

# UMDONI MUNICIPALITY

## RULES OF ORDER

M.N. of 2005

The Municipal Council for the Umdoni Municipality has adopted the following bylaws at its meeting held on \_\_\_\_\_ in terms of section 160 (6)(b) of the Constitution of the Republic of South Africa (Act No. 108 of 1996) read with section 31 (2) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) and hereby publishes the subjoined bylaws in terms of section 13 (a) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) to come into effect on the date of publication hereof in the Provincial Gazette.

D D Naidoo  
Municipal Manager

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## UMDONI MUNICIPALITY

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### STANDING RULES AND ORDERS FOR THE MEETINGS OF THE COUNCIL AND ALL ITS COMMITTEES

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#### 1. Definitions

The following terms and phrases used in these bylaws shall have the meaning assigned to them hereunder:

~~%~~Constitution+shall mean the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996);

~~%~~Council+shall mean the municipal council for the Umdoni Municipality;

~~%~~Systems Act+shall mean the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

~~%~~Structures Act+shall mean the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

~~%~~Portfolio committee+shall mean the committees appointed by the Council under delegated powers in terms of section 79 of the Structures Act;

~~%~~Sub-committee+ means any other committee, other than the portfolio committees appointed by the council under plenary powers.

~~%~~Municipality+shall mean the Umdoni Municipality;

~~%~~Report+shall mean any item appearing on the agenda paper for consideration by the council or committee

~~%~~Member+shall mean a member of the municipal council

~~%~~Heads of department+shall mean the persons appointed by the council to head the various departments of the municipal council as approved for the official organisational structure of the municipality.

#### 2. Meeting of council open to public

Every meeting of the Council, its portfolio committees and its sub-committees shall be open to the public; provided that this section shall not apply when it is reasonable to do so having regard to the nature of the business being transacted in terms of section 20 (1)(a) of the Systems Act and section 31 (1) of the Structures Act.

Council may go ~~%~~to committee+ to discuss items deemed to be of a sensitive or confidential nature provided it is decided by a Majority of Councillors present at the

meeting.

**3. Council meetings**

The council shall hold an ordinary meeting for the transaction of business not less than once in every three months.

**4. Special council meetings, including portfolio (standing) committee meetings**

The Mayor / Chairperson may at any time and shall, upon request in writing of not less than one-third of the councillors for the municipality, call a special meeting of the council or portfolio (standing) committee.

**5. Service of notices**

At least seventy two (72) hours before any ordinary meeting of the council; at least forty eight (48) before any portfolio (standing) committee meeting and at least twenty four (24) hours before any special council / or portfolio (standing) committee meeting, a summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the Mayor shall be left or delivered to an accessible distribution point within the municipality as determined by the council from time to time.

**6. Non-service of notices**

Accidental omission to serve on any councillor a notice of meeting shall not invalidate the proceedings of that meeting.

**7. Urgent matters**

No business shall be transacted at a meeting of the council or any of its committees other than that specified in the summons relating thereto, except any matters which the relevant chairperson considers urgent and for which the said chairperson has signed a certificate of urgency, or any matter which the Municipal Manager or his duly authorised deputy considers urgent and for which he/she has signed a certificate of urgency as depicted on Annexure A to these bylaws.

**8. Adjourned meetings**

The council, portfolio committee or sub-committee may adjourn a meeting to any date or hour, but no business shall be transacted at any adjourned meeting except such as was set out in the summons for the meeting of which it is an adjournment.

**9. Notice of adjourned meeting**

When a meeting is adjourned, notice of the adjourned meeting shall be sent out to each member of the council or committee, specifying the time, date and place of such adjourned meeting [at least 24 hours before the meeting] and such adjourned meeting shall reconvene within seven (7) working days.

**10. Quorum and acts of council**

A majority of the councillors must be present at a meeting of the council before a vote may be taken on any matter. All questions concerning matters mentioned in section

160 (2) of the Constitution are determined by the council with a supporting vote of the majority of its councillors. All other questions before the council shall be decided by a majority of the votes cast subject to section 34 of the Structures Act pertaining to the dissolution of the council.

**11. Casting vote**

If on any question there is an equality of votes, the councillor presiding at the council, portfolio committee or sub-committee may exercise a casting vote in addition to that particular councillor's deliberative vote, provided that the casting of such vote shall fall within the ambit of the powers duly delegated to the relevant portfolio committee or sub-committee.

**12. When councillors may not attend and participate in the proceedings of the council, portfolio committee or sub-committee**

A councillor shall-

- 12.1. Disclose to the council, or to any committee of which that councillor is a member, any direct personal or private business interest that the councillor, or any spouse, partner or business associate of that councillor may have in any matter before the council or the committee; and
- 12.2. Withdraw from the proceedings of the council or committee meeting when the matter is being considered by the council or committee, unless the council or the committee decides by resolution, that the councillor's direct or indirect interest in the matter is trivial or irrelevant. A councillor who has so disclosed his/her interest may, with the approval of majority of the members of the council or its committee, address the council or committee on the matter prior to the deliberation and vote on the matter taking place, subject always to the ruling of the chairperson on the time to be allowed for such an address.

A councillor who, or whose spouse, partner or business associate or close family member, acquires or stands to acquire any direct benefit from a contract concluded with the municipality, must disclose full particulars of the benefit of which the councillor is aware at the first meeting of the council or committee of the council at which it is possible for the councillor to make a disclosure.

This section does not apply to an interest or benefit which a councillor, or a spouse, partner or business associate or close family members, has or acquired in common with other residents and ratepayers of the municipality.

**13. No quorum and walkout**

- 13.1. If at the expiration of ten minutes after the hour [time] at which any meeting of the council or committee of the council is appointed to be held a quorum shall not have assembled, no meeting shall take place, unless it is decided, with the unanimous consent of the members present, to allow further time, not exceeding an additional five minutes, in order to enable a quorum to assemble, but the members present may by a majority decide to adjourn the meeting to a more convenient time.
- 13.2. If a councillor or group of councillors leave any meeting in protest, the remainder of the councillors shall constitute a quorum in order to carry on with the business of the meeting, provided that the remainder of the councillors

then present in the meeting venue shall not be less than a majority of the total number of councillors.

**14. Count out**

If during any sitting of the council or any of its committees, the attention of the chairperson be called to the number of members present, he shall count them, and if found that there is not a quorum present, the council or the committee shall stand adjourned for such period as the members present may decide.

**15. Chairperson of meetings**

At every meeting of the council the Mayor, or if he/she is not present the Deputy Mayor (if such a post exists), shall be the chairperson. In the absence of the Mayor and Deputy Mayor (if such a post exists), a chairperson may be elected by the majority of councillors present at any meeting of the council.

The chairperson appointed by the Council or his/her deputy shall chair meetings of the portfolio committees.

The person so nominated by the council or portfolio committee shall chair meetings of committees and sub-committees; provided that where no such person was nominated the members present may elect their own chairperson.

**16. Business at council meetings**

The order of business at every ordinary meeting of the council or portfolio committee is as follows:

Council	Portfolio Committee
Prayer Notice convening the meeting Applications for leave of absence Approval of the agenda Announcements Confirmation of previous minutes Reports back by councillors as allowed by the chairperson Mayoral report Reports of the Standing Committees Miscellaneous in the order to be determined by the chairperson	Prayer Notice convening the meeting Applications for leave of absence Approval of the agenda Confirmation of previous minutes Matters arising from the minutes (Only at the discretion of the chairperson), and provided that no further discussion on the matter will be allowed that will lead to a resolution being overturned Reports of the Heads of Departments Miscellaneous in the order to be determined by the chairperson

The chairperson may, in his/her sole discretion, bring forward any business, which is on the agenda paper at any stage. For reasons of proper record keeping and a standardised numbering system, any matter so dealt with at an earlier stage than the sequence indicated on the agenda paper, shall be recorded in the minutes of the meeting in the sequence it originally appeared on the agenda paper.

**17. Minutes to be kept and confirmation thereof**

Minutes of the proceedings of every meeting of the council, portfolio committee and sub-committee shall be electronically or otherwise recorded and be kept for that purpose by the Senior Committee Clerk. The Municipal Manager shall be responsible for the correctness of the same, and the minutes of every meeting shall be confirmed at the next ordinary meeting.

Minutes of the proceedings of every meeting of the council, portfolio and sub-committee shall be word processed or typed and printed, and shall if confirmed, be signed at the next ensuing ordinary meeting by the chairperson. Minutes shall be bound and disposed of in terms of the relevant Archives legislation.

Amendments shall be handwritten onto the minutes being confirmed and signed by the Chairperson, and shall also be recorded by the Committee Clerk in the minute of the current meeting.

**18. No discussion on minutes**

No motion or discussion shall be allowed upon the minutes, except as to its accuracy, save at portfolio committees and even then at the sole discretion of the chairperson.

**19. Petitions to be written, typed or printed**

Petitions, which must be clearly written, typed or printed, must be signed by not less than three citizens and must be couched in respectful language and presented to the office of the Municipal Manager who shall, if he/she deems it necessary, bring the matter before the Council.

**20. Deputations to send memorandum**

Deputations wishing to be received by the Council shall be required, in the first instance to send a memorandum in writing, and the Municipal Manager shall bring the memorandum before the Council, which it may authorise, if it sees fit to receive the deputation.

**21. Reception of deputations**

A deputation wishing to address the Council shall not exceed five in number, but only one member thereof shall be at liberty to address the Council (except in reply to questions from members of the Council) and that only for a period not exceeding ten minutes. The committee shall not further consider the matter until the deputation shall have withdrawn itself from the meeting.

**22. Moving a report**

The chairperson of a committee or the deputy chairperson of the committee shall move the recommendation contained in a report unless he/she shall have previously stated his/her disagreement with it. The chairperson of a committee or other member bringing up a report may withdraw or amend any section with the consent of the committee, only if it has been established that a particular item or items in the original motion was or were incorrectly recorded or it has been established that it would be in the best interest of the council not to adopt a motion or a part or parts thereof.

**23. Form of giving notice of motion**

No subject shall be brought before the council by any member of the council except upon a notice of motion, which shall be in writing and signed by the member giving the notice, provided however, that a person who has a personal electronic mail

address from where he or she can be identified by the Municipal Manager, can submit such motion by electronic mail. Such notice shall be given to the Municipal Manager and shall be submitted before 12:00, ten days prior to the meeting of the council.

**24. Order of notices of motion**

All notices of motion shall be dated and numbered as received by the Municipal Manager, and shall be entered by the Senior Committee Clerk upon the agenda paper in the order in which they are received, save and except that notices of amendment of the motion shall be entered immediately after such notice of motion, irrespective of the time at which the notice shall have been received

**25. Restrictions on notices of motion**

No member shall have more than two notices of motion on the same agenda at the same time.

In dealing with notices of motion, the chairperson shall first read out the number of each and the name of the mover, and shall ascertain which motions are unopposed, and these shall be passed forthwith without discussion. The chairperson shall then call on the movers of the opposed motions in their order on the agenda paper.

**26. Motions in order**

Before any notice of motion is placed on the agenda paper it shall be submitted to the Municipal Manager who must obtain the written technical input from the various heads of department of the municipality, if it is required, and, who, if he/she be of the opinion that it is *ultra vires* existing legislation, shall cause the giver of the notice to be so informed. The giver of the notice shall however, have the right to appeal to a sub-committee nominated by the Council, who shall review the matter and decide whether or not such notice of motion be placed on the agenda paper.

**27. Motion not moved**

If a motion, notice of which is specified in the agenda, is called on, but is not moved by the member who has given the notice or by some other member authorised thereto in writing by him/her, it shall be considered as dropped and shall not be moved without further notice. Counter Proposals may not be made until the original proposal / amendment to the proposal has been dealt with.

**28. Members addressing the chair**

During the sitting of the council, members, except lady members and members in traditional, cultural or religious headdress shall have their heads uncovered.

When speaking, councillors shall be seated, but at all times, address their speech to the chair.

**29. Relevance**

A member who speaks shall confine his/her speech strictly to the motion under discussion or to an explanation or a question of order.

**30. Precedence of chairperson**

Whenever the chairperson indicates his/her intervention during a debate or rises from his/her chair, any members then speaking shall immediately cease to speak and be silent, so that the chairperson may be heard without interruption.

**31. Length of speeches**

No speech shall exceed five minutes in length without the consent of the meeting. This period shall exclude consecutive translation time required.

The chairperson of the council, portfolio committees or any other committee, as the case may be, shall be entitled to, at any time, to set, limit or extend reasonable time limits for the discussion of and/or any decision or any item or group of items on the relevant agenda.

These time limits shall be at the sole discretion of the chairperson guided by the principles of fairness, democracy, efficiency and good governance.

**32. Disorderly conduct of councillor and the duty of the chairperson**

If at any meeting of the council, portfolio committee or sub-committee a councillor conducts himself or herself in an improper fashion, behaves in an unseemly manner or persistently obstructs business to be carried out or challenges the ruling of the chairperson on any point of order or declines to withdraw an expression when required to do so by the chairperson or indulges in tedious repetition or unbecoming language or commits any breach of these rules, the chairperson shall direct such councillor to conduct himself or herself properly and, if speaking, to discontinue his/her speech and resume his/her seat, if he/she was standing.

In the event of persistent disregard of the directions of the chairperson, the chairperson shall direct such councillor to retire from the venue where the meeting is being held for the remainder of the meeting, and shall, if necessary, cause him/her to be ejected there from.

**33. Exclusion of councillors**

The Mayor or a chairperson may exclude from a meeting, for such period of time as he/she may deem fit, any member who has so committed an act of misconduct or behaved in an unseemly manner or persistently obstructed the business of the meeting or disregarded the authority of the chair.

**34. Obstruction by persons other than councillors**

Any person, other than a councillor, who misconducts himself or herself, behaves in an unseemly manner or interrupts the proceedings of the council, portfolio committee or any other sub-committee of the council at any meeting shall, if the chairperson so directs, be removed from the chamber or the venue where the meeting is being held, and the chairperson may exclude such person from further admittance to the council chamber or the meeting venue for such period as it may be deemed fit.

**35. Members to speak only once: right of mover to reply: no member to speak after reply of mover**



In respect of a notice of motion, no member shall address the council more than once on any motion or amendment. The mover of an original motion may, however, reply, but he/she shall strictly confine himself/herself to answering previous speakers and shall not introduce any new matter into the debate. The right of reply shall not extend to the mover of an amendment. At the meeting of portfolio committees and other sub-committees of the council, and in order to promote meaningful debate and allow proper interrogation of an item under deliberation, the relevant chairperson at his/her sole discretion may allow a member to address the committee on more than one occasion but in any event not more than three occasions, and may rule whether such repeated addressing becomes irrelevant or repetitious.

36. **Amendments to be in writing**

The chairperson may call upon any mover of an amendment to reduce the same to writing, and, after signing it, to hand it to the Municipal Manager.

37. **Withdrawal of motion, amendment and notice of motion**

The mover with the consent of the seconder may withdraw a motion or amendment.

Except upon the recommendation of the committee to which the council has delegated powers or duties to deal with the particular subject matter, no resolution passed at any meeting of the council shall be revoked or altered at any subsequent meeting unless notice of motion so to revoke or alter such resolution shall have been given to the Municipal Manager at least seven days before such subsequent meeting and the Municipal Manager shall, at least two days before such subsequent meeting, have forwarded a copy of such notice of motion to each councillor.

38. **Chairman's ruling on question of order**

The ruling of the chairperson on a point of order or on the admissibility of a personal explanation shall be final and shall not be open to discussion.

39. **Motions to be seconded before discussion**

No motions or amendment shall be discussed or put to the council until it shall have been seconded.

A member who has seconded a motion or amendment in a formal manner shall be afterwards permitted to speak upon it.

40. **Majority decision**

All resolutions that may come before council shall be done and decided by the majority of the councillors present at any meeting.

41. **Every member to vote and abstentions**

Every councillor shall endeavour, in the interest of good governance, to give his/her vote on every division at which he/she is present, and no councillor shall leave the council chamber during the time the chairperson is putting the question. A councillor may abstain from voting and such intention may be indicated by being stated on record.

When councillors wish to abstain from voting, it will not be necessary for those councillors to leave the chamber.

Voting shall be by a show of hands save upon a request of a simple majority of the councillors present at the meeting to conduct the voting in secret, in which case a secret ballot will take place.

**42. How taken**

The Municipal Manager or an official designated by him shall act as teller and declare to the chairperson the result of the divisions. In the event of a secret ballot, the municipal manager shall hand to each councillor a ballot paper bearing the official mark or logo of the municipal council, and having the alternates to be voted for clearly depicted thereon, substantially in accordance with the following:

Logo

Date: ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ .

Proposal or motion to be voted for	Councillor's mark (X)
1.	
2.	

The municipal manager shall collect all the ballot papers and count same in the presence of a representative from each party represented on the council or committee and present at such meeting.

The chairperson shall thereupon declare the motion carried or lost, and it shall be entered upon the minutes. If any member so requests, the names shall also be recorded, save in the case of a secret ballot.

The chairperson shall have a second or casting vote in cases of an equality of votes.

**43. Terms of reference of sub-committees**

Upon the appointment of any sub-committee the council shall specifically determine the terms of reference of such sub-committee and shall fix the quorum of such sub-committee. The council's standing rules and orders shall apply *mutandis mutandis* to all sub-committees.

**44. Council may increase or restrict powers**

With the exception of the portfolio committees whose functions and powers are determined in terms of Section 80 of the Structures Act, the council may at any time extend, withdraw or modify the duties and powers of a committee or sub-committee appointed in terms of Section 79 of the Structures Act.

**45. Minutes of executive committee, portfolio committees and sub-committees**

Every committee, except when specifically exempted from this provision by a resolution of the council in view of the sensitivity, confidentiality or otherwise of the subject matter of a particular meeting and provided the final resolution or recommendation is duly recorded in writing, shall record minutes of its proceedings and cause the same to be duly kept by the Senior Committee Clerk. At every ordinary meeting of a committee the unconfirmed minutes shall be taken as read, with a view to confirmation, provided that a copy of such minutes shall have been sent to each member of the committee twenty four hours previously. No discussion

shall be allowed upon the minutes, except as to their accuracy save at portfolio committees and even then at the sole discretion of the chairperson.

**46. Inspection of minute books by councillors**

The minutes of every committee shall be open for inspection by every member of the council during office hours; provided the exigencies of duties of the registry and committee staff are taken into account.

**47. Member may resign seat on committee**

Any member of a committee may resign his seat on the committee by a notice in writing signed by him and sent to the Municipal Manager. Any such resignation shall be reported to the Council to the end that the vacancy may be filled.

**48. Non-attendance of members of committees**

Should any member of a committee fail to attend three consecutive meetings of such committee without leave of absence having been granted, he/she shall be deemed to have forfeited his/her seat on such committee, and such forfeiture shall be reported to the Council to the end that the vacancy may be filled by the Council.

A member shall forfeit his/her seat on the council if he/she fails to attend three consecutive meetings of a committee or the council without leave of absence having been granted, provided that a period of at least three full calendar months have expired between the first and the third meeting not being so attended.

Should any councillor absent himself from council or standing committee meetings for which proper notice had been served, without leave of absence, the said councillor shall be fined R 100,00 per meeting.

**49. Day and time of meeting**

The day and time of meetings of any committee shall be determined by resolution or by the Municipal Manager or by the Mayor.

**50. When portfolio committees to meet**

Every portfolio committee shall meet in accordance with its terms of reference.

**51. Members of council attending portfolio committee meetings**

Right of councillors to attend portfolio committee, sub-committees and other committee meetings not provided for herein

**51.1. Attendance at portfolio committee meetings**

51.1.1. The Mayor who is not a member of a portfolio committee may attend meetings of any portfolio committee and participate fully in the deliberations of the committee but may not vote

51.1.2. Councillors who are not members of a portfolio committee may attend any portfolio committee meeting, may participate in the deliberations of the meeting with the permission of the chairperson, but may not vote on any matter before the committee

**51.2. Attendance at meetings of sub-committees or other committees not provided for herein**

- 51.2.1. The members elected to serve on a sub-committee or committee not provided for herein, shall be entitled to attend, participate fully in the deliberations and vote on any matter within the terms of reference of such sub-committee or other committee.
- 51.2.2. A councillor not elected to such sub-committee or other committee shall not be able to attend such committee meetings unless invited by such committee or unless he/she receives the prior permission of the council. Such permission shall not be unnecessarily or unreasonably withheld.

**52. Duties of chairperson of committee**

The chairperson of a committee shall preside at every meeting of the committee at which he/she is present. He/she shall be entitled to vote in the first instance, and, in case of an equality of votes, may give a second or casting vote. He/she shall sign the minutes when the Committee has passed the same. It shall be his/her duty, if present, to bring up the report of the committee to the council and to move the same.

Each committee may, if it thinks fit, appoint a vice-chairperson, and if appointed he/she shall preside at the committee in the absence of the chairperson.

The vice-chairperson shall, when presiding, have the same powers and rights of voting as those possessed by the chairperson. He/she shall, in the absence of the chairperson, bring up the report of the committee to the council.

In the absence of the chairperson and the vice-chairperson, the members present shall appoint one of their members to preside at the meeting and the member so appointed shall, when presiding, have the same power and rights of voting as those possessed by the chairperson.

**53. Information to be obtained from municipal manager or the head of department concerned**

Members of the council who desire to obtain from any official of the council information with regard to the administrative work of the council, which is not accessible to the general public, should address their enquiries firstly to the Municipal Manager and then to the relevant head of department.

**54. Information to the press or other media: In-committee discussions**

The Mayor, or in his/her absence the Deputy Mayor, and the Municipal Manager in their discretion may, on application being made to him/her by any registered newspaper, radio station, television service or internet publisher, supply to such media or its representative, information and reports relating to the work of the municipality. In view of the Municipal Manager, or the Mayor being the authorised channel through which the media may receive information and reports, members of the council are therefore expected to refrain from sending to the media documents or information supplied to them with a view to their consideration by the council or any committee, provided that this clause shall not be construed as abrogating a councillors individual constitutional right to make press statements which reflect his/her own personal view and not that of the council, provided, however, that no discussion that took place in-committee may be conveyed to the public or the press except by the Mayor, or Municipal Manager.

Chairpersons of portfolio and other committees must liaise with the Senior Committee Clerk for the publication of any information relating to his/her portfolio committee and the Senior Committee Clerk shall arrange, if approved by the municipal manager, the publication of the relevant information.

**55. Personal canvassing for appointment: a disqualification**

Personal canvassing for appointments in the gift of the council is strictly prohibited. Proof shall disqualify a candidate for appointment.

**56. Section to be quoted in human resource advertisements**

The abovementioned standing order shall be quoted in advertisements calling for application for appointments.

**57. Suspension of standing orders**

No standing order shall be suspended without the vote of a majority of the members of the council or of three-fourths of the members present and a motion duly seconded, to suspend the standing orders shall be put without debate.

**58. Legal defence and indemnification of councillors and officers of the council**

The council may determine the circumstances in which it will undertake the defence of or pay the legal costs or the total costs and the amount in respect of any legal proceedings, whether civil or criminal, a councillor or an official may have against any person, body, organisation or institution arising from the councillor's or official's capacity as a councillor or official of the Umdoni Municipality.

**59. Mayor may refer matters for legal advice**

The Mayor shall be entitled, within the framework of the approved operational budget of the municipality, to refer any matter pertaining to the council and its proceedings, for legal opinion to the council's legal advisors.

**60. Activities prohibited within the council chamber or a meeting venue and the use of the council chamber by other persons or institutions**

The decorum of the council chamber as the official seat of government of the Umdoni Municipality shall at all times be respected and adhered to by any person or institution using the facilities.

The following activities are strictly prohibited from being conducted within the confines of the council chamber or a meeting venue of the council or its committees by any person:

- 60.1 Having a cellular telephone switched on;
- 60.2 Consuming any food or drink in his/her possession, excluding the water provided within the chamber from the water dispenser;

Caucus meetings of the various political parties may be held in the chamber provided it is booked with the Senior Committee Clerk prior to the meeting, and subject to such bookings to be on a rotational basis for all the parties.

The use of the council chamber by any other person or institution, other than a recognised committee, body of or person in the employ of the Umdoni Municipality shall be subject to the approval by the Municipal Manager, and at all times subject to the availability thereof in terms of the council's calendar of use, and the purpose for which it is applied for. Applications for use shall be made in writing to the Municipal Manager who shall confer with the Senior Committee Clerk in making the venue available in writing.

**61. Ward committees**

The council may by resolution determine the rules of procedure for the election of ward committees, the procedures at meetings, the reporting rules, and the rendering of secretarial services to these committees

**62. Visitors, delegations and public are bound to observe rules that contribute to the general decorum of the house**

All meetings of the municipal council, and portfolio committees thereof shall be open to the public, except where matters are being discussed in committee, in which case all the members of the public must leave the meeting venue.

The general public, visitors and delegations are always subject to observe such rules, as adopted by the municipal council from time to time by resolution, that will ensure that their actions, including dress code, contribute to the general decorum of the council chamber or meeting venue and that such action or dress codes will not constitute a breach of any of the provisions of these bylaws.

The general public, visitors and delegations shall always be subject to the provisions of section 32 of these bylaws and any breach of the said sections 32 as well as section 62 of these bylaws shall constitute an offence and be subject to the sanctions as envisaged in section 63 of these bylaws.

**63. Sanctions and offences**

Any person who wilfully contravenes any provision of these bylaws shall be guilty of an offence and shall be subject to the following sanctions imposed by the council:

- 63.1 Having a fine imposed by the council as determined by it from time to time for the categories of offences as approved by it by resolution from time to time;
- 63.2 Be suspended from the attendance of council or committee meetings as the council may determine for such a period as the council may by resolution determine from time to time for the categories of offences as determined by it; or
- 63.3 Be subject to the investigation by a special committee as envisaged in the code of conduct for councillors contained in Schedule 5 to the Structures Act, and the sanction flowing there from.

**64. Rules always subject to the code of conduct for councillors**

These rules shall be interpreted as if they are always subject to the provisions of the councillor's code of conduct as contained in Schedule 5 to the Structures Act.

65. **Council in recess**

The urgent business of Council whilst Council is in recess, may be conducted by a recess committee comprising the Mayor and chairpersons of all standing committees.

66. **Interpretation**

The English text of this document entitled Umdoni Municipality's Rules of Order will apply in the event of conflict between the English and Zulu texts.