

Town of Small Point-Adams's Cove

Rules of Procedure for the Conduct of Meetings

Policy # 001/2022

Date of inception: June 9, 2022

Amendments:

Municipality of Small Point-Adam's Cove

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; Therefore, the Council of the Town of Small Point-Broad Cove-Blackhead-Adam's Cove enacts the following rules and regulations:

Regular Meetings of Council

1. Regular meetings of Council shall be held on the second Thursday of each month at 6:30 P.M. in the council chamber of the Town Hall, unless council, by resolutions, directs otherwise.

Special Meetings of Council

2. Special meetings of council may be called by either the mayor or any two members of council by giving written notice to the clerk.

Notice

3. Notice for all meetings of council shall be by way of the Agenda, which shall be provided to all members of council forty-eight hours prior to each meeting. Notice shall be deemed to have been given when sent to the email address the town clerk has on file for the council members.

3a. Notice for Public Meetings other than scheduled will be posted to the Town's Website and social media accounts, as well as displayed in a notice at the council office 72 Hours before meeting

Meeting on a Legal Holiday

4. When the day fixed for a meeting of council falls on a legal holiday, the said meeting shall be held on the previous day which is not a legal holiday.

Presiding Officer

5. In accordance with Section 22 of the Municipalities Act, the mayor shall preside at all meetings of council. In their absence, the deputy mayor shall preside. In the absence of both the mayor and deputy mayor, the clerk shall take the chair, call the members to order, and if a quorum is present, a chairman shall be appointed from among the councillors present. Such chairman shall preside during the meeting or until the arrival of the mayor or deputy mayor.

Quorum

6. In accordance with section 211 of the Municipalities Act, a quorum shall consist of a majority of councillors in office.**If no Quorum**

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

Attendance

8. In addition to the mayor and councillors, the town clerk or designate shall attend all meetings of council.

9. Department heads and other employees of council shall attend meetings of council when requested to do so by council.

9a. Attendance may be virtual, providing a quorum is physically present and the individual has advised council of the intent when given notice as in Rule 3, virtual presence is only allowable for remote work locations and illness/inability to physically attend and will be limited to 2 consecutive meetings per individual.

Meetings Open to the Public

10. 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.

11. Where a meeting is held as or declared to be a privileged meeting, all members of the public present at the meeting shall leave.

12. 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

13. Minutes of meetings of council shall be recorded by the town clerk or designate.

Such minutes shall contain:

- 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 abstaining;
- The title or brief description of all reports, petitions, and other documents submitted to council. Reports accepted by council shall be attached to the minutes.

Correction of Minutes

14. If any member of council objects to any portion of the minutes of the preceding meeting, that member shall state the grounds of objection, and if council agrees, the motion adopting the minutes shall contain the necessary corrections.

Agenda

15. Prior to each regular meeting of council, the clerk shall prepare an agenda of all business to be brought before the council. As indicated in Rule 3, the agenda is to be distributed to councillors forty-eight hours prior to council meetings.

16. Any member of council, up until the Monday prior to the council meeting, may submit to the town clerk an item for inclusion on the agenda.

17. The format of the agenda shall be as follows:

- a. Call to Order and Role Call
- b. Approval of Minutes from Previous Meeting
- c. Resident's Concerns / Correspondence
- d. Committee reports
- e. Finances
- f. Other Business
- g. Notices of motion
- h. Adjournment

Agenda for Special Meetings

18. When a special or privileged meeting is called for the consideration of some particular matter, the order of business as set out in Rule 17 shall not apply. Council shall proceed immediately to consideration of the business for which the meeting was called, and only the business specified in the notice calling the meeting shall be dealt with, unless otherwise decided by majority vote.

Order and Decorum

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

20. 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.

21. Any member expelled from a meeting under the provisions of Rule 20 may be permitted, by a majority vote of councillors to resume their place after making an apology to the presiding officer.

Notice of Motion

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

Motions during Debate

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

- a. To extend the time of the meeting
- b. To refer or commit
- c. To amend
- d. To lay on the table
- e. To postpone indefinitely
- f. To move the previous question

Motions to be Seconded

24. Every motion shall be seconded before being put or debated.

Withdrawal of Motions

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

Division of Motion

26. Any motion or question which contains several distinct propositions may, by the direction of the presiding officer or upon the request of any member, be divided if the sense of the motion permits. The vote on each such division shall be taken separately. If a motion cannot reasonably be so divided, any request to do so shall be declared out of order by the presiding officer.

Addressing the Motion

27. Members of council shall address their remarks to the presiding officer and continue themselves to the question at hand.

Entitlement to Speak

28. If two or more members speak at the same time, the presiding officer shall determine which member is entitled to speak.

Call to Order

29. 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.

Appeal on a Point of Order

30. The decision of the presiding officer on a point of order is subject to an appeal to council which is to be decided by majority vote without debate.

Member Speaking not to be Interrupted

31. 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.

Length of Debate

32. No member, without the consent of council, shall speak longer than five minutes at any one time, or more than once on any motion or amendment thereto, however an additional 2 minutes can be provided by the presiding officer per speaker. The mover of a motion, however, may speak twice. Debate shall be closed after this second occasion.

Rereading of Motion

33. Any member of council may require the question or motion under discussion to be read for information at any period during the debate, but not so as to interrupt a member speaking.

Voting

34. 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.

35. In accordance with Section 212(4) of the Municipalities Act, the clerk shall record the names of those voting in favour of the motion, those voting against the motion, and those abstaining.

36. No vote shall be taken in council by ballot or by any other method of secret voting.

Reconsideration

37. Any question, except one of indefinite postponement, or one that has resulted in a tie vote, may be reconsidered, providing a notice of motion of reconsideration is given in accordance with Rule 22.

38. If the motion to reconsider is carried by a majority of members present and voting, the main question shall then be read and will be open to debate the same as an original motion.

Tie Vote

39. 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

40. A motion to adjourn is always in order except when:

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

41. A motion to adjourn the council meeting or adjourn the debate cannot be amended and is not debatable. However, a motion to adjourn the council meeting or the debate to a given day may be amended and is open to debate.

42. No second motion to adjourn the council meeting or the debate shall be made until some intermediate proceedings have transpired.

Previous Question

43. The "previous question" shall preclude all amendments of the main question and shall be put in the following words: "That the question now be put." If the motion is resolved in the affirmative, the original question shall be voted on immediately without amendment or debate. If the motion is defeated, then the main question may then be debated and amended.

Motion to Postpone Indefinitely

44. 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.

Motion to Lay on the Table

45. A motion to lay a question on the table shall not be debatable. However, a motion "to lay on the table" with addition, qualification or opinion, shall be subject to amendment and debate.

Motion to Suspend the Rules

46. A motion to suspend the rules requires a two-thirds vote of members present.

Privilege

47. Whenever a matter of privilege arises it shall be dealt with immediately by council.

Motion to Refer or Commit

48. A motion to refer or commit a matter under discussion shall preclude all amendments of the main question until it is decided.

Authority to Form

49. 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.

Standing Committees

50. 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 each year.

Special Committees

51. Special committees of council shall remain in effect only until the purpose for which they were set up has been accomplished. Special committees will automatically expire at the end of each year, unless struck again by council..

Committees Chairman

52. When council appoints a committee, it shall also appoint one of its members to be chair of that committee.

Committees Minutes

53. Prior to the next meeting of the committee, the secretary shall prepare minutes of the previous meeting for submission to and confirmation by the committee.

Committees Report

54. Following every committee meeting, the secretary shall prepare for the chair a report on all matters which require council action.

Conduct of Business in Committees

55. The following rules and regulations shall apply to the proceedings in committees:

- a. The chair shall preside at every meeting. In the absence of the chairman, one of the other members of the committee shall be elected by the members present to preside during the chairman's absence;
- b. The chair may vote on all questions. In case of a tie vote on any motion, the question shall be deemed lost;
- c. No motion need be seconded;
- d. The previous question will not be allowed;
- e. There shall be no limit on the number of times a member may speak; and
- f. The votes of members on any question shall be recorded if requested by any member.

Minority Reports

56. Members of a committee dissenting from a report which has been adopted by the majority of a committee, may make and present to council a minority report. Such report must be presented at the same meeting of council to which the majority report is submitted and must be signed by the dissenting

Effective Date

57. These rules and resolutions shall become effective upon the date of enactment.

Clarification of the Rules

58. 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

59. Any motion to amend these rules must be presented to council in accordance with Rule 22, and must be passed by a two-thirds majority of members present.

Town of Small Point-Adam's Cove
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June 2022

This regulation passed and adopted by council on

Date : June 9, 2022

Signed : 

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