

NO. 4 RULES OF ORDER OF COUNCIL

1. At the first regular meeting after the annual election in each year, the date of which meeting shall be fixed by the outgoing council, the council shall be organized by administering the required oaths, if not previously administered and the appointment of a presiding councilor, and the further business of the meeting shall then be proceeded with according to the order of business hereinafter provided.
2. At every meeting, as soon as there is a quorum, the Mayor, if in attendance, shall take the chair.
3. If the Mayor is not present within fifteen minutes after the time appointed for the meeting, the presiding Councilor, if in attendance shall, if there is a quorum, take the chair and preside during the meeting or until the arrival of the Mayor.
4. If neither the Mayor nor the presiding councilor is in attendance within fifteen minutes after the time appointed for the meeting, and there is a quorum, the Clerk shall call the meeting to order, and the councilors present shall appoint one of the members chairman, and he shall preside during the meeting or until the arrival of the Mayor or presiding councilor.
5. If there is no quorum within twenty minutes from the time appointed for the meeting, the Clerk shall call the roll and record the names of the members present and the meeting shall then stand adjourned.
6. The Council shall not sit later than eleven o'clock at night unless otherwise determined by a two thirds vote of the members present.
7. Minutes of the proceedings of every meeting of the Council shall be drawn up and fairly entered by the Clerk in a book kept for that purpose by him, and such book shall be property indexed.
8. 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 only by their respective titles, or by a brief description of their purport, except accepted reports, which shall be entered at length.
9. Unless objection is taken to the minutes when read, they shall be deemed approved and shall be signed by the Chairman. If any objection is made thereto, the member making it shall state his grounds 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.
10. The order of business at a regular meeting of the Council shall be:
 - a. Reading of Minutes of last regular meeting and of any special meeting held since such meeting.
 - b. Motions of reconsideration, if any.
 - c. The reading of Memorials, petitions, correspondence, and other papers and their reference by the chairman to the appropriate committee without motion.
 - d. Reading and discussion of reports.
 - e. Accounts.
 - f. Questions by members.
 - g. Motions by members and notices of motions.
 - h. Miscellaneous business.

11. (1) 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 chairman shall designate the order in which the same shall be taken up.

(2) After such particular business is disposed of, the Council may proceed to the consideration of the business, but a motion to reconsider or rescind shall not be made except as hereinafter provided.

12. Every petition, memorial or other document submitted to the Council, shall be presented by some member who shall examine the same before presenting it, and endorse the same with his name, and be answerable that it does not contain any impertinent and improper matter and is respectful and proper in its language.

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

14. It shall not be necessary to read otherwise than by title and petition, memorial or other paper when first submitted, or any report or other document of which a copy has been furnished to the members unless the chairman directs, or not less than three members request that it shall be read in full.

15. The 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. The Council by 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.

16. No person not a member shall be heard without permission of the Council.

17. Any member when about to speak, shall rise and address himself to the Chairman. He shall confine himself to the question under debate and avoid personalities, and not refer to any member of the Council, except in a respectful manner.

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

19. 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.

20. 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 take a point of order.

21. The chairman may call any member to order at any time and any member may rise a point of order.

22. If a member when speaking is called to order, he shall, subject to right to discuss such point, take his seat until the point has been determined.

23. Any member may, with the permission of the Chairman, have leave to explain, by any remarks so made shall be strictly confined to the explanation desired, and shall not be of a controversial character.

24. The chairman shall decide all points of order and may state his reasons for such decision.

25. If any member uses insulting or improper language to the chairman and refuses to apologize, when so directed by the chairman, or willfully obstructs the conduct of business and refuses to desist when called upon so to do by the chairman, he may be ordered by the chairman to retire from the council for that meeting, and if he refuses to do so, he may on the order of the chairman be removed from the meeting by the police. Any member so removed, on making an apology to the chairman and to any member insulted by him, may, by a vote of Council, be permitted to resume his place

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

27. Any person interfering with the business of the Council or acting in a disorderly manner way, upon the order of the chairman, be removed from the council room or the Town Hall by the Police.

28. 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 chairman shall not take part in any discussion without leaving the chair, in which case, he shall be subject to regular rules of order. In such case, the chair shall be filled while the chairman is taking part in the discussion by the presiding councilor, or if the presiding councilor is absent, by a councilor requested by the chairman to take the chair.

29. When a question is regularly under debate, no other question or motion shall be entertained until it is decided, except it is:

- a. a motion in amendment of the original motion;
- b. one motion in amendment of such an amendment;
- c. a motion to refer the question including the motion and amendment, if one is moved, to any standing committee or a special committee;
- d. a motion to defer the consideration of the question either indefinitely or to some time named;
- e. a motion to close the debate at a specified time;
- f. a motion that the question be now put; or
- g. a motion to adjourn.

30. When any one of the motions enumerated in the next preceding section has been made as an amendment either to the original motion, no other motion may be made as amendment either to the original motion or the amendment except:

- a. one motion in amendment of the first amendment as above mentioned;
- b. to refer to a board or a committee;
- c. to defer the consideration thereof;
- d. to close the debate at a specified time; or
- e. that the question be now put, or
- f. to adjourn.

any one of which may be moved either to the original motion or to any amendment thereof.

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

32. A motion that the question be not 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.

33. 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 has in the meantime, been considered by the Council.

34. No member of the Council shall be permitted to vote or speak upon any question before the Council, or before any board or committee where his private interest is immediately concerned, distinct from his public interest, or where he is personally directly or indirectly interested, or where he is the solicitor, counsel, or agent for any person or company interested in such question.

35. Every member except the chairman present when a vote on 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 chairman proceeds to put the question, and such application shall be accompanied by a brief statement of reasons, and shall be decided without debate.

36. No member shall leave the Council before the close of any meeting without permission of the chairman.

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

38. The chairman may require that any motion shall be reduced to writing and signed by the mover and seconder before being debated.

39. Any member may require the division of any question when, in the opinion of the chairman or an appeal in that of the Council, the sense will admit it.

40. No debate shall be allowed on any motion for adjournment, or upon a motion that the question be now put, 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.

41. Before putting any question to vote, the chairman shall state the same clearly and ask the Council if it is ready for the question, provided that in any manner on which there had been no discussion, the chairman may ask is any objection to the resolution, and if none is made, declare the motion carried.

42. 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.

43. In the event of an equality of votes, the chairman shall give the casting vote, and may before so doing, state his reasons for his vote.

44. If the chairman is of opinion that any motion, of the moving of which notice has not been given, is of such character or importance that discussion should not proceed without opportunity for further information or consideration, or if three members object to the immediate consideration thereof, the chairman 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.

45. Subject to the provisions of the next preceding rule, 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.
46. When a motion has been moved and seconded, it cannot be withdrawn except by the leave of the Council.
47. Any member may have the motion under discussion read at any time during the debate on the same.
48. After the chairman 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.
49. After any matter has been decided in the affirmative, any member may at the meeting at which was decided, give notice of reconsideration thereof. At the next meeting of the Council (other than a meeting especially called for the consideration of a particular order of business) immediately after the calling of the roll, and before any other business is considered, the giver of such notice, or in his absence any other member on his behalf, may briefly state his reasons for reconsideration, and if the motion to reconsider is seconded, the same shall then be put to vote without further debate, and if carried, the question so reconsidered shall then be read and disposed of.
50. If the motion to reconsider is not made at the time so fixed, or if the Council refuses to reconsider, or if, after reconsideration, the question is again decided in the affirmative, no other motion to reconsider or rescind, or to reconsider the motion refusing to reconsider or rescind, can be made within six months, except with the unanimous consent of the members of the Council present.
51. If the next meeting of the Council after such notice is one called for the consideration of a particular item of business, a motion of reconsideration may, with the consent of two thirds of the members present be made at such meeting immediately after the completion of such particular business or may at the option of the giver of the notice, be made at the next meeting called for the transaction of general business.
52. A notice of motion to reconsider or rescind shall not have the effect of delaying or impeding any action necessary to give effect to resolution unless the Council otherwise orders. A motion to stay proceedings on such resolution pending the consideration of any such notice, may be made by the giver of the notice together with such notice, and if seconded, shall be put to vote at once without any debate.
53. No motion to rescind any resolution of the Council shall be made unless notice of the intention to move the same has been given at the meeting of the Council previous to that at which the same is moved.
54. 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 chairman of any committee or board, by any such question shall be stated simply and concisely without comment, and shall be reduced to writing if the chairman so directs and no comment or debate shall be permitted on the answer thereto.
55. When the consideration of miscellaneous business is reached the chairman shall have precedence in bringing before Council such matter as he deems expedient.
56. If any question arises not provided for by the foregoing rules, the same shall be decided according to the practice of the House of Assembly of the Province.