

**TOWN OF LOCKEPORT
POLICY STATEMENT**

Policy #L-002

**COUNCIL MEETINGS &
PROCEEDINGS**

**Effective Date:
May 9, 2011**

**Revision Date:
June 10, 2013
March 14, 2016
March 11, 2019
December 11, 2023**

TITLE

1. This Policy is entitled the *“Council Meetings & Proceedings Policy”*.

INTERPRETATION

2. The procedural requirements in this Policy are intended to complement and supplement, and not to replace, the requirements contained in applicable Municipal Legislation.
3. In this Policy, unless the context otherwise requires,
 - (a) “Business day(s)” means a day when the Town of Lockeport Office is open for business;
 - (b) “Chair” means the presiding officer;
 - (c) “Council” means the Council of the Town of Lockeport
 - (d) “Council Member (s)” include (s) the Mayor unless the context indicates otherwise;
 - (e) “Majority” means more than one half of those present, unless the context indicates otherwise.
 - (f) “Staff Department Heads” means the staff in the positions of Working Streets Foreman and Community Coordinator, and may also include the Fire Chief, Crew Chief of the Medical First Responders and Tourism Staff.
4. The following rules and regulations shall be observed and shall be the rules and regulations for the order and discharge of the business of all Council, Committees, Boards and Commissions.

TIME, PLACE, DATE AND NOTICE OF MEETINGS

5. Unless otherwise specified, Regular meetings of Council shall be held:
 - (a) At Town Council Chambers, Lockeport Town Hall, Lockeport, N.S.
 - (b) On the second Monday of the month at **6 o’clock**; provided that if the second Monday of any month is a holiday then it shall be held on the **following regular business day** at the same place and hour, unless otherwise resolved by Council; and

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- (c) On the fourth Monday of the month at **1 o'clock**; provided that if the fourth Monday of any month is a holiday then it shall be held on the **following regular business day** at the same place and hour, unless otherwise resolved by Council.
6. Regular meetings of Council may be rescheduled, relocated or cancelled:
- (a) By resolution or consensus, including a contingent resolution or consensus, of Council at a previous meeting three or more days in advance of the additional or special meeting;
 - (b) By resolution or consensus, including a contingent resolution or consensus, at a meeting three or more days in advance of the additional or special meeting; or
 - (c) By the Town Clerk/Treasurer on behalf of the Mayor, owing to unforeseen circumstances, provided the Mayor believes that the majority of Council Members would support such a step.
7. Additional or Special Meetings of Council may be convened;
- (a) By resolution or consensus, including a contingent resolution or consensus, of Council at a previous meeting three or more days in advance of the additional or Special Meeting;
 - (b) By resolution or consensus, including a contingent resolution or consensus, at a meeting three or more days in advance of the additional or Special Meeting; or
 - (c) By the Town Clerk/Treasurer on behalf of the Mayor, owing to unforeseen circumstances, provided the Mayor believes that the majority of Council Members would support such a step.
8. Specific notice to Council Members and to the public need not be provided of:
- (a) Meetings held pursuant to section 7; or
 - (b) Meetings held pursuant to subsection (a) and (b) of section 6 or 7; but, subject to any statutory relaxation of notice requirements, three days notice shall be specifically provided for other meetings to Council Members.
9. Subject to section (8), notice of meetings shall be provided verbally, by telephone, or in writing to each Council member.

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10. Within 30 days following the first meeting of Council after a Municipal Election or By-Election, each elected council Member shall provide to the Town Clerk/Treasurer:
- (a) A telephone number at which the Council Member can be reached; and/or
 - (b) An electronic mail address or facsimile telephone number at which the Council Member may be reached, and
 - (c) The Council Member shall be assigned a mailbox located at the Lockeport Town Office marked with the Council Member's name. The Council Member shall be deemed to have received any notice within one business day of its being sent or left by the method of the Council Member's choice pursuant to this section.
11. Subject to section (8), notice of meetings shall be provided to the public by posting at the Lockeport Town Hall a "Notice of Council Meeting" containing the time, date and place of the meeting and posting the Agenda and full Council Package on the Town's website.

CONDUCT OF MEETINGS; GENERAL

12. In the case of the Council Meeting held on the fourth Monday of each month, Department Heads shall attend to present their staff reports to Council and the Town Clerk/Treasurer will also present a monthly report.
13. In the case of the Council Meeting held on the second Monday of each month, the Council shall adjourn at the hour of 9:00 p.m., if in session at that hour, unless otherwise determined by a vote of two-thirds of the Councillors present.
14. In the case of the Council Meeting held on the fourth Monday of each month, the Council shall adjourn at the hour of 4:00 p.m., if in session at that hour, unless otherwise determined by a vote of two-thirds of the Councillors present.
15. In the case the Mayor is not in attendance at the time appointed, the Deputy Mayor shall call the Councillors to order and if a quorum is present, shall preside over the meeting or until the arrival of the Mayor.
16. In case neither the Mayor nor the Deputy Mayor is in attendance at the appointed time, the Town Clerk/Treasurer shall call the Councillors to order if a quorum be

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present, and the Councillors shall choose a Chairman who shall preside over the meeting until the arrival of the Mayor or Deputy Mayor.

17. During a meeting Council may adjourn for short periods or move to another place, without ending the meeting.
18. At Regular meetings of Council, except when Council resolves to defer approval of minutes for a maximum of one additional meeting, the minutes of the last preceding Regular meeting and subsequent special meetings shall be reviewed. Unless objection is taken to the minutes when read or as circulated, they shall be signed by the Chairperson. If any objection is made thereto, the Councillor making such objection shall state his or her grounds without consent and if the Council agrees the minutes shall be amended accordingly. If all Councillors do not agree to the proposed amendment, the motion must be made and seconded to amend the minutes in accordance with the objection which shall then be debatable. After all necessary corrections and amendments have been made and the minutes approved, the approved minutes shall be entered in the minute book of the proceedings of Council and such entry shall conclusively constitute the minutes of Council.
19. The minutes shall be kept by the Town Clerk/Treasurer or designate and shall:
 - (a) Record the time when any Council member joins or leaves a meeting which is in progress;
 - (b) Contain all resolutions, decisions by consensus and motions and shall record the outcome of each vote;
 - (c) Mention reports, petitions and other papers submitted to Council only by their respective titles, or a brief description of their contents.
20. It shall be the duty of the Chair to:
 - (a) Open the meeting of Council by taking the chair and calling the Council Members to order;
 - (b) Put to a vote a question which is regularly moved and seconded or necessarily arising in the course of the proceedings and to announce the result of the vote;
 - (c) Decline to put to a vote, a motion which infringes upon the rules of procedure;
 - (d) Restrain the Council Members, when engaged in debate, within the rules of conduct of debate;

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POLICY STATEMENT**

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- (e) Enforce on all occasions, the observance of order and decorum;
- (f) Call by name any Council member persisting in a breach of the rules of order of Council thereby ordering him or her to vacate the Council Chambers;
- (g) Inform the Council when necessary, or when referred to, on a point of order
- (h) Permit the Town Clerk/Treasurer to speak on any point upon request;
- (i) Permit proper questions to be asked through the Chair of any official or employee of the Town of Lockeport, or any member of the public in attendance, to provide information to assist any debate;
- (j) Declare a meeting dissolved if no quorum has been achieved within 30 minutes of the scheduled meeting time; and
- (k) Adjourn the meeting when the business is concluded or, when an adjournment time has been set and approved by majority vote or consensus, when the adjournment time has been reached, except when it is extended by unanimous consent.

21. At Council meetings, unless a majority consents to a different order for that meeting, Council shall conduct business in the following order;

- (a) Call to order;
- (b) Silence of Electronic Devices;
- (c) Approval of agenda, including additions or deletions;
- (d) Approval of minutes of the previous meeting(s);
- (e) Business arising from previous Minutes;
- (f) Community Forum ("Open Mic");
- (g) Presentations;
- (h) Staff Reports;
- (i) Finance;
- (j) Other Business;
- (k) Council Reports;
- (l) Correspondence;
- (m) Information Only;
- (n) Date of Next Meeting;
- (o) "In Camera";
- (p) Adjournment

22. At the time the agenda is put forward for approval, the Chair shall inquire of Council Members whether they have any additions to the agenda to request.

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Policy #L-002

**COUNCIL MEETINGS &
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23. Every Council Member, prior to speaking on any question or motion, shall raise a hand and wait to be recognized by the Chair. When two or more Council Members raise their hands to speak, the Chair shall designate as the Council Member who has the floor the Council Member who, in the opinion of the Chair, first raised a hand.
24. No Council Member shall speak more than ten minutes upon any matter at one time, without the leave of Council.
25. The Town Clerk/Treasurer shall prepare for the use of Councillors at Regular Meetings of Council all matters that are to come before the Council in the sequence in which they appear on the agenda.

CONDUCT OF MEETINGS: MOTIONS AND VOTING

26. The Chair shall state every question properly presented to Council and before putting it to a vote, shall ask "Is Council ready for the question" and if no Council Member offers to speak, the Chair shall put the question, after which no Council Member shall be permitted to speak upon it.
27. The usual form of voting on any question shall be by the Chair calling for "yeas" and "nays", but any Council Member, before or after a voice vote can call for, and obtain through the Chair, a show of hands, and any two Council Members can call for, and obtain through the Chair, a recorded vote with each Council Member's vote entered into the minutes.
28. A motion must be seconded and then repeated by the Chair or read aloud by the Clerk before it is debated. The Chair may direct that the motion be put in writing.
29. After reading of a motion by the Chair or Clerk, it shall be open for discussion.
30. A motion may at any time before the Council has voted on it be withdrawn by the mover with the consent of the seconder.
31. A motion shall be voted on after every Council Member who has not spoken on the question and claims a right to speak has been heard.

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32. A motion to adjourn shall always be in order except in the following cases:
- (a) When a Council Member is in possession of the floor;
 - (b) When the “yeas” and “nays” are being called;
 - (c) While the Council Members are voting; or
 - (d) When the adjournment was the last preceding motion.
33. Any notice of motion given by a Council member for a subsequent meeting may, in the absence of the Council Member giving such notice, be taken up by any other Council member.
34. After any question has been decided either in the affirmative or negative, any two Council Members may, after the decision has been announced from the chair, but before adjournment of the meeting, give notice of an intention to move a reconsideration at the next meeting of the Council. The giving of such a notice operates as a stay or suspension of Council’s decision.
35. Unless reconsideration is moved at the next meeting the right of reconsideration shall be lost.
36. No discussion of the main question shall be allowed on the motion for reconsideration.
37. The following matters are not eligible for reconsideration:
- (a) A motion approving the first or second reading of a By-Law enactment, amendment or repeal;
 - (b) A motion to decide upon a matter which was the subject of a statutory hearing by Council;
 - (c) A matter which has been reconsidered once; and
 - (d) A vote to reconsider
38. When any two Councillors so request, the “yeas” and “nays” of a vote shall be taken by secret ballot.

CONDUCT OF MEETINGS: POINTS OF ORDER

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39. It shall be the duty of the Chair, and the privilege of any Council Member, to call any Council Member to order, who violates any established rule of order. A point of order must be decided before the subject under consideration is proceeded with.
40. When a Council Member is called to order, the Council Member shall remain seated and silent until the point is determined, until called upon by the Chair to be heard on the point of order.
41. A point of order is not debatable amongst other Council Members, unless the Chair invites discussion in an effort to assist in making a ruling. Where the Chair permits discussion of a point of order, no Council Member shall speak more than once.
42. Decisions of the Chair on points of order or procedure, including an order expelling and excluding a person from the Council Chambers pursuant to sections (38 and 39), are not debatable but can be appealed to Council by any Council Member. When an appeal is made from the decision of the Chair, the Chair shall simply put the question, "Shall the decision of the Chair be sustained?"
43. No Council Member shall use offensive or unparliamentary language or speak disrespectfully to or about anyone while in Council, or speak outside the parameters of the question in debate.
44. If a Council Member resists the rules of Council, willfully obstructs the business of Council or disobeys the decision of the Chair, or of Council on appeal, on any question of order or practice or upon the interpretation of the rules of Council after being called to order by the Chair, or otherwise disrupts the proceedings of Council, the Council Member may be ordered by the Chair to leave the Council Member's seat provided that a majority vote of Council shall be required to sustain the expulsion.
45. If the Council Member refuses to leave the Council Member's seat, the Chair may order the Council Member to be expelled and excluded from the Council Chambers.
46. Such Council Member may, by vote of Council, later in the meeting or at a subsequent meeting be permitted to re-enter Council Chambers and to resume participation in Council's business with or without conditions.

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47. Persons who are not Council Members or officers or employees of the Town of Lockeport shall observe silence and order in the Council Chambers, unless given permission to speak. Any such persons disturbing the proceedings of Council shall be called to order by the Chair and, if they fail to comply, shall be ordered, by the Chair to be expelled and excluded from the Council Chambers.
48. Such member of the public may, by vote of Council, later in the meeting or at a subsequent meeting be permitted to re-enter Council Chambers with or without conditions.
49. An order of the Chair to expel a person from the Council Chambers pursuant to section (38 and 39) of this Policy constitutes a direction from the Town of Lockeport to leave the premises for purposes of the Protection of Property Act and other applicable laws.
50. If any question arises that is not provided for by applicable legislation or the foregoing rules, it shall be decided according to the ruling of the Chair, having regard to general principles of parliamentary procedure to the best of the Chair's ability, but the Chair shall not be expected to conform its decisions to parliamentary procedure texts or precedents.
51. Any of the rules of order may be suspended in its operation by the unanimous consent of the Council members present.
52. All former policies on Council Meeting & Proceedings of the Town are hereby repealed and this policy is substituted therefore.

Town Clerk/Treasurer's Annotation For Official Policy Book

Date of Notice to Council Members

Of Intent to Consider (7 days minimum): January 14, 2019

Date of Passage of Current Policy: March 11, 2019

I certify that this Policy was adopted by Council as indicated above.

Town Clerk/Treasurer

March 11, 2019
Date