



## **RULES OF PROCEDURE FOR THE CONDUCT OF MEETINGS**

- AUTHORITY** Whereas section 24(3) of the Municipalities Act requires that every Council **shall** adopt rules of procedure for its meetings, the Council of Hare Bay enacts the following rules and regulations.
- REGULAR MEETINGS OF COUNCIL** Regular Meetings of Council shall be held on the first and third Wednesday of each month at 7:30 p.m. in the Council Chamber of the Town Hall, unless Council by resolution directs otherwise.
- SPECIAL MEETINGS OF COUNCIL** Special Meetings of Council may be called by either the Mayor or any two (2) members of Council by giving written notice to the Clerk.
- NOTICE** Notice for all meetings of Council shall be by way of the Agenda, which shall be provided to all members of Council twenty-four (24) hours prior to the meeting. Notice shall be deemed to have been given if it has been forwarded to a councillor's town e-mail address. The failure of any councillor to have received such notice shall not invalidate a Meeting of Council.

**LEGAL  
HOLIDAY**

When the day fixed for a Meeting of Council falls on a legal holiday, the said meeting shall be held on the next day following which is not a legal holiday.

**PRESIDING  
OFFICER**

In accordance with Section 22 of the Municipalities Act, the Mayor shall preside at all Meetings of Council. In his/her absence, the Deputy Mayor shall preside. In the absence of both the Mayor and the Deputy Mayor, the Clerk shall take the chair, call the members to order, and if a quorum is present, a chairperson shall be appointed from among the Councillors present. Such chairperson shall preside during the meeting or until the arrival of the Mayor or Deputy Mayor.

**QUORUM**

In accordance with Section 211 of the Municipalities Act, a quorum shall consist of a majority of Councillors in office.

**NO QUORUM**

If there is no quorum present within fifteen (15) minutes after the time appointed for holding a meeting, the Clerk shall call roll and take down the names of the members present. The meeting shall then stand adjourned until the next regular meeting.

**ATTENDANCE**

In addition to the Mayor, Deputy Mayor and Councillors, the following persons shall attend all meetings of Council:

- a. The Clerk or his/her designate
- b. The Recording Secretary or his/her designate where such person is appointed.

Department Heads and other employees of Council shall attend Meetings of Council when requested to do so by Council or the Town Clerk/Manager.

**MEETINGS OPEN TO PUBLIC** In accordance with Section 213 (1) of the Municipalities Act, every Meeting of Council shall be open to the Public, unless it is held as a privileged meeting or declared by a vote of the Councillors present at the meeting to be a privileged meeting.

In accordance with Section 213 (3) of the Municipalities Act, where a decision is made by the Councillors at a privileged meeting, the decision, in order to be valid, shall be ratified at the next public Meeting of Council.

**MINUTES** All Minutes of Meetings of Council shall be recorded by the Town Clerk/Manager or his/her designate. Minutes shall contain the following:

- All motions and resolutions coming before Council, including the names of the movers and seconders thereof;
- The names of all Council members voting in favour or against each motion, and the names of those who may have declared conflict.
- The title and a brief description of all reports or other documents submitted to Council.

**CORRECTION OF MINUTES** If any member of Council objects to any portion of the Minutes of the preceding meeting, that member shall state the grounds of the objection and if Council agrees, the motion adopting the Minutes shall contain the necessary corrections.

**AGENDA** Prior to each Regular Meeting of Council, the Town Clerk/Manager shall prepare an Agenda of all business to be brought before the Council. Any member of Council, up until noon of Friday prior to the Council Meeting, may submit to the Town Clerk/Manager an item for inclusion on the Agenda. Items not included the Agenda will **not** be discussed at a Meeting of Council unless emergency in nature.

The format of the Agenda will be as follows:

- Call to Order
- Adoption of Minutes
- Business Arising from Minutes
- New Business (as per Agenda)
- Delegations
- Financial Report
- Correspondence
- Town Clerk/Managers Report
- Committee Report(s)
- Regulations
- Notice of Motion
- Adjournment

#### **DELEGATIONS**

When a person, or group of people request to address Council at a Public Meeting, they shall be given the opportunity to do so unless there is a justifiable reason for refusal. In the case of a group, one person shall be appointed as spokesperson. Any such request(s) to address Council shall be submitted, in writing, to the Town Clerk/Manager one (1) week prior to the regularly schedule Meeting of Council.

After the presentation the individual and/or group will be informed that Council will review the information and they will be informed of any decision(s) at a later date. There shall be absolutely **No Debate**.

#### **AGENDA SPECIAL MEETING**

When a special or privileged meeting is called for the consideration of some particular matter, Council shall proceed immediately to consideration of the business for which the meeting was called, and only the business specified in the meeting notice shall be dealt with.

**ORDER AND DECORUM**

The presiding Officer at any meeting shall preserve order during debate and maintain decorum at all times.

**DISORDERLY PERSONS**

The presiding Officer may expel and exclude from a meeting any member of Council or other person who is guilty of improper conduct at the meeting. In the case of the exclusion of a member of Council, an entry shall be made in the Minutes of the reason for such exclusion.

Any member expelled from a meeting may be permitted, by a majority vote of Councillors at the meeting in progress, to resume his/her place after making an apology to the Presiding Officer.

**NOTICE OF MOTION**

Every notice respecting the passing of a regulation shall be in writing and placed on the Agenda by moving a motion at the previous meeting.

**MOTIONS DURING DEBATE**

When a question is under debate, the following non-written motions shall be in order:

- a. To commit
- b. To amend
- c. To postpone indefinitely

Every Motion shall be seconded before being debated.

**WITHDRAWAL OF MOTIONS**

When a Motion has been moved and seconded, it cannot be withdrawn except with the permission of Council and the mover and the seconder, and then only before a decision has been taken or an amendment made.

<b>ADDRESSING THE MOTION</b>	Members of Council shall address their remarks to the Presiding Officer and contain discussion to the question at hand.
<b>ENTITLEMENT TO SPEAK</b>	If two or more members speak at the same time, the Presiding Officer shall determine which member is entitled to speak.
<b>CALL TO ORDER</b>	The Presiding Officer may call a member to order while debate is in progress. The debate shall then be suspended and the member called to order shall not speak again until the point of order has been decided.
<b>APPEAL ON A POINT OF ORDER</b>	The decision of the Presiding Officer on a point of order is subject to an appeal of Council, which is to be decided by majority vote without debate.
<b>MEMBER SPEAKING NOT TO BE INTERRUPTED</b>	When a member is speaking or a question is being put, no member shall hold any private discourse or make any noise or disturbance or interrupt a speaker, except to raise a point of order, explain, or ask a question.
<b>LENGTH OF DEBATE</b>	No member, without the consent of Council, shall speak longer than five (5) minutes at any one time, or more than once on any motion or amendment thereto. The mover of a Motion, however, may speak twice. Debate shall be closed after this second occasion.
<b>REREADING OF MOTION</b>	Any member of Council may require the question or motion under discussion to be read for information at any period during the debate, but no so as to interrupt a member speaking.

**VOTING** All decisions of Council, unless otherwise specified either under the Municipalities Act or under these rules, shall be by majority vote of the members present.

**NO SECRET BALLOT** No vote shall be taken in Council by ballot or by any other method of secret voting.

**RE-CONSIDERATION** Any question that has resulted in a tie vote may be reconsidered providing a Notice of Motion for reconsideration is given. The issue would be placed on the Agenda for the next Meeting of Council to be reconsidered.

**TIE VOTE** In accordance with section 212 (5) of the Municipalities Act, where there is a tie vote on a question, the question shall be considered to have been defeated.

**MOTION TO ADJOURN** A Motion to Adjourn is always in order except when:

- a. A member is addressing the floor.
- b. A vote is being taken.
- c. It has been decided that the previous question shall be taken.

**MOTION TO POSTPONE INDEFINITELY** A motion to postpone indefinitely shall not be amended, and when any question before Council has been postponed indefinitely, it shall not be taken up again during the same meeting.

**PRIVILEGE** Whenever a matter of privilege arises it shall be dealt with immediately by Council.

## COMMITTEES OF COUNCIL

<b>AUTHORITY TO FORM</b>	In accordance with Section 25 of the Municipalities Act, Council may from time to time appoint committees. The Mayor shall be an ex-officio member of all committees.
<b>STANDING COMMITTEES</b>	Standing committees of Council shall remain in effect for the life of the Council, and members shall be appointed at the first Council Meeting of the year.
<b>SPECIAL COMMITTEES</b>	Special Committees of Council shall remain in effect only until the purpose for which they were set up has been accomplished.
<b>COMMITTEE MEMBERSHIP</b>	Membership on all committees of Council is limited to members of Council.
<b>QUORUM OF COMMITTEES</b>	A majority of the members of any committee shall constitute a quorum.
<b>COMMITTEE CHAIRPERSON</b>	When council appoints a committee, it shall also appoint one of its members to be chairperson of that committee.
<b>COMMITTEE MINUTES</b>	Prior to the next meeting of the committee, the chairperson shall prepare minutes of the previous meeting.
<b>CONDUCT OF BUSINESS IN COMMITTEES</b>	The following rules and regulations shall apply to the proceedings in committees:



- a. The chairperson shall preside at every meeting. In the absence of the chairperson, one of the other members of the committee shall be elected by the members present to preside during the chairperson's absence.
- b. The Secretary shall record if a member of the committee is not in favour with a majority decision of the committee.
- c. All committee decisions and reports will be submitted to Council during a regular meeting for final approval.

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**CLARIFICATION AND AMMENDMENT**

**CLARIFICATION OF RULES**      In all cases where these rules and regulations do not make provision or adequate provision, then Robert’s Rules of Order shall apply.

**AMENDMENT OF RULE**      Any motion to amend these rules must be presented to Council by way of Agenda and must be passed by a two-thirds majority of members present.

Any previous Rules of Procedure for the conduct of meetings are hereby rescinded.

**These regulations were adopted by Council at a Meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2018 and will take effect immediately.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Town Clerk/Manager