

By-Law No. 3 COUNCIL

1. (1) The Council shall hold its regular meetings as follows:
 1. (1) (a) The Annual Meeting beginning on the first Tuesday in February of each year;
 1. (1) (b) The Semi-Annual Meeting being on the first Tuesday in June of each year;
 1. (1) (c) The Council shall hold regular monthly meetings at 8:00 o'clock p.m. on the third Wednesday of each month with the exception of the months in which the Annual and Semi-Annual meetings are being held.
1. (2) The Council may hold Special Meetings as provided for by Section 88 and Section 90 of the Municipal Act, Revised Statutes of Nova Scotia, 1967, Chapter 192 and amendments thereto.
2. All meetings of the Council shall be held at the Municipal Court House at Little Brook except when some other place is designated by Resolution of the Council.
3. The Clerk shall give public notice by advertising in the local press, specifying the time and place of the Annual and Semi-Annual meeting. Notice of a Special Meeting shall be given in accordance with Section 90 of the Municipal Act, Revised Statutes of Nova Scotia, 1967, Chapter 192 as amended by the Statues of Nova Scotia 1982.
4. (1) On the first day of the Annual Meeting and Semi-Annual meeting the Council shall convene at ten (10) o'clock a.m. or so soon thereafter as circumstances permit, and at each succeeding session at the like hour or at such hour as is specified on the preceding motion of adjournment.
4. (2) During a Session the Council may adjourn for short periods or to another place, without ending the Session.
4. (3) Councillors not present at roll call may have their names entered as present if they join the Council at the place of meeting of the Session in question, with the consent of the Council, and call the attention of the Clerk to the fact immediately upon their arrival.
4. (4) All meetings of the Council shall be open and public.
5. In the temporary absence of the Warden and Deputy Warden, the Council may appoint a Chairman from the Councillors present.
6. (1) Upon the opening of each Session of every meeting of the Council, regular or special, the Minutes of the next preceding Session of the same Meeting shall be read, but previous to adjournment of the last Session of any meeting, the Minutes are to be read to Council only if a Motion asking for the Minutes to be read, notes of which Motions shall be read at the open of the Meeting.
6. (2) At the end of each Session of every meeting of Council and where Council passed the Motion requesting the reading of the Minutes of the last Session of the Meeting, the Minutes shall be approved after all necessary corrections and amendments have been made; when the Minutes have been approved, a correct copy of the same be entered in the Minute Book of the proceedings of the Council and shall be signed by the Chairman and Clerk.

- 6.(2) Where no Notice of Motion is given at the opening of the Meeting or the Motion to have the Minutes read previous to the adjournment of the last Session of any meeting has been defeated, the Minutes shall be entered into the Minute Book of the proceedings of the Council and shall be signed by the Chairman and Clerk.
- 6.(2) (a) An entry made in the Minute Book in accordance with Sub-section (1) of this Section shall be deemed to be the original Minutes of the Council.
- 7.(1) At each Session, unless a majority of the Council consent to a different order for that Session, the Council shall conduct business in the following order.
- 7.(1) (a) Call of the roll by the Clerk;
 - 7.(1) (b) Approval of the Minutes;
 - 7.(1) (c) Correspondence;
 - 7.(1) (d) Report of Warden;
 - 7.(1) (e) Reconsideration of Motions or Resolutions of which due notice has been given;
 - 7.(1) (f) Reading and consideration of correspondence, petitions and memorials;
 - 7.(1) (g) Reading of Reports of Committees and of Officers;
 - 7.(1) (h) Consideration of Motions or Resolutions of which notice has been given on a previous day;
 - 7.(1) (i) Notice of Motions;
 - 7.(1) (j) Miscellaneous or new business.

PROVIDED, HOWEVER, that at the first Session of the Council after a general election of Councillors, and whenever the office of Warden, Deputy Warden or Clerk becomes vacant, the first business after the calling of the roll shall be the election of a Warden and Deputy Warden, and the appointment of a Clerk if such office is then vacant;

AND PROVIDED FURTHER that it shall be the privilege of the Chairman to take up any item of business out of its usual order or to bring before the Council any matter that he may have in charge, or to otherwise alter the order of business except when any question is actually under discussion.

- 7.(2) The ordinary hours of the Session of Council shall be from 10:00 o'clock a.m. to 12:00 o'clock noon, and from 1:15 o'clock p.m. to 4:30 o'clock p.m.
- 8.(1) The Chairman shall preserve order and endeavour to conduct all business to a speedy and proper result.
- 8.(2) The Chairman shall state every question properly presented to the Council and before putting it to a vote shall ask, «Is the Council ready for the Question?». If no Councillor offers to speak, he shall put the question, after which no Councillor shall be permitted to speak upon it.

- 8.(3) The decision of the Chairman on points of order shall not be debatable, unless the Chairman entertains doubts upon the subject and invites discussion; he may speak on points of order in preference to other Councillors, rising from a seat for that purpose; he shall decide questions of order, subject to an appeal to the Council by any Councillors; where the Chairman permits discussion on a point of order, no Councillors shall speak more than once.
- 8.(4) When an appeal is made from the decision of the Chairman on a point of order, the Chairman shall forthwith put the question, «Shall the decision of the Chair be sustained?».
- 8.(5) The Chairman shall call to order any Councillor who violates any rule of order and any Councillor may call to the attention of the Chairman any Councillor who violates any rule of order.
- 8.(6) No Councillor shall speak more than twice on any motion except to explain a misconception of his remarks.
- 8.(7) No Councillor shall speak more than ten (10) minutes upon any matter at one time, without the leave of the Council.
- 8.(8) No Councillor shall stand, speak or whisper so as to interrupt any Councillor who is speaking in Council unless it is to speak to order or to ask the Chairman for leave to explain.
- 8.(9) When a Councillor wishes to explain he shall stand and ask leave of the Chair to explain without further comment, and if permitted thereto, shall explain only an actual misunderstanding of language.
- 8.(10) When any Councillor speaks to order, the question of order shall be decided before the matter under discussion is proceeded with; and when any Councillor is called to order he shall take his seat unless the point of order is determined.
- 8.(11) When any Councillor wishes to speak on a matter he shall rise and address his remarks to the Chair, and shall confine himself to the matter in question; he shall avoid personalities and unbecoming language and shall sit down when he is finished, or his time for speaking has elapsed.
- 8.(12) If more than one Councillor rises at one time, the Chairman shall determine who first rose and permit that Councillor to speak.
- 8.(13) If any Councillor in speaking impeaches the motives of another Councillor, or treats him with personal disrespect, or passes between him and the Chair while he is speaking, or uses unbecoming language, or talks or acts so as to distract a Councillor while speaking, or wilfully violates any Rule of Order, he shall be censured by the Chairman.
- 8.(14) If any Councillor deems himself personally aggrieved by a rebuke of the Chairman, he, seconded by any other Councillor, may appeal from such rebuke or censure to the Council.
- 8.(15) Any Councillor shall be heard in his place touching any charge brought against him as a Councillor, but he shall withdraw before the Council proceeds to consider the charge.
- 8.(16) When a division on any question is demanded the Chairman shall call for the yeas and nays, that is, the Councillors voting in the affirmative shall rise and be counted and then sit down, and then the Councillors voting in the negative shall rise and be counted and then sit down, and the Chairman shall then declare the result.

- 8.(17) When any two Councillors so require, the names of the Councillors voting on any question, and the way they voted, shall be entered in the Minutes.
- 8.(18) Unless otherwise provided, a majority vote shall determine all questions arising in Council and the Chairman is entitled to vote on all questions.
- 8.(19) Where there is a tied vote the question shall be determined in the negative.
9. (1) Resolutions and amendments thereto are substantive Motions and all other Motions are procedural.
- 9.(2) All substantive Motions shall be made in writing and shall be seconded and shall be read aloud by the Chairman or Clerk before being debated; after being so read a Resolution shall be open for debate.
- 9.(3) At any time before the Council has voted on a Motion, it may be withdrawn by the Mover with the consent of the Secunder.
- 9.(4) When any Motion is before the Council the only Motions in order shall be:
- 9.(4) (a) To adjourn;
 - 9.(4) (b) To lay on the table;
 - 9.(4) (c) To postpone indefinitely;
 - 9.(4) (d) To postpone for a definite period;
 - 9.(4) (e) To refer;
 - 9.(4) (f) To amend

and when any such motion has been made, Motions of a prior order shall be received, and such Motions shall be considered and decided in the reverse of the order in which made; all Motions except the Motion to adjourn shall be seconded.

- 9.(5) A Motion to adjourn shall always be in order except in the following cases;
- 9.(5) (a) When a Councillor is speaking;
 - 9.(5) (b) When a Council is voting;
 - 9.(5) (c) When adjournment was the preceding Motion.
- 9.(6) The following Motions shall be decided without debate:
- 9.(6) (a) To reconsider;
 - 9.(6) (b) For suspension of the Order of the Day;
 - 9.(6) (c) To permit a Councillor to speak more than once upon a matter;
 - 9.(6) (d) To permit a person not a Councillor to address the Council;
 - 9.(6) (e) To postpone to a day certain;
 - 9.(6) (f) To lay on the table when it is made as a privilege Motion;
 - 9.(6) (g) To adjourn.

9. (7) Every amendment submitted shall be decided or withdrawn before the main Motion is put to vote, and not more than one amendment of the principal Motion shall be received or considered at one time. Only one amendment to an amendment shall be decided or withdrawn before the amendment is decided.
9. (8) On an amendment to «strike out and insert», the matter to be amended shall first be read as it stands, then the words proposed to be struck out, then those to be inserted, and finally, the matter as it would read if so amended.
9. (9) Any Notice of Motion given by a Councillor for a subsequent Session may in the absence of such Councillor be taken up by any other Councillor and a motion in accordance therewith moved by him.
- 9.(10) After any question has been declared either in the affirmative or negative, any Member of the Council may, after the decision has been announced from the Chair, and at the same Session, give notice that he will move for a reconsideration thereof at the next Session of the same Meeting of Council, or where the Session is the last of the Meeting, at the conclusion of the business of that Session and before the Council adjourns.
- 9.(11) No discussion of the matter to be reconsidered shall be allowed on the Motion to reconsider.
- 9.(12) No question shall be reconsidered more than once nor shall a vote on a Motion to reconsider be reconsidered at any one Meeting.
- 9.(13) Unless by unanimous consent of the Council, no Motion shall be reconsidered except as herein provided.
- 9.(14) In all cases not provided for in these Rules of Order, the Robert's Rule of Order shall govern proceedings of the Council.
- 9.(15) When a Report, By-Law, Petition or other document is read in Council, the Chairman shall endorse thereon a note of the reading, the date, and the manner of disposing thereof.
- 9.(16) Any or all of the foregoing Rules may be suspended in its operation in any Session by the Unanimous consent of the Councillors present.
- 10.(1) When any Councillor presents a Petition, he shall acquaint the Council with its purpose and ask leave for it to be read, which request must be seconded before it is read.
- 10.(2) Any Petition, the acceptance of which would involve the expenditure of moneys, must be presented at a Meeting before the tax rate is set for the year.