

TOWN OF PORT HAWKESBURY COUNCIL PROCEDURAL POLICY

PURPOSE

In order for any organization to function smoothly, it is critical that all members clearly understand its governing rules and operating principles. This Council Procedural Policy outlines the operating principles and procedures for the municipal council and council committees of the Town of Port Hawkesbury.

The objectives of the Council Procedural Policy are to:

1. Clearly communicate the procedures to be used for council and committees of council in the execution of all business for the Town of Port Hawkesbury relating to meeting protocol, election of officers, committee composition, conflict of interest, public presentations, rules of order and debate, motions and voting, choices in governance by Bylaw, policy or resolution;
2. Provide a guide to procedural motions;

SCOPE

This policy applies to meetings of Town of Port Hawkesbury municipal council and committees of council; as well as, members of Council appointed to external boards/committees

DEFINITIONS

Term	Definition
<i>Abstain</i>	A member who is lawfully entitled to vote but chooses not to exercise his/her right to vote on a matter
<i>Agenda</i>	The specific items of business to be dealt with at a meeting. Items are placed on the agenda in the sequence defined by the order of business.
<i>Chief Administrative Officer</i>	The Town of Port Hawkesbury Chief Administrative Officer and/or designate.
<i>Committee</i>	Any committee of council.
<i>Council</i>	The council of the Town of Port Hawkesbury
<i>Improper conduct</i>	Conduct that obstructs in any way the deliberations and/or proper action of committee or council.
<i>Majority</i>	A number greater than half of the total
<i>Pecuniary interest</i>	A direct or indirect pecuniary interest within the meaning of the Municipal Conflict of Interest Act.
<i>Personnel</i>	Employees of the Town of Port Hawkesbury (excluding elected officials)

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Term	Definition
<i>Point of order</i>	A matter that a member considers to be a departure from or contravention of the rules, procedures and/or generally accepted practices of council.
<i>Point of personal privilege</i>	A matter that a member considers to question their integrity and/or the integrity of the council.
<i>Policy Matter</i>	A matter which will be governed by the provisions of the policy and includes any matter on which decisions may have to be made on a regular or repetitive basis on which Council wishes to guide the process or specify the principles to be adhered to by Council or staff as they make that decision.
<i>Presiding Officer</i>	The person presiding over a meeting. This may also be referred to as “chair”.
<i>Quorum</i>	A majority of the total number of voting members currently on council or committee.
<i>Regular meeting</i>	A scheduled meeting held in accordance with the approved calendar/schedule of meetings.
<i>Virtual Meeting</i>	A meeting of council that is held fully or partially through video conferencing

POLICY

POLICY STATEMENT

1. APPLICATION OF THE POLICY

- 1.1 The rules of procedure contained in this policy shall be observed in all proceedings of council and council committees and shall be the rules for the order and dispatch of business in council and council committees.
- 1.2 All points of order or procedure for which rules have not been provided in this policy and its appendices shall be decided by the presiding officer in accordance, as far as is reasonably practicable, with the rules of parliamentary law as contained in Robert's Rules of Order, 11th edition.
- 1.3 This Council Procedural Policy serves to replace any former municipal policies referencing the proceedings of council or council committees.
- 1.4 This Council Procedural Policy shall be reviewed annually by Council.

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2. PRESIDING OFFICER

2.1 The Mayor shall be the presiding officer at all council meetings, unless unavailable, in which case the Deputy Mayor shall be the presiding officer. Only the elected Mayor shall wear the Chain of Office.

2.2 The chair, or vice-chair in the chair's absence, of each standing committee of council will serve as its presiding officer. The Mayor shall act as presiding officer at the request of the Chair if he/she desires to leave the chair for the purposes of taking part in the debate.

2.3. Appointment of Presiding Officers

2.3.1 Deputy Mayor

2.3.1.1 Appointment of the Deputy Mayor will take place at the Swearing in Ceremony following Municipal Election.

2.3.1.2 The Deputy Mayor will hold office for a term of one (1) year.

2.3.1.3 All members of Council shall serve one year as Deputy Mayor. The order of appointment will be based on the number of electoral votes received with the who councillor receives the highest number of votes appointed first and the councillor received the least number of votes appointed to the final year of the council term.

2.3.2 Standing Committee Chairs/Vice-Chairs

2.3.2.1 Election of standing committee chairs and vice-chairs will take place at the first regular meeting of committee in the same manner as election for mayor, except that candidates will not address council, except with permission from council.

2.3.2.2 Chairs/Vice-Chairs shall hold position for a term of two (2) years, unless otherwise decided by motion of council.

2.4 Duties of the Presiding Officer

2.4.1 Open the meeting by taking the chair, calling the members to order and announcing the business before the assembly and the order in which it is to be acted upon;

2.4.2 Ensure the meeting agenda is followed and that the meeting progresses with due efficiency;

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- 2.4.3 Protect all rights of those attending the meeting;
- 2.4.4 Receive and put to a vote all motions presented and to announce the result;
- 2.4.5 Decline to put to vote motions which infringe upon the rules of order or are beyond the jurisdiction of the assembly;
- 2.4.6 Enforce the rules of order;
- 2.4.7 Preserve order and decide points of order;
- 2.4.8 Restrain the members within the rules of order when engaged in debate;
- 2.4.9 Determine, at their discretion, whether a motion is in order and whether a motion deals with a policy matter and therefore requires the mandatory 7 days' notice to Councillors from Council.
- 2.4.10 Exclude from debate or expel from any meeting any person who is guilty of improper conduct at the meeting;
- 2.4.11 Call on the Mayor, or in the absence of the Mayor on another member, to fill their place until resuming the chair, if the presiding officer desires to leave the chair for the purpose of taking part in the debate or otherwise;
- 2.4.12 Ensure that decisions of committee/council are in conformity with the laws governing the activities of committee/council;
- 2.4.13 Adjourn the meeting when business is concluded;
- 2.4.14 Adjourn the meeting without question in the case of grave disorder arising in the meeting place.

COUNCIL/COMMITTEE MEETINGS

2.5 Inaugural Meeting of Council (Swearing In Ceremony)

- 2.5.1 The inaugural meeting of council shall be held on the first available date no earlier than 10 days and not later than 4 weeks after ordinary polling day for the purpose of administering the Oath of Office.
- 2.5.2 The CAO shall be responsible for the content and format of the agenda

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as well as all arrangements for the proceedings.

2.5.3 Protocol (Inaugural Meeting {Swearing In Ceremony} Following Municipal Election) (Sitting and Incoming Mayor, Council, CAO)

- 2.5.3.1 Meeting Call to Order and Welcome Remarks (Sitting Mayor)
- 2.5.3.2 Report on the Municipal Election (CAO)
- 2.5.3.3 Oaths of Allegiance and of Office (Judge or Sitting Mayor)
- 2.5.3.4 Appointment of Deputy Mayor
- 2.5.3.5 Remarks and Gift Presentations (CAO)
 - Chain of Office Hand-off by Sitting Mayor
 - Incoming Mayor's Remarks and gift presentations to Outgoing Mayor, Council, CAO and Judge
 - Welcome remarks to new Council members
 - Welcome remarks to new CAO
- 2.5.3.6 Adjournment (*Photo Session and Reception to follow*)
- 2.5.3.7 Public Meeting or Special Public Meeting of Council

2.5.4 Protocol (Inaugural Meeting Following Special Election)

- 2.5.4.1 Meeting Call to Order (Mayor)
- 2.5.4.2 Report on the Special Election (CAO)
- 2.5.4.3 Oath of Allegiance and Office to Councillor Elect (Mayor)
- 2.5.4.4 Adjournment (*Photo Session and Reception to follow*)
- 2.5.4.6 Public Meeting or Special Public Meeting of Council

2.6 Council Meetings

- 2.6.1 Unless otherwise decided by Council, all meetings of Council and standing committees shall be held in Shannon Studio, located at the Port Hawkesbury Civic Centre.
- 2.6.2 Regular meetings of Council will be held according to the schedule set annually by Council and at a time determined by Council.
- 2.6.3 Except as provided in this policy and the MGA, all meetings shall be open to the public.
- 2.6.4 Council may by resolution alter the time, day, and place of any meeting

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previously approved under section 2.6.2.

- 2.6.5 In addition to regular meetings, the Council may hold such other meetings as may be necessary or expedient for the dispatch of business at such time and place as the Council determines, if each Council member is notified at least three days in advance and the CAO gives at least two days public notice of the meeting.
- 2.6.6 The CAO shall call a meeting of the Council when required to do so by the Mayor or upon presentation of a written request signed by a majority of the Councillors. When calling a meeting in this manner, the CAO shall give at least two days public notice of the meeting.
- 2.6.7 The Mayor and CAO jointly may decide to cancel a Council/committee meeting due to inclement weather or other circumstance, which in their judgement appears appropriate.
- 2.6.8 Any decision to cancel a meeting that was called by a petition of a majority of Councillors shall only be upheld by a two-thirds (2/3) majority decision of Councillors.
- 2.6.9 A brief Council meeting shall be convened, as applicable, immediately following the regular monthly meeting of Committees for the purpose of receiving recommendations involving the MGA required minimum 7 days' notice of change in policy.
- 2.6.10 As per section 17(7) (a) (b) of the MGA, a meeting of Council is not an illegal or invalid meeting by reason only of a failure to give notice, or meeting elsewhere than provided in this policy or a notice of meeting.

2.7 Emergency Meetings

- 2.7.1 Where the Mayor determines that there is an emergency, the council may meet without notice or with such notice as is possible in the circumstances.

2.8 In Camera Meetings

- 2.8.1 Committee and council meetings, or portions thereof, may be held in camera only in accordance with section 22 of the Municipal Government Act, as may be amended from time to time. The only matters to be considered in an "in camera session" are as follows:

- 2.8.1.1 issues related to the proposed or pending acquisition, sale,

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lease or security of municipal property;

- 2.8.1.2 setting a minimum price to be accepted by the municipality at a tax sale;
- 2.8.1.3 personnel matters;
- 2.8.1.4 labour relations;
- 2.8.1.5 alleged breaches of the Town of Port Hawkesbury's Councillors Code of Conduct;
- 2.8.1.6 Town of Port Hawkesbury's Code of Conduct complaints proceeding to the investigation stage;
- 2.8.1.7 contract negotiations;
- 2.8.1.8. litigation or potential litigation affecting the municipality;
- 2.8.1.9 Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- 2.8.1.10 Issues related to public security.

- 2.8.2 Prior to moving in camera session for one of the reasons listed in section committee/council shall pass a motion stating the fact that the committee/council is convening into in camera session, and the general nature of the matter to be considered. This motion shall contain a brief description of the matter being considered.
- 2.8.3 A vote may occur during an in-camera session, provided the reason for being in camera is sanctioned under section 2.8.1 , and the vote is for a procedural matter or for giving direction to staff or solicitors of the Town.
- 2.8.4 Staff reports presented during an in-camera session and minutes of an in-camera session will be maintained by the CAO and considered confidential unless council determines that the information, or part thereof, shall be made available to the public.

2.9 Virtual Meetings

- 2.9.1 Council and Committee meetings may be held in a video conference format in accordance with the procedure as outlined in the Town of Port Hawkesbury Videoconferencing Policy and in conformance with

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requirements contained in the Municipal Government Act.

Call to Order/Quorum

- 2.10.1 As soon as there is a quorum after the time set for the start of the meeting, the presiding officer shall call the members to order.
- 2.10.2 If a quorum for a meeting is not present within fifteen (15) minutes of the time fixed for the commencement of the meeting, the presiding officer shall indicate that no quorum is present, and the meeting shall stand adjourned until the next meeting called in accordance with the provisions of this policy.
- 2.10.3 In the case where quorum is present and the presiding officer has not arrived within fifteen minutes after the time appointed, the vice-presiding officer (or deputy mayor for council meetings) shall assume the chair and call the meeting to order. The vice-presiding officer or deputy mayor shall preside until the arrival of the regular presiding officer or the mayor.
- 2.10.4 In the event the member designated as vice-presiding officer or deputy mayor is not present, then the members shall nominate and elect a presiding officer from among the members present who shall preside until the arrival of the regular presiding officer or the mayor.
- 2.10.5 Members are encouraged to inform the CAO when a member is aware that they will be absent from any meeting.
- 2.10.6 Where the number of members who are unable to participate in a meeting by reason of the provisions of the Municipal Conflict of Interest Act, such that at that meeting the remaining members are insufficient to constitute quorum, the remaining members shall be deemed to constitute a quorum, provided the number is not less than two. A member who has declared a conflict of interest and leaves the meeting shall not be counted in determining the quorum.
- 2.10.7 If during the course of a meeting a quorum is lost due to vacating members, the presiding officer shall declare that the meeting shall stand recessed temporarily or be adjourned until the date of the next regular meeting or other meeting called in accordance with the provisions of this policy. Should the meeting be adjourned, the clerk shall record the names of the members present in the minutes.

2.11 Governance by Bylaws, Policy and Resolutions

- 2.11.1 Council shall govern by Bylaw in all matters required by the Municipal Government Act

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- 2.11.2 Council shall govern by Policy in all issues meeting the definition of a Policy Matter. When in doubt, it is preferable to govern by policy rather than resolution
- 2.11.3 Council shall govern by Resolution only when a Bylaw or policy is not applicable and in particular, only when the motion does not involve principles and/or processes that must be used in future staff or Council decisions.

3. COMMITTEES

3.1 General

- 3.1.1 The rules governing the procedures of council shall be observed in Committee and Board meetings, except that:
- 3.1.1.1 A member need not rise to speak;
- 3.1.1.2 A motion to close debate is out of order;
- 3.1.1.3 Motions do not have to be submitted in writing unless requested by the presiding officer;
- 3.1.1.4 Casual dress is acceptable by members.

3.2. Committee of the Whole

- 3.2.1 Council hereby establishes the Committee of the Whole as a standing Committee of Council.
- 3.2.2. The mandate of the Committee of the Whole is as follows:
- 3.2.2.1 To discuss, consider, advise and make recommendations to Council concerning the affairs of the Municipality that may come before Council, in advance of Council making decisions or taking action on such matters, except where the Mayor or CAO determines that consideration by the Committee is unnecessary or inadvisable, and except that the following matters shall normally be dealt with by Council without having to be forwarded to the Committee of the Whole for its recommendations unless otherwise determined by the Mayor or CAO:
- reports and recommendations from other committees of Council;

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- planning matters;
- first or second reading of Bylaw enactments, amendments or repeals; and,
- matters which are the subject of a statutory hearing by Council.

3.2.2.2 To take action on such matters as are lawfully delegated to it by the Municipality's Bylaws and Policies.

3.2.2.3 To provide Council with operational and planning updates from staff departments through written reports presented in summary form and to provide Mayor and Councillors the opportunity to ask questions and address concerns to senior staff.

3.2.2.4 To take such other steps not inconsistent with this Policy that the Committee reasonably deems necessary to carry out its mandate.

3.2.3 The Chair of the Committee of the Whole is the Mayor.

3.2.4 The Committee of the Whole consists of all Council Members and membership on the Committee automatically extends to Council Members without the necessity or formal appointment by Council and automatically terminates upon the termination of a person's status as a Council Member.

3.2.5 Unless otherwise specified, regular meetings of Committee of the Whole shall be held:

3.2.5.1 at the Council Chambers in the Shannon Studio of the Port Hawkesbury Civic Centre;

3.2.5.2 on the third Tuesday of every month except when a summer recess is in place or Council

3.2.5.3 commencing at 7:00 pm unless otherwise advertised

3.2.5.4 the standing agenda items would include (unless otherwise determined by CAO/Council):

- Call to order
- Additions to the agenda
- Approval of agenda
- Presentations (2 maximum Unless otherwise approved by CAO/Mayor)
- Council reports on assigned committees
- CAO Reports
 - Finance Department
 - Facilities, Operations, and Parks
 - Marketing, Recreation, Tourism and Culture

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- Engineering and Public Works
- Other Business
- Future Meetings
- Adjournment

3.2.6. Regular meetings of Committee of the Whole may be rescheduled, relocated or cancelled and additional or special meetings convened, in the same manner and with the same notice as applies to meetings of Council, with any necessary changes for the context.

3.3. Committees and Boards

3.3.1 The following Committees/Boards are approved for Council appointments or nomination/recommendation to the Province (including external organizations):

Town Advisory Committees

- 3.3.1.1 Inclusion, Diversity, Equity, and Accessibility Committee (IDEA)
- 3.3.1.2 Financial Audit Advisory Committee
- 3.3.1.3 Planning Advisory Committee
- 3.3.1.4 Growing Port Hawkesbury
- 3.3.1.5 Community Development

Boards and Commissions

- 3.3.1.6 The Municipality of the County of Richmond/Town of Port Hawkesbury Joint Industrial Park Commission
- 3.3.1.7 Landrie Lake Water Utility Board
- 3.3.1.8 Eastern Counties Regional Library Board
- 3.3.1.9 Strait Superport Corporation Board
- 3.3.1.10 Joint Police Advisory Board
- 3.3.1.11 Eastern District Planning Board

Regional Advisory Committees

- 3.3.1.12 Allan J. MacEachen Regional Airport Committee
- 3.3.1.13 Cape Breton Local Immigration Pilot
- 3.3.1.14 Cape Breton South Recruiting for Health Committee

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- 3.3.1.15 Cape Breton Regional Enterprise Network
- 3.3.1.16 Destination Cape Breton
- 3.3.1.17 Inverness County Home Support Society Committee
- 3.3.1.18 Strait Area Chiefs Mayors and Wardens
- 3.3.1.19 Strait Area Transit Committee (Board)
- 3.3.1.20 Strait Richmond Housing Matters Coalition
- 3.3.1.21 Source Water Protection Committee
- 3.3.1.22 Strait of Canso Offshore Wind Task Force

The Terms of Reference for each committee of Council, Board, Commission, and Regional Committee may be found on the Town of Port Hawkesbury Website and at the Town Office.

4. COUNCIL/COMMITTEE ORDER OF BUSINESS AND AGENDA

- 4.1 The CAO with direction from the Mayor, will prepare the agenda for all regular and special meetings of council and Committee of the Whole.
- 4.2 A draft agenda will be circulated on the Tuesday preceding the meeting of council or seven days prior to the special meeting.
- 4.3 Finalized agendas for council/committee will be posted on the Friday before the meeting, or seventy-two (72) hours before the meeting unless circumstances prevent it.
- 4.4 The business of committee/council shall be taken up in the order in which it stands on the agenda, unless otherwise decided by committee/council.
- 4.5 An item of business not listed on the agenda is not permitted to be introduced at a meeting unless authorized by motion of committee/council.
- 4.6 Requests for Additions to the Agenda are to be received by the CAO or Clerk 5 days prior to the meeting via email and completed form. (See Appendix A – Request for additions to the Agenda). Draft Agendas are to be sent 7 days prior to the meeting to Mayor, Councillors and senior staff. Final Agendas to be posted the Thursday immediately prior to the meeting. Additions to the agenda during the meeting are to be of an urgent, unforeseen nature and must be approved by Council.

5. DISCLOSURE OF PECUNIARY INTEREST

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- 5.1 It is the responsibility of each member to identify and disclose any pecuniary interest (as defined by the Municipal Conflict of Interest Act) in any item or matter before the council or committee.
- 5.2 Where a member, either on their own behalf or while acting for, by, with and/or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or standing committee at which the matter is the subject of consideration, the member shall:
- 5.2.1 Prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof.
 - 5.2.2 Leave their seat and sit in the gallery for the duration of the discussion pertaining to the matter.
 - 5.2.3 Not take part in the discussion of or vote on any question with respect to the matter.
 - 5.2.4 Not attempt in any way before, during and/or after the meeting to influence the voting on any such question.
- 5.3 Where a meeting is not open to the public, in addition to complying with the requirements, the member shall forthwith leave the meeting for the part of the meeting during which the matter is under consideration.
- 5.4 Where the interest of a member has not been disclosed by reason of his absence from the particular meeting, the member shall disclose the interest and otherwise comply at the first meeting of council or standing committee, as the case may be, attended by the member after the particular meeting.

6. PRESENTATIONS TO COUNCIL/COMMITTEE

- 6.1 Any persons or groups may be permitted to make a presentation to committee/council provided that the applicant(s) have submitted an application/request one week prior to the meeting and been granted permission from the clerk.
- 6.2 On receipt of an application/request to present, the Mayor and the CAO shall review the application to determine its appropriateness and may:
- 6.2.1 Place the presentation on the agenda for committee;

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- 6.2.2 Place the presentation on the agenda for council;
- 6.2.3 Determine that council will receive only written submissions on the matter;
- 6.2.4 Determine the subject matter of the presentation is outside the jurisdiction of the Town of Port Hawkesbury, and refuse the application.
- 6.3 Generally, a maximum of two presentations will be made at any meeting, with no individual presentation to exceed 10 minutes. The CAO and Mayor may add additional presentations, depending on the circumstances.
- 6.4 Any group having been approved to present to council/committee must submit any electronic or paper presentation materials by 12:00 p.m. on the Friday prior to the meeting.
- 6.5 Any persons presenting to council/committee shall not:
 - 6.5.1 Speak disrespectfully of any person;
 - 6.5.2 Use offensive language;
 - 6.5.3 Speak on any subject other than the subject for which they have received approval;
 - 6.5.4 Disobey any decision of the presiding officer;
 - 6.5.5 Enter into cross debate with other delegations, staff, or committee/council members.
- 6.6 The presiding officer may curtail any delegation, any questions of a delegation and/or debate during a delegation for disorder or any other breach of this policy and, if the presiding officer rules that the delegation is concluded, the person or persons appearing shall withdraw, and the decision of the mayor/presiding officer shall not be subject to challenge.

7. MINUTES

- 7.1 The CAO shall verify and maintain the minutes of all council and committee meetings.
- 7.2 All minutes recorded for council/committee shall record all resolutions, decisions and other proceedings at a meeting of the body, whether it is an in camera session or not.
- 7.3 Minutes of meetings shall record:

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- 7.3.1 The type, place, date and time of meeting;
- 7.3.2 The name of the presiding officer and the record of attendance of the members and the names of those council members attending who are not part of the committee (if applicable);
- 7.3.3 The time of late arrival or early departure of members of committee/council;
- 7.3.4 The substantive decisions made and actions taken;
- 7.3.5 The results of votes on all motions, including noting the members voting in the minority;
- 7.3.6 Attendance of staff;
- 7.3.7 The time the meeting went in and out of an in camera session.
- 7.4 The minutes of each council meeting shall be presented to council at the next regular meeting for confirmation.
- 7.5 The minutes of each committee meeting shall be presented to the committee at the next regular meeting for confirmation.
- 7.6 The CAO shall sign minutes of council after council approval.

8. RULES OF ORDER AND DEBATE

8.1 Conduct of Members

8.1.1 Members of council shall:

- 8.1.1.1 Act in accordance with their Oath of Office and Council Code of Conduct;
- 8.1.1.2 Discharge with integrity all responsibilities to council, the Town of Port Hawkesbury and the public, in keeping with approved corporate policies;
- 8.1.1.3 Not use offensive words or insulting expressions at any time including speaking in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability;

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- 8.1.1.4 Treat the presiding officer, other members, staff, and the delegates from the public with courtesy, respect and good faith;
 - 8.1.1.5 Maintain business casual dress attire for all meetings;
 - 8.1.1.6 Make an attempt at being acknowledged by the presiding officer before leaving the council chambers;
 - 8.1.1.7 Not leave their seat or make any noise or disturbance while a vote is being taken and until the result is declared;
 - 8.1.1.8 Not criticize any decision of the council except for the purpose of introducing a motion for reconsideration;
 - 8.1.1.9 Not disobey the rules of the council or a decision of the presiding officer or council on a question of order, practice or interpretation of the rules of the council;
 - 8.1.1.10 Be encouraged to ask any relevant questions of staff prior to any meeting where an issue may be introduced or debated so that staff may be able to have appropriate information at such meeting if necessary;
 - 8.1.1.11 Turn off all cell phones, and electronic devices, except those in use to facilitate the meeting, or otherwise set them so as not to emit any audible sound during a meeting.
- 8.1.2 If a member disregards the rules of procedure or a decision of the presiding officer or council on questions of order, practice and/or interpretation of the rules, and persists in such conduct, after having been called to order by the presiding officer, the presiding officer shall forthwith put the question with no amendment or debate - "That such member be ordered to leave their seat for the duration of the meeting". If, following such vote by council, the member apologizes, council may, by a further vote of those present, permit the member to retake their seat.

8.2 Speaking/Rules of Debate

- 8.2.1 While in committee, after a presentation or report, the chair will open for discussion and questions, and after discussion and questions have ceased or been limited, the chair will ask for a motion.
- 8.2.2 A member shall not speak until the presiding officer has recognized them

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by indicating it is their turn to speak.

- 8.2.3 When a member has been recognized by the presiding officer as having the floor, the member shall direct their question or comment to the presiding officer and speak only to the matter under consideration. The presiding officer shall recognize the members who wish to speak in the order that they indicate their desire to address council.
- 8.2.4 When a member is speaking, no other member shall interrupt, except to raise a point of personal privilege or point of order.
- 8.2.5 Any member may require the question or motion under discussion to be read or displayed at any time during the debate but not so as to interrupt a member while speaking.
- 8.2.6 A member shall not speak more than once on the question until all other members have had the opportunity to speak to the matter for the first time, except for the purpose of providing an explanation of a material part of their speech which may have been misunderstood. New information is not to be introduced. No member shall speak to the same matter more than four times without the leave of council.
- 8.2.7 A member shall not speak to the same question, or in reply, for longer than ten minutes, without leave of council.
- 8.2.8 A member shall be restricted to asking questions related directly to the matter under discussion.
- 8.2.9 After a question has been put by the presiding officer, no member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
- 8.2.10 To participate in debate, the presiding officer shall relinquish the position to the vice-presiding officer until the matter has been disposed of. Relinquishing such position ensures impartiality of the presiding officer position

8.3 Public Conduct at Council and Committee Meetings

- 8.3.1 Members of the public present in the council chamber shall maintain order and quiet and shall not address council except with the permission of council.

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- 8.3.2 No person shall display signs or placards, applaud participants in debate or engage in conversation or other behaviour which may disrupt the proceedings of council.
- 8.3.3 No person shall bring into the council chamber cellular telephones or other electronic devices which emit a sound unless such devices are turned off or otherwise set to non-audible.
- 8.3.4 When invited to address council, no person shall use indecent, offensive or insulting language or speak disrespectfully of any member of council or any employee of the municipality.
- 8.3.5 Persons invited to address council or committee shall only speak on the subject in debate and shall not speak on any other subject.
- 8.3.6 Any person, not being a member of council, who contravenes any provision of this section, may be expelled from the meeting by the presiding officer.

9. MOTIONS

- 9.1 In council, the following matters, and motions with respect thereto, may be introduced verbally, without notice and without leave, except as otherwise provided by this policy:

- 9.1.1 A point of order or personal privilege.
- 9.1.2 To close debate.
- 9.1.3 To adjourn.

9.2 Standard Meeting Motions

- 9.2.1 For the purposes of this policy, the following will be considered “standard” meeting motions:
 - 9.2.1.1 To approve the agenda;
 - 9.2.1.2 To adopt minutes;
 - 9.2.1.3 To recess;
 - 9.2.1.4 To adjourn.
- 9.2.2 The presiding officer may ask if a member of council/committee is willing to move/second a standard meeting motion, in which case any member may respond verbally, without pressing the Request-to-Speak microphone function. The presiding officer will verbally indicate which members have

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moved and seconded the motion.

9.2.3 In order to streamline meetings, any of the four (4) standard meeting motions may be voted upon by the members by a show of hands or by saying aye/nay.

9.3 Except as provided in Section 9.1 and 9.2, or motions prepared by municipal staff, all motions shall be clearly stated by the Chair before being voted upon.

9.4 Motions prepared in a staff report may be moved verbally by referencing the motion and the report.

9.5 In Council, the following motions may be introduced without notice and without leave, except as otherwise provided by this policy:

9.5.1 To suspend the rules of procedure.

9.5.2 To table.

9.5.3 To postpone definitely (deferral motion with a specified date/meeting).

9.5.4 To refer.

9.5.5 To amend.

9.5.6 To postpone indefinitely (deferral motion without specifying a date/meeting).

9.5.7 Any other procedural motion.

9.5.8 Motions arising from Business From Councillors

9.6 After a motion has been read or stated by the presiding officer, it shall be deemed to be in the possession of council, but may be withdrawn by the originator at any time before a decision or amendment, provided council does not object.

9.7 Appendix "B" forms part of this policy and shall describe the form and standard descriptive characteristics of motions commonly used in committee and council.

10. VOTING

10.1 All members of council and standing committee members, as outlined in section 4.1.3. are qualified to vote once on each motion, and are not permitted to abstain from voting, except when such member has declared a pecuniary interest.

10.2 Except as provided elsewhere in this policy, a motion shall be deemed to have been carried when a majority of the members present and voting have expressed agreement with the question. Consequently, on a tie vote, a motion is defeated.

10.3 The mover and seconder of a motion must be present at the meeting for debate

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to occur.

- 10.4 A member not in their seat at the call of the vote shall not be entitled to vote.
- 10.5 Each member shall occupy their seat until the result of the vote has been declared.
- 10.6 Voting conducted at public hearings shall be done in accordance with provisions of the MGA.

PROCEDURAL MOTIONS

1. MOTION TO ADJOURN

- 1.1 A Motion to adjourn:
 - 1.1.1 Is always in order except as provided by this policy.
 - 1.1.2 Is not debatable.
 - 1.1.3 Is not amendable.
 - 1.1.4 Is not in order when a member is speaking or during the verification of the vote.
 - 1.1.5 Is not in order immediately following the affirmative resolution of a motion to close debate; and
 - 1.1.6 When resulting in the negative, cannot be made again until after some proceedings have been completed by council.
- 1.2 A motion to adjourn without qualification, if carried, brings a meeting or a session of council to an end.
- 1.3 A motion to adjourn to a specific time, or to reconvene upon the happening of a specified event, suspends a meeting of council to continue at such time.

2. POINT OF PERSONAL PRIVILEGE

- 2.1 A member may at any time raise a point of privilege directing attention to a matter that affects the integrity, character or reputation of an individual, individuals or the entire council, or the ability of an individual to participate.
- 2.2 A point of privilege shall take precedence over any other matter.
- 2.3 A member shall not be permitted to enter into any debate or introduce any motion not related to the point of privilege.
- 2.4 The chair shall decide upon the point of privilege and advise the members

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of the decision.

- 2.5 Unless a member immediately appeals the chair's decision, the decision of the chair shall be final.
- 2.6 If the decision of the chair is appealed, the question "Shall the ruling of the chair be upheld?" shall be called without debate, and its results shall be final, based on a majority vote.
- 2.7 When the matter has been determined to be a point of privilege, the member shall be afforded an opportunity to propose a motion in relation to that point of privilege.

3. MOTION TO TABLE

- 3.1 A motion to table:
 - 3.1.1 Is not debatable;
 - 3.1.2 Is not amendable
- 3.2 A motion to table a matter with some condition, opinion or qualification added to the motion shall be deemed to be a motion to postpone.
- 3.3 The matter tabled shall not be considered again by council until a motion has been made to take up the tabled matter at the same or subsequent meeting of council.
- 3.4 A motion that has been tabled and not taken from the table for six (6) months shall be deemed to be withdrawn and cannot be taken from the table.

4. MOTION TO CLOSE DEBATE

- 4.1 A motion to close debate:
 - 4.1.1 Is not debatable.
 - 4.1.2 Is not amendable.
 - 4.1.3 Cannot be moved with respect to the main motion when there is an amendment under consideration.
 - 4.1.4 Should be moved by a member who has not already debated the question.
 - 4.1.5 Requires a two-thirds (2/3) majority vote of members present for passage; and
 - 4.1.6 When resolved in the affirmative, the question is to be put forward without debate or amendment.

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4.1.7 Is not permitted in committee.

5. MOTION TO POSTPONE DEFINITELY

5.1 A motion to postpone definitely (to a fixed time or date):

- 5.1.1 Is debatable, but only as to whether a matter should be postponed and to what time.
- 5.1.2 Is amendable as to time and/or date
- 5.1.3 Requires a majority vote of members present to pass.
- 5.1.4 Shall have precedence over the motions to refer, to amend, and to postpone indefinitely.

6. MOTION TO REFER (TO COMMITTEE OR STAFF)

6.1 A motion to refer:

- 6.1.1 Is debatable.
- 6.1.2 Is amendable.
- 6.1.3 Shall take precedence over all amendments of the main question and any motion to postpone indefinitely, to postpone definitely or to table the question.

7. MOTION TO AMEND

7.1 A motion to amend:

- 7.1.1 Is debatable.
- 7.1.2 Is amendable
- 7.1.3 Shall be relevant and not contrary to the principle of the report or motion under consideration.
- 7.1.4 May propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue, which was the subject matter of the question.

7.2 Only one motion to amend an amendment to the question shall be allowed at one time and any further amendment must be to the main question.

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8. MOTION TO POSTPONE INDEFINITELY

8.1 A motion to postpone indefinitely:

- 8.1.1 Is debatable, and debate may go into the merits of the main question, which effectively stops a motion and avoids a direct vote on the question.
- 8.1.2 Is not amendable.
- 8.1.3 Requires a majority vote.
- 8.1.4

9. POINT OF ORDER

9.1 The presiding officer shall decide all points of order. When a member wishes to raise a point of order, the member shall ask leave of the presiding officer and after leave is granted, the member shall state the point of order to the presiding officer, after which the presiding officer shall decide on the point of order. Thereafter, the member shall only address the presiding officer for the purpose of appealing the decision to council or committee, as the case may be. If the member does not appeal, the decision of the presiding officer shall be final. If the member appeals to council or committee as the case may be, council/committee shall decide the question without debate and the decision shall be final.

10. MOTION TO SUSPEND THE RULES (WAIVE THE RULES)

10.1 A motion to suspend the rules:

- 10.1.1 Is not debatable
- 10.1.2 Is not amendable
- 10.1.3 Requires a two-thirds (2/3) majority vote to carry.
- 10.1.4 Takes precedence over any motion if it is for a purpose connected with that motion and yields to a motion to table.

11. MOTION TO RECONSIDER

11.1 A motion to reconsider:

- 11.1.1. Is debatable and such debate should be confined to reasons for or against recommendation.
- 11.1.2 Is amendable.
- 11.1.3 Requires a majority vote, regardless of the vote necessary to adopt the motion to be reconsidered.

11.2. A motion to reconsider may be made only by a member who voted on the prevailing side in the original vote.

11.3 No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

11.4 No discussion of the main question by any person shall be allowed unless

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the motion to reconsider has first been adopted.

11.5 The mover of a motion to reconsider shall specify whether the reconsideration will address the entire original motion or part of the original motion.

11.6 A motion to reconsider can only be moved to consider reversing a decision made previously at the same meeting.

12. MOTION TO AMEND/RESCIND A PREVIOUS DECISION

12.1 A motion to amend/rescind a previous decision:

12.1.1 Is debatable and such debate should be confined to reasons for or against recommendation.

12.1.2 Is amendable, only as to the portion of the decision to be amended.

12.1.3 Requires a two-thirds vote of the members present.

12.2 A motion to amend/rescind a previous decision requires at least two-thirds of the members present and voting. If the motion is decided in the negative, it cannot be brought forward again during a period of twelve months following the date on which the question was decided.

12.3 No discussion of the main question by any person shall be allowed unless the motion to amend/rescind a previous decision has first been adopted.

12.4 If a question is re-visited, it is re-visited in its entirety, unless the re-visiting motion specifies otherwise.

12.5 If the question is re-visited, all previous decisions remain in force unless council decides otherwise.

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Policy Owner	<p>The policy owner (see Version Log Section) is responsible for ensuring that the policy is implemented and being followed. In addition, the policy owner is responsible for reviewing the policy on a yearly basis for relevancy and potential updates.</p> <p>Note: Policy Owners are usually the heads of management units (i.e. Department Directors or the CAO).</p>

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ANNOTATION

Policy Review Notification: June 3rd, 2025

Policy Review Date: June 3rd, 2025

Approved by Council: June 17, 2025

I certify this to be a true copy of the Council Procedural Policy as adopted by the
Town Council of Port Hawkesbury at a Public Meeting held



Terry Doyle, P. Eng.
Chief Administrative Officer

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REQUEST FOR ADDITIONS TO THE AGENDA

MEETING: _____ Public Meeting _____ Special Public Meeting
(Month) (Month)

_____ CoW _____ Emergency Meeting
(Month) (Month)

AGENDA ITEM:

ITEM BACKGROUND:

ACTION REQUESTED FOR CONSIDERATION:

	Information Purposes
	Staff Research
	Council Discussion
	Letter of Support
	Motion in support of an action

SUBMITTED BY: _____

Date: _____

****Requests for Agenda additions are to be received by the CAO or Clerk 8 days prior to the meeting. Draft Agendas are to be sent 7 days prior to the meeting to Mayor, Councillors, and Senior Staff. Final Agendas to be posted Thursdays prior to the Meeting. Additions to the agenda during the meeting are to be made during the Public Hearing portion of the meeting.**