

**BY-LAW NO. 4**

**COUNCIL MEETINGS BY-LAW**

1(1) This By-law shall be known and may be cited as the "Council Meetings By-law" of the Town of New Glasgow.

(2) There shall be a regular meeting of Council held on the third Monday of each month at 7:00 o'clock p.m. at the Council Chamber in New Glasgow or at such other place or time that the Council shall decide by Resolution, provided that if such date shall be a statutory holiday, the regular meeting for such month shall instead be held on the second Monday of that month at the same time and place. In the event of any such change from the regular scheduled time or place, a notice of such change shall be placed in a local newspaper at least one week in advance of such meeting.

(3) Notwithstanding any other provision herein contained, the Mayor may also call meetings of the Town Council as often as he deems necessary.

2. The Mayor shall, when requested in writing to do so by three members of the Council, call a meeting of the Council within three days thereafter, and in the event of his refusal or neglect to do so, such three members may appoint a time and place for holding the meeting, and shall notify the Mayor and other members of the Council thereof; the meeting so called shall have the same powers and authorities as if the same had been summoned by the Mayor.

3. Within four weeks of, and at the first meeting after an election, which meeting date shall be determined by the Outgoing Council, the Council shall first administer the required oaths, if not previously administered, and appoint one of their number to be Deputy Mayor, and after the said administration of oaths and appointment, the further business of the meeting shall then be proceeded with according to the order of business hereinafter provided.

4. A majority of the members of Council shall constitute a quorum. At every meeting, as soon as there is a quorum, the Mayor, if in attendance, shall take the chair.

5. 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.

6. If neither the Mayor or the Deputy Mayor is in attendance within fifteen minutes after the time appointed for the meeting, and there is a quorum, the Town Clerk shall call the meeting to order and the Councillors present shall appoint one of the members Chairperson and he shall preside during the meeting or until the arrival of the Mayor or Deputy Mayor.

7. If there is no quorum within twenty minutes from the time appointed for the meeting, the Town Clerk shall call the roll and record the names of the members present, and the meeting shall then stand adjourned.
8. The Council shall not sit later than eleven o'clock at night, unless otherwise determined by a two-thirds vote of the members present.
9. No meeting of Council shall be valid where notice has not been given according to the By-laws and the provisions of the Towns Act, except where all members of Council not receiving such notice waive in writing the necessity of such notice.
10. Minutes of the proceedings of every meeting of the Council shall be drawn up and fairly entered by the Town Clerk in a book kept for that purpose by him, and such book shall be properly indexed.
11. 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.
12. Unless objection is taken to the minutes, when read or as circulated they shall be deemed approved and shall be signed by the Chairperson. If any objection is made thereto the member making it shall state his ground 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 objection, which shall then be debatable.
13. All questions arising at Council shall be decided by a majority of the votes of Council, including the Mayor or other presiding officer, who shall have a right to vote on all such questions. In the event of a tie, the motion shall be deemed to have been lost.
14. The order of the business at a regular meeting of the Council shall be:
  - (a) the reading or circulation of a printed copy of minutes of the last regular meeting and of any special meeting held since such meeting;
  - (b) motions to amend or confirm minutes;
  - (c) motions of reconsideration, if any;
  - (d) old business;

- (e) the reading of memorials, petitions, correspondence and other papers and their references by the Chairperson to the appropriate committee without motion;
- (f) reading and discussion of reports of any select or standing committee;
- (g) questions by members;
- (h) motions by members and notices of motion;
- (i) new business;
- (j) accounts;

15. (a) At any special meeting, 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 Chairperson shall designate the order in which the same shall be taken up.

(b) After such a particular business for which notice was given is disposed of, Council may proceed to the consideration of any other business if all members are present and unanimously consent to same.

16. (1) No person other than a member of Council shall address Council or interfere with or interrupt the proceedings of Council without permission of the Council. Any person so addressing the Council or interfering with or interrupting the proceedings of the Council without such permission may be removed from the Council Chambers by the Clerk, a police constable or any other person so authorized on the verbal order of the Mayor, the Deputy Mayor or presiding Councillor.

(2) Upon receipt by the Clerk of a written application to address Council on a named subject or subjects, at least forty-eight (48) hours in advance of a scheduled meeting of Council, Council may by resolution grant permission to a person to address Council on any of the names subjects, provided that such person agrees;

- (a) to restrict the address to the subject matters upon which Council granted permission; and
- (b) to limit such address to no longer than ten (10) minutes in total, unless Council otherwise agrees to waive such requirements.

Such permission by Council shall not be unreasonably withheld.

17. Every document intended to be submitted to the Council must be plainly printed or written and signed by at least one person.

18. It shall not be necessary to read, otherwise than by title, any minutes, petition, memorial, or other paper when first submitted, or any report or other document of which a

copy has been furnished to the members at the time of the giving of the notice of meeting, unless the Chairperson directs or not less than three members request that it shall be read in full.

19a. The Town Clerk shall prepare a list of all deferred business, including any notice of motion to reconsider, or any other motion of which notice has been given, and a copy of such list shall be furnished to each member at the time of the giving of the notice of meeting. The Council by a majority vote may at any time direct that any item of deferred business, except one the consideration of which has been deferred to a specified time, may be taken up.

b. A report will be provided to Council identifying actions taken as a result of a decision made at previous meetings of Council.

20. Any member when about to speak shall address himself to the Chairperson. He shall confine himself to the questions under debate and avoid personalities and not refer to any member of the Council except in a respectful manner.

21. If two or more members rise at the same time, the Chairperson shall decide which shall be heard.

22. No member shall speak longer than ten minutes at one time, or more than twice on any motion, and once on any amendment thereto, and any member speaking after an amendment has been moved shall be deemed to be speaking to the amendment.

23. 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.

24. The Chairperson may call any member to order at any time and any member may raise a point of order.

25. If a member when speaking is called to order, he shall, subject to his right to discuss such point, take his seat until the point has been determined. Any member may, with the permission of the Chairperson, have leave to explain, but any remarks so made shall be strictly confined to the explanation desired, and shall not be of a controversial character.

26. The Chairperson shall decide all points of order and shall, upon request of any Councillor, state his reasons for any such decision.

27. If any member uses insulting or improper language to the Chairperson or any member and refuses to apologize when so directed by the Chairperson, or willfully obstructs the conduct of business and refuses to desist when called upon so to do by the Chairperson, he may be ordered by the Chairperson to retire from the Council for that meeting, and if he refuses so to do, he may, on the order of the Chairperson, be removed from the meeting. Any member so removed on making an apology to the Chairperson and

to any member of the Council insulted by him, may, by a vote of Council, be permitted to resume his place.

28. An appeal shall lie to the Council from any decision of the Chairperson 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 Town Clerk to the Council by the question: "Shall the decision of the chair be sustained?" and shall be decided without debate. The chairperson shall be guided on the point by the vote on such appeal and rule accordingly.

29. Any person interfering with the business of the Council or acting in a disorderly manner may, upon the order of the Chairperson, be removed from the Council Chambers or the Town Hall by the Police and kept excluded therefrom until the Council meeting adjourned.

30. When any member of Council is speaking, no other member of the Council shall be allowed to speak or whisper so as to interrupt him unless it be to speak to a point of order, or to ask the chair for leave to explain. Leave to explain shall only permit the explanation of an actual misunderstanding of language.

31. Except as to minor observations on any matter before the Council, or when stating his reasons for deciding a point of order, or for giving his casting vote, the Chairperson shall not take part in any discussion 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 Chairperson is taking part in the discussion by the Deputy Mayor, or if the Deputy Mayor is absent, by a Councillor requested by the Chairperson.

32. All members of Council shall be required to familiar with and abide by the provisions of the Municipal Conflict of Interest Act, as amended.

33. When a 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, if one is moved, to any standing committee or a special committee;
- (c) a motion to defer the consideration of the question whether indefinitely or to some time named;
- (d) a motion to close the debate at a special time;
- (e) a motion that the question be now put; or
- (f) a motion to adjourn;

34. When any one of the motions enumerated in the next preceding section has been made as an amendment to the original motion, no other motion may be made as an amendment either to the original motion or to 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;
- (d) that the question be now put; or
- (e) to adjourn;

35. 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 other member who has not spoken on the question and claims a right to speak has been heard.

36. 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.

37. 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 in the meantime has been considered by the Council.

38. 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, excuses him. Application to be so excused on any question must be made before the Chairperson proceeds to put the question, and such application shall be accompanied by a brief statement of the reasons, and shall be decided without debate.

39. No member shall leave the Council before the close of any meeting without permission of the Chairperson.

40. No question shall be debated or voted on unless a resolution in respect thereto has been moved and seconded.

41. The Chairperson may require that any motion shall be reduced to writing and signed by the mover and seconder before debated.
42. Any member may require the division of any question when, in the opinion of the Chairperson or on appeal, in the opinion of the Council the sense will admit of it.
43. No debate shall be allowed on any motion of adjournment or on a motion that the question be now put, 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.
44. Before putting any question to vote, the Chairperson 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 Chairperson may if there is any objection to the resolution, and if none is made declare the motion carried.
45. Every question shall be decided by a vote of yeas and nays, and the chairman shall state whether in his opinion the motion has been carried or defeated, but any two members may call for names on the division, in which case the vote of each member shall be taken and recorded in the minutes, and the question decided accordingly.
46. If the Chairperson is of the opinion that any motion, of 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 two members object to the immediate consideration thereof the Chairperson 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.
47. Subject to the provisions of the next preceding section, 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.
48. When a motion has been moved and seconded, it can not be withdrawn, except by leave of the mover and seconder.
49. Any member may have the motion under discussion read at any time during the debate on the same.
50. After the Chairperson has asked the Council if it is ready for the question and has begun to take the vote, no member shall be permitted to speak while the vote is being taken.
51. (a) After a resolution has been voted upon, any Councillor who voted thereon may at the same meeting as the resolution was voted on, give notice for reconsideration or rescission of the resolution for the next regular meeting of the Council.

(b) After any resolution has been voted upon, any Councillor may, at any subsequent regular meeting of the Council, give notice for reconsideration or rescission of the resolution for the next regular meeting of the Council.

(c) If the Council refuses to reconsider or rescind the question, or if the Council agrees to reconsider or rescind the question and votes upon it, no other motion for reconsideration or rescission can be made within six months from the decision of Council, except with unanimous consent of all Councillors present at a regular monthly meeting.

(d) When a motion for reconsideration or rescission comes up, the giver of the notice, or in his absence any other Councillor on his behalf, may briefly state his reasons for reconsideration or rescission, and if the motion is seconded, the same shall then be open for debate and voted upon in the usual manner.

52. 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 Chairperson of any committee or board, but any such questions shall be stated simply and concisely and shall be reduced to writing if the Chairperson so directs.

53. All questions arising at Council, except as specifically stated otherwise herein, shall be decided by a majority of the votes of Council, including the Mayor or other presiding officer, who shall have a right to vote on all such questions. In the event of a tie, the motion shall be deemed to have been lost.

54. When the consideration of miscellaneous business is reached, the Chairperson shall have precedence in bringing before the Council such matters as he deems expedient.

55. If any question arises not provided for by any of the foregoing rules, the same shall be decided according to the rules of procedure set forth by Robert's Rules of Order.

56. Any of the foregoing rules may be suspended in its operation by the unanimous consent of the members present.

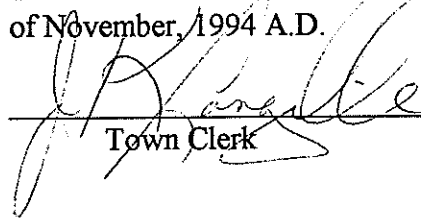
57. These rules shall apply to meetings of committees, boards, and commissions of the Town of New Glasgow mutatis mutandis.

58. The "Rules of Council By-law" approved by the Lieutenant Governor of Nova Scotia in Council on the 27th day of January, 1927 and any amendments thereof, are hereby repealed.



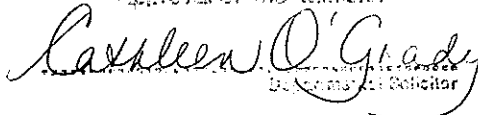
I, J. K. Langille, Clerk of the Town of New Glasgow, do hereby certify that the foregoing is a true copy of a by-law duly passed at a duly called meeting of the Town Council duly convened and held on the 24th day of October, 1994 A.D.

Given under the hand of the Town Clerk and under the seal of the said Town this 8th day of November, 1994 A.D.

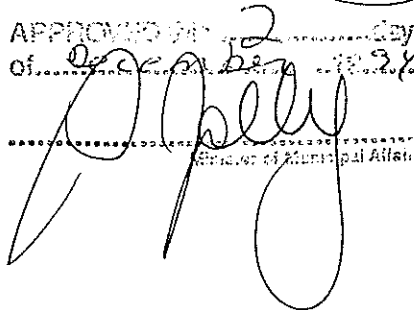
  
Town Clerk

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for approval of the Minister

  
Cassleen O'Grady  
Deputy Minister

APPROVED ON 2 day  
of 24 October 1994

  
J. Kelly  
Minister of Municipal Affairs