

The Rules of Order of Council By-Law of the Town of Port Hawkesbury is hereby repealed and the following substituted therefor:

RULES OF ORDER OF COUNCIL

1. The Council shall annually at the first meeting after the annual election, or so soon thereafter as practicable, and from time to time as occasion requires, appoint one of their number to discharge the duties of Mayor, who shall be called the Deputy Mayor and who shall, during any vacancy in the office of Mayor, or during any absence or illness of the Mayor, have and exercise all the powers and authority and discharge all the duties of the Mayor.
2. A majority of the members of the Council shall constitute a quorum. At every meeting as soon as there is a quorum, the Mayor if in attendance, shall take the chair.
3. If the Mayor is not present within fifteen minutes after the time appointed for the meeting, the Deputy Mayor, if in attendance shall if there is a quorum, take the chair and preside during the meeting or until the arrival of the Mayor.
4. If neither the Mayor or Deputy Mayor is in attendance within fifteen minutes after the appointed time for the meeting, and there is a quorum, the Clerk shall call the meeting to order and the Councillors present shall elect one of their members Presiding Councillor and he shall preside during the meeting or until the arrival of the Mayor or the Deputy Mayor.
5. If there is no quorum within twenty minutes from the time appointed for the meeting, the Clerk shall call the roll and record the names of the members present and the meeting shall then stand adjourned.
6. The Council shall not sit later than eleven o'clock at night unless otherwise determined by a two-thirds vote of the members present.
7. Minutes of the proceeding of every meeting of the Council shall be drawn up and fully entered by the Clerk in a book kept for that purpose by him and such book shall be properly indexed.
8. Such minutes shall: (a) contain all resolutions and motions passed, with the names of the movers and seconders and shall (b) mention reports, petitions and other papers submitted to the Council by their respective titles only or by a brief description of their purport, except accepted reports which shall be entered at length or appended.
9. Unless objection is taken to the minutes when read, they shall be signed by the Chairman. If any objection is made thereto, the member making it shall state his grounds without comment and if the Council acquiesces the minutes shall be amended accordingly. If all the members do not acquiesce in the proposed amendment, a motion must be made and seconded to amend the minutes in accordance with the objections, which then shall be debatable.
10. The order of business at a regular meeting of the Council shall be:-
  - (a) Approval of minutes of the last regular meeting and of any special meeting held since such meeting.
  - (b) Motions of reconsiderations, if any.
  - (c) The reading of memorials, petitions, corres-

pondence and other papers and their reference by the Chairman to the appropriate Committee without motion.

- (d) Reading and discussion of reports.
  - (e) Questions by members.
  - (f) Motions by members and notices of motions.
  - (g) Miscellaneous business.
11. (1) Any meeting held pursuant to Section 1 (b) or (c) of the Town Council By-Law, the order of business provided by these rules shall not apply but the Council shall proceed at once to the consideration of the particular business for which the meeting was called. If there is more than one item of such business, the Chairman shall designate the order in which the same shall be taken up.  
  
(2) After such particular business is disposed of, the Council may proceed to the consideration of any other business subject to Section 2 of the Town Council By-Law, but a motion to reconsider or rescind shall not be made except as hereinafter provided.
  12. Every document intended to be submitted to the Council must be plainly printed or written and signed by at least one person.
  13. All meetings of the Council shall be open to the ratepayers of the Town.
  14. No person, unless a member of the Council shall be heard without the permission of the Council.
  15. Any member or other person, when about to speak, shall rise and address himself to the Chairman. He shall confine himself to the question under debate and avoid personalities, and not refer to any member of Council except in a respectful manner.
  16. If two or more members rise at the same time, the Chairman shall decide who shall be heard.
  17. No member shall speak longer than ten minutes at one time, or more than twice on any motion, and once on any amendment thereto, without the permission of the Council; and any member speaking after an amendment has been moved shall be deemed to be speaking to the amendment.
  18. No member shall rise from his seat except for the purpose of addressing the Chair or shall interrupt any member while speaking, except to ask an explanation or ask leave to explain or to take a point of order.
  19. The Chairman may call any member to order at any time and any member may raise a point of order.
  20. If a member when speaking is called to order, he shall subject his right to discuss such point and take his seat until the point has been determined.
  21. Any member may, with the permission of the Chairman, have leave to explain, but any remarks so made shall be strictly confined to the explanation desired, and shall not be of controversial character.
  22. The Chairman shall decide all points of order and may state his reasons for such decision.

23. If any member uses insulting or improper language to the Chairman or any member and refuses to apologise when so directed by the Chairman, or wilfully obstructs the conduct of business and refuses to desist when called upon to do so by the Chairman, he may be ordered by the Chairman to retire from the Council for that meeting and if he refuses to do so, he may, on the order of the Chairman be removed from the meeting by the Police. Any member so removed, on making an apology to the Chairman and to any member insulted by him, may, by a vote of the Council, be permitted to resume his place.
24. An appeal shall lie to the Council from any decision of the Chairman on a point of order, or ordering a member to retire from the Council or from the meeting then in progress. Such appeal shall be submitted by the Clerk to the Council by the question, "Shall the decision of the Chair be sustained?" and shall be decided without debate. The Chairman shall be guided on the point by the vote of such appeal and rule accordingly.
25. Any person interfering with the business of the Council or acting in a disorderly manner may, upon the order of the Chairman, be removed from the Council Room or the Town Hall by the Police.
26. Except as to minor observations on any matter before the Council, or when stating his reasons for deciding a point of order, or discussion, the Chairman shall not take any part in any discussions without leaving the Chair, in which case he shall be subject to the regular rules of order. In such case the Chair shall be filled while the Chairman is taking part in the discussion, by the Presiding Councillor requested by the Chairman to take the Chair.
27. When the question is regularly under debate no other question or motion shall be entertained until it is decided except if it is:-
  - (a) A motion in amendment of the original motion.
  - (b) A motion to refer the question including the motion and amendment.
  - (c) A motion to defer the consideration of the question either indefinitely or to some time named.
  - (d) A motion to close the debate at a specified time.
  - (e) A motion that the question be now put or,
  - (f) A motion to adjourn.
28. When any of the motions enumerated in the next preceding section has been made as amendment to the original motion, no other motion may be made as amendment either to the original motion or the amendment, except:-
  - (a) to refer to a board or committee;
  - (b) to defer the consideration thereof;
  - (c) to close the debate at a specified time;
  - (e) to adjourn,
29. A motion:-
  - (a) that the debate be closed at a specified time, or
  - (b) that the question be now put,

shall be put to the question without further amendment or debate, but a motion that the question be now put, shall not be put until after every member who has not spoken on the question and claims a right to speak has been heard.

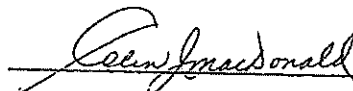
30. A motion that the question be now put, until it is decided, shall preclude all amendment of the main question, and shall be put without debate in the following words: "that this question be now put". If this motion is resolved in the affirmative, the original question shall be put forthwith without any amendment or debate; but if such motion is resolved in the negative, the main question may then be debated and amended.
31. A motion to adjourn shall always be in order, except when a member is addressing the Chair, and providing no motion to adjourn has been made within fifteen minutes previously thereto, unless other business has, in the meantime, been considered by the Council.
32. No member of the Council shall be permitted to vote or speak upon any question before the Council, or before any board or committee where his private interest is immediately concerned, distinct from his public interest, or where he is personally directly or indirectly interested, or where he is a solicitor, counsel, or agent for any person or company interested in such question except as provided by Section 14 of this Chapter as to permission to be heard.
33. Every member present when a question is taken shall vote upon it unless disqualified by interest or otherwise, or unless the Council, for special reasons, excuse him. Application to be so excused on any question must be made before the Chairman proceeds to put the question, and such application shall be accompanied by a brief statement of the reason, and shall be decided without debate.
34. No person shall leave the Council before the close of any meeting without the permission of the Chairman.
35. No question shall be debated or voted on unless a resolution in respect thereto has been moved and seconded.
36. The Chairman may require that any motion be reduced to writing and signed by the mover and seconded before debate.
37. Any member may require the division of any question when, in the opinion of the Chairman, or on an appeal, the Council will admit the sense of it.
38. No debate shall be allowed on any motion of adjournment or on a motion to reconsider or for leave for any person to address the Council, or to change the order of business, or to speak more than the prescribed number of times.
39. Before putting any question to vote, the Chairman shall state the same clearly and ask the Council if it is ready for the question, provided that in any matter on which there has been no discussion the Chairman may ask if there is any objection to the resolution, and if none is made, declare the motion carried.



40. If the Chairman is of the opinion that any motion the moving of which notice has not been given, is of such a character or importance that discussion should not proceed without opportunity for further information or consideration, or if three members object to the immediate consideration thereof, the Chairman shall direct that the motion be put in writing and that the consideration thereof be deferred until a subsequent meeting, in which case such motion shall operate as a notice of the motion.
41. Subject to the provisions of the next preceding rule, any member may at any time move that the order of business be suspended to permit him to introduce a motion and the Council by a majority vote may grant such permission.
42. When a motion has been moved and seconded it cannot be withdrawn except by leave of the Council.
43. Any member may have the motion under discussion read at any time during the debate of same.
44. After the Chairman has asked the Council if it is ready for the question and has begun to take a vote, no member shall be permitted to speak until the vote has been taken.
45. After any matter has been decided in the affirmative, any member may at the meeting at which the same was decided, give notice of reconsideration thereof. At the next meeting of the Council (other than a meeting specially called for the consideration of a particular item of business) immediately after the reading of minutes, and before any other business is considered, the giver of such notice, or in his absence, any other member on his behalf, may briefly state his reason for reconsideration, and if the motion to reconsider is seconded, the same shall then be put to vote without further debate, and if carried, the question so reconsidered shall then be read and disposed of.
46. If the motion to reconsider is not made at the time so fixed, or if the Council refuses to reconsider, or if, after reconsideration the question is again decided in the affirmative, no other motion to reconsider can be made within one year except with the unanimous consent of the members of the Council present.
47. If the next meeting of the Council, after such notice, is called for the consideration of a particular item of business, a motion of reconsideration may, with the consent of two-thirds of the members present, be made at such meeting immediately after the completion of such particular business or may at the option of the giver of the notice be made at the next meeting called for a transaction of general business.
48. A notice of motion to reconsider or rescind shall not have the effect of delaying or impeding any action necessary to give effect to any resolution unless the Council otherwise orders. A motion to stay proceedings on such resolution pending the consideration of any such notice may be made by the giver of the notice, together with such notice, and if seconded, shall be put to vote at once, without any debate.

49. No motion to rescind any resolution of the Council shall be made unless notice of the intention to move the same has been given at a meeting of the Council previous to that at which the same is moved.
50. For the purpose of eliciting information in respect to any matter relating to the business of the Town, any member may, at the time appointed by the order of business, put any question to any official of the Town or Chairman of any Committee or Board, but such question shall be stated simply and concisely without comment and shall be reduced to writing if the Chairman so directs, and no comment or debate shall be permitted on the answer thereto.
51. When the consideration of miscellaneous business is reached, the Chairman shall have precedence in bringing before the Council such matters as he deems expedient.
52. If any question arises not provided for by the foregoing rules, the same shall be decided according to Roberts Rules of Order.
53. Any of the foregoing rules may be suspended by the unanimous consent of the members present.

THIS IS TO CERTIFY THAT THE RESOLUTION OF WHICH THE FOREGOING IS A TRUE COPY WAS DULY PASSED AT A DULY CALLED MEETING OF THE TOWN COUNCIL OF THE TOWN OF PORT HAWKESBURY DULY HELD ON THE 8TH DAY OF NOVMEBER, 1976, A.D.

GIVEN UNDER THE HAND OF THE TOWN CLERK AND UNDER THE CORPORATE SEAL OF THE SAID TOWN THIS 7TH DAY OF DECEMBER, 1976, A.D.

  
 TOWN CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS
Recommended for approval of the Minister
 <small>Ornamental Solicitor</small>
APPROVED this <u>2<sup>nd</sup></u> day of <u>December</u> 19 <u>76</u>
 <small>Minister of Municipal Affairs</small>