B") to the CAO no later than 7 days before the Meeting, unless the CAO agrees that a shorter period is appropriate for a Time Sensitive matter.

11.4 Self-identification and screening: The Delegation Request Form requires the requester to identify whether the matter is an Operational Matter and to describe the outcome sought, including whether a Service Request has been submitted. The CAO shall determine whether the request is appropriate for Council or Committee consideration.

11.5 Administrative resolution and Service Request pathway: Where the CAO determines the matter is primarily an Operational Matter, the CAO may decline to schedule the Delegation and instead:

- (a) respond directly to the requester;
- (b) arrange a meeting between the requester and appropriate municipal staff;
- (c) direct the requester to submit a Service Request (or submit one on the requester's behalf) to allow tracking and timely follow-up; and/or
- (d) direct the requester to an existing administrative process (including service request, complaint, permit, or enforcement processes).

The CAO shall advise the requester of the alternate path to address the matter and, where applicable, provide a Service Request number for reference.

11.6 Scheduling criteria: A Delegation may be scheduled where the CAO is satisfied that (a) the matter is within Council's authority; and (b) Council would benefit from receiving

information from the requester for a governance-level decision, policy direction, or budget consideration.

11.7 Refusal/deferral: The CAO may refuse or defer a Delegation where: the matter is before a court or tribunal; relates to active or anticipated legal proceedings; involves a matter already decided and no new information is offered; would unreasonably infringe privacy or confidentiality; or where the request is vexatious, repetitive, or otherwise not conducive to orderly proceedings.

11.8 Presentation format and limits: Each Delegation must appoint a spokesperson. Verbal presentations are limited to ten (10) minutes, and Council questions for clarification are limited to an aggregate five (5) minutes, unless Council consents to an extension. Questions and discussion shall be directed through the Chair.

11.9 Council shall make no decisions during a delegation presentation. A resolution may be requested for administration to gather additional information.

12. Public Hearings

12.1 Public Hearings are conducted in accordance with applicable legislation and this by-law.

12.2 Members must attend Public Hearings unless excused by Council, unable to attend due to illness, or required to withdraw due to a conflict of interest.

12.3 The Chair shall outline procedures, introduce the matter and purpose and maintain order. Presentations will ordinarily be heard in the following order: applicant (if applicable), proponents, objectors, and others wishing to provide information. The Chair may vary the order to ensure fairness.

12.4 The Chair may limit repetitive submissions and may remove disorderly persons. If a Public Hearing is adjourned, Council shall provide notice of the continuation unless announced at adjournment.

12.5 Members shall not discuss the merits of a Public Hearing matter with the public outside the hearing process, to preserve fairness and impartiality.

13. Role of the Chair and Staff

13.1 The Chair presides over the Meeting, preserves order and decorum, rules on points of order and procedure, and decides questions relating to orderly conduct, subject to an appeal as set out in this by-law.

13.2 The CAO (or delegate) shall attend Meetings to provide administrative support and to answer questions about Agenda items. Responses should be concise and through the Chair.

13.3 The Chair will periodically summarize the discussion before calling the questions on significant items.

14. Member Debating

14.1 All remarks and questions shall be directed through the Chair.

14.2 When two (2) or more Members address the Chair at the same time, the Chair shall name the Member who is to speak first.

14.3 A Member shall not speak more than once on a question until all other Members wishing to speak have had an opportunity, except for explanation or reply by the mover to close debate.

14.4 Speaking time is limited to five (5) minutes unless Council consents to extend.

14.5 Discussion shall be limited to the question in debate.

14.6 Detailed illustration is attached in Schedule D — Standard Order of Business & Debate.

14.7 The Chair shall provide every Member of Council with an opportunity to participate in debate before a matter is brought to a vote.

15. Conduct

15.1 Members, staff, and the public shall not disturb, delay, or disrupt proceedings, use rude or offensive words, or otherwise behave in a disorderly or improper manner. The Chair may take reasonable steps to maintain order, including removal as permitted by the Act and this by-law.

16. Questions of Privilege, Points of Order, and Appeals

16.1 A Question of Privilege takes precedence over other matters and may be raised to address the rights and immunities of Council or a Member.

16.2 A Point of Order may be raised to call attention to a departure from this by-law.

16.3 The Chair's ruling on a Point of Order or Question of Privilege may be appealed immediately and decided without debate by a majority vote of Members present.

17. Motions

17.1 A motion must be moved and seconded before debate, except a motion to adjourn.

17.2 When a motion is under debate, only motions of precedence may be received, including to adjourn, table, refer, amend, postpone, postpone indefinitely, or call the question.

17.3 A motion to table or call the question is not debatable or amendable.

17.4 Reconsideration and rescission of decisions shall be conducted in accordance with the Act and this by-law.

18. Notice of Motion

18.1 A Member may give a written or verbal Notice of Motion prior to the close of a Meeting. The Notice of Motion shall be recorded in the minutes and placed on the Agenda for the next Regular Meeting or another Meeting date specified by the mover.

19. Voting

19.1 Every Member present shall vote unless required or permitted to abstain by law.

19.2 Votes are taken by a show of hands or by another method approved for Electronic Meetings.

19.3 Tied votes defeat the motion.

19.4 A recorded vote must be taken when requested by a Member prior to the vote being taken, and must record names for, against, and abstaining.

19.5 Conflict of interest: A Member with a pecuniary interest shall disclose the nature of the interest, abstain from discussion and voting, and leave the meeting area until the matter is concluded, in accordance with applicable law.

20. By-laws

20.1 By-laws require three readings, each put to a separate vote, and not more than two readings may occur at a single Meeting unless permitted by law.

20.2 Members must have an opportunity to review the full text at first reading and at third reading, including any amendments.

20.3 After passage, by-laws must be signed and sealed as required by law and municipal signing authority.

21. Repeal and Effective Date

21.1 This by-law repeals By-law No. 23 0010 and any amendments thereto.

21.2 This by-law comes into force and effect on the day it receives third and final reading by Council.

DONE AND PASSED by the Council of the Rural Municipality of Gimli, in Council duly assembled, at Gimli, Manitoba, this 9th day of September, 2026.

RURAL MUNICIPALITY OF GIMLI



Mayor, Kevin Chudd

Chief Administrative Officer, Diana Chapman

Read a first time this 11th day of February, 2026

Read a second time this 9th day of , 2026

Read a third time this 9 th day of , 2026

SCHEDULE "A"

COUNCIL AGENDA ORDER OF BUSINESS (REGULAR MEETINGS)

- 1 Call to Order
- 2 Land Acknowledgement
- 3 Announcements (if any)
- 4 Adoption of Agenda
- 5 Adoption of Minutes
- 6 Delegations / Presentations (if any)
- 7 Planning and Public Hearings (if any)
- 8 By-laws, Agreements and Policies
- 9 Reports (Mayor, Council, Committees, Administration)
- 10 Old / Unfinished Business
- 11 New and Other Business
- 12 Correspondence for Action
- 13 Correspondence for Information
- 14 Notices of Motion
- 15 In Camera / Out of Camera (if required)
- 16 Resolutions from In Camera (if any)
- 17 Adjournment



Schedule "B"

RURAL MUNICIPALITY OF GIMLI

Delegation Request Form

Name of Individual / Organization:

Primary Contact (if organization):

Contact Information (address/phone/email):

Address: _____

Phone Number: _____

Email Address: _____

Meeting Requested:

☐ Council ☐ Committee of the Whole ☐ Other:

Topic / Subject Matter:

Information you intend to present:

Intended Outcome:

☐ Provide Information ☐ Request Council Direction ☐ Budget Consideration ☐ Other

Is this related to an Operational Matter?

☐ Yes ☐ No ☐ Not Sure

If Yes/Not Sure, describe the issue:

Service Request submitted?

☐ Yes ☐ No

If Yes, Service Request Number: _____

(Handwritten signature)

**Resolution you are seeking from
administration:**_____

Supporting documents attached?

☐ Yes ☐ No

Contains personal information?

☐ Yes ☐ No

Signature & Date:

This form is used in accordance with Section 11 of the Council Procedure By-law.





SCHEDULE "C"

COUNCIL AGENDA ITEM REQUEST FORM (FOR MEMBERS)

Member name:

Date submitted:

Requested meeting (date, if known):

Item title (short):

Description of the issue / background (brief):

Requested Council action (draft motion or decision request):

Why is this item being requested? (purpose/objectives):

Could this item be addressed administratively through a Service Request instead?

☐ Yes ☐ No ☐ Not sure

If yes or not sure, describe administrative path or why it requires Council:

Is this item Time Sensitive (as defined in the by-law)? ☐ Yes ☐ No ☐ Not sure

If yes, identify the reason (check all that apply): ☐ Statutory deadline ☐ Public safety ☐
Avoid material financial loss ☐ External funding/partner deadline ☐ Emergency ☐ Other
(explain)

CP

If 'Other', please explain:

Does this item require a Staff Report? ☐ Yes ☐ No ☐ Not sure

Information required for informed decision:

Estimated resource/financial implications:

Related plans/policies/by-laws:

Attachments provided: ☐ Yes ☐ No

Signature:

This form is used in accordance with the Council Procedure By-law, Schedule "C".

Submit to the CAO via email and copy all Council Members



SCHEDULE "D"

Standard Order of Business & Debate

Purpose: The Chair's role is to protect the integrity of the meeting process through the impartial application of the Procedure By-Law rather than to influence debate or its outcome. It is the Chair's responsibility to facilitate balanced participation by ensuring every Member has a reasonable opportunity to contribute before debate is concluded and a vote is taken.

1. Introduction of the Item

- The Chair introduces the Agenda Item number.

2. Administrative Presentation

- For all non-routine matters, the Chair shall request a presentation from the CAO or designate.
- **Requirement:** The item must be supported by a Request for Decision (RFD), Briefing Paper, or written report attached to the Agenda.

3. Questions of Clarification

- The Chair shall ask Council members if there are questions for the Administration.
- Questions must be directed through the Chair to the CAO.
- Questions must be **factual** in nature (clarifying the report/presentation) and not extend into debate or opinion.

4. The Motion

- The Chair asks: *"Is Council prepared to entertain a motion?"*
- A member moves the recommendation (or an alternate motion).
- The Chair calls for a Seconder.
- *Note:* No debate shall occur until the motion has been moved and seconded.

5. First Round of Debate

- The Chair shall invite comments from the Mover first.
- The Chair shall proceed around the table to ensure every member has one opportunity to speak to the motion.

6. Administrative Input (Optional)

- The Chair may request input from the CAO regarding technical, legal, or financial implications raised during the First Round of Debate.

- The CAO shall not offer political opinion.

7. Second Round of Debate (Discretionary)

- **At the discretion of the Chair**, a second round of debate may be granted.
- This round is intended for rebuttals, further questions arising from Step 6, or final comments prior to the vote.

8. The Vote

The Chair calls the question.

- Members vote on the motion.

Alternate Procedure: Request for Information

(To be used if Council cannot make a decision based on current information)

9. Motion to Refer

- At any time prior to the vote, a member may make a **Motion to Refer** the matter to Administration.
- **Requirement:** The motion must specifically identify the additional information, report, or legal opinion required.

10. Procedure for Referral

- The Chair calls for a Secunder.
- The Motion to Refer is not debatable as to the main topic, but only as to the propriety of the referral (i.e., time and date of return).
- Council votes on the referral immediately.