

Hi Bruce,

I just got off the phone with our staff working on this Act and they have told me that it is not the responsibility of the department to interpret and enforce the Act. It is up to the municipality to interpret the Act and follow the procedures of their Rules of Order, which in this case is Robert's Rules of Order. They have also given me this section of the Act which they say might clarify things a bit.

Municipalities Act

10.1(1) Unless disqualified to vote by reason of interest or otherwise upon a by-law, resolution, motion or for any other purpose, each member present, including the mayor, shall announce his or her vote openly and individually, and the clerk shall record it, and no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

10.2(1) Subject to subsection (4), all regular and special meetings of a council shall be open to the public.

10.2(2) All decisions of a council shall be
(a) made in a regular or special meeting of the council,
and
(b) adopted by a by-law or resolution of the council.

10.3(1) Subject to subsection (2), a municipality shall enact a by-law to regulate the procedures of its council

meetings and such a by-law shall include those matters prescribed by regulation.

Regulation 2004-25 - Procedural by-law

3 A procedural by-law shall include, but not be limited to, the following:

(g) the manner in which a deputy mayor shall be elected under section 30 of the Act and the duration of the term of a deputy mayor;

Municipalities Act

30 The council of a municipality shall elect a deputy mayor.

I hope this helps.

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