

**BY-LAW NO. 9.**

**A By-law to regulate the Proceedings of the Council of the Village of Muenster.**

The Council of the Village of MUESTER enacts as follows:

1. In all proceedings had or taken in the Council of the Village of MUESTER the following rules and regulations shall be observed and shall be the rules and regulations for the order and despatch of business in the said Council.

2. The said Council shall hold their first meeting in each year following the organization of the Village on the first Monday in January except when that Monday is a public holiday in which case the meeting shall take place on the subsequent day which is not a public holiday and the Council of the previous year shall hold office until the new Council meets.

3. Said first meeting shall be held at ..... at the hour of ..... o'clock ..... and in case there be no quorum at aforesaid hour such meeting may take place at any hour thereafter during the same day as soon as there is a quorum.

4. A majority of the whole Council shall be necessary to form a quorum and no business shall be transacted unless there be a quorum.

5. Every member of the Council and every officer of the Village shall before entering upon the duties of his office make and subscribe before a Justice of the Peace, Notary Public or Commissioner for Oaths the prescribed declaration of office and shall deposit same in the office of the Secretary Treasurer provided that in the case of Councilors first elected the said declaration shall be handed to the Chairman at the first meeting of the Council to be afterwards by him deposited with the Secretary-Treasurer.

6. Every member of the Council shall hold office until his successor is elected.

7. Regular meetings of the Council shall be held at ..... or such other place as may be fixed by resolution of the Council on the ..... at the hour of ..... o'clock ..... and no notice of any such meeting shall be necessary.

8. Special meetings of the Council shall be called by the Secretary-Treasurer when he is requested so to do in writing by any two members of the Council; and written notice of every such special meeting stating the time

and place when and where it is meeting.

to be held and in general terms the nature of the business to be transacted thereat shall be delivered personally by the Secretary-Treasurer to every member of the Council or in case of the absence from the village of any member of the Council to some adult person at the residence of such member.

9. No business other than that stated in the said notice shall be transacted at any special meeting of the Council unless all the members of the Council are present in which case by unanimous consent any other business may be transacted.

10. The Council may by unanimous consent waive notice of any special or other meeting at any time but every member of the Council must be present at such meeting.

11. Every meeting of the Council shall be held in the Village.

12. The Council shall at its first meeting elect a Chairman who shall preside at all meetings of the Council and the said Chairman shall be styled Overseer of the Village.

13. The Overseer shall preside at every meeting of the Council and he shall preserve order and enforce the rules of the Council.

14. In the absence of the Overseer from any meeting another member of the Council shall be elected as Chairman and during such meeting shall have the same authority as the Overseer would have had.

15. No act or proceeding of any Council shall be deemed valid or binding on any party which is not adopted at a regular or special meeting of the Council at which a quorum is present.

16. Every matter shall be submitted to the Council on the motion of the Overseer or any member thereof and no second shall be required.

17. At every meeting of the Council all questions shall be decided by the majority of the votes and the Overseer or Chairman of the Council as the case may be shall have the right to vote but in the case of an equality of votes the question shall be decided in the negative.

18. The Overseer when present and all the Councilors present must vote in Council on every division.

19. The Council shall hold its ordinary meetings openly and no person shall be excluded except for improper conduct; but the person presiding at any meeting may cause to be expelled and excluded any person who is guilty of improper conduct at such

20. As soon as the Overseer or Chairman has taken the chair the minutes of the last preceding meeting shall be read by the Secretary-Treasurer in order that any mistake therein may be corrected by the Council after which correction (if any) the said minutes shall be confirmed and signed by the Overseer or Chairman and by the Secretary-Treasurer.

21. The votes shall in all cases be taken by open voting and the votes shall be recorded in the minutes of the proceedings of the Council if required by any member or by any resolution of the Council.

22. The Council shall be bound to receive any petition sent to such Council and have the same read in Council whether presented by the Secretary-Treasurer or by a member of the Council or by any rate-payer of the Village.

23. Every one who is entitled to be heard before the Council may be heard in person or through some person acting on his behalf.

24. In case of the absence from the Village or illness of the Overseer the Council may by resolution appoint from among their number an acting head who shall while so acting have all the powers of the head.

25. As soon after the hour of meeting as there shall be a quorum the Overseer shall take the chair and the members uncovered shall be called to order.

26. When the Overseer or Presiding officer is called on to decide a point of order or practice he shall do so without unnecessary comment and shall state the rule or authority applicable to the case if requested to do so.

27. When the Overseer is putting a question no member shall walk out of or across the Council Chamber nor when a member is speaking shall any other member hold discourse or interrupt him except to raise a point of order nor pass between him and the chair.

28. A member called to order shall immediately sit down but may afterwards be permitted to explain after which the Overseer shall give the reason or reasons for calling a member to order and the decision of the chair shall be final.

29. No member shall speak beside the question in debate.

30. No member shall speak to the question or in reply for longer than five minutes without leave of the Council.

31. A motion to adjourn takes precedence of all others and may be moved at any time but this

question cannot be received after another question is actually put and while the Council is engaged in voting.

A motion shall be debated or put unless the same is in writing excepting only a motion to adjourn which shall not require to be in writing.

33. A motion that has been read may be withdrawn at any time before decision or amendment with the permission of the mover.

34. By-Laws may be introduced by any member of the Council on leave without notice.

35. Every By-Law shall be under the seal of the Village and shall be signed by the Overseer and countersigned by the Secretary-Treasurer and every By-Law shall have three distinct and separate readings before it is finally passed but not more than two readings shall be had at any one meeting of the Council except by the unanimous vote of the members present thereat.

36. When a By-Law is read in the Council the Secretary-Treasurer shall certify the reading with the date on the back of same.

37. A copy of any By-Law written or printed and under the seal of the Village and certified to be a true copy by the Overseer or Secretary-Treasurer shall be received as prima facie evidence of its due passing and of the contents thereof without further proof in any Court unless it is specially pleaded or alleged that the seal or the signature of the Overseer or Secretary-Treasurer has been forged.

38. When one-third of the resident electors of the Village petition the Council for the submission of a By-Law on any question concerning a matter within the legislative jurisdiction of the Council the same shall be granted and a By-Law introduced by the Council within four weeks after the presenting of the said petition which By-Law shall be advertised in some newspaper published in or the newspaper published nearest to the Village in at least one number of such paper each week for two successive weeks and finally passed by the Council within four weeks of the voting thereon.

39. In case no application to quash a By-Law is made within two months next after the final passing thereof the By-Law shall be valid and binding notwithstanding any want of substance or form therein or in the proceedings prior thereto or in the time or manner of the passing thereof.