

TOWN OF KENTVILLE
Rules Governing Town Council By Law
Chapter 5

1. In all the proceedings of the Council, the following rules and regulations shall be observed and shall be the rules and regulations for the order and discharge of business of the Council and Committees, thereof.
2. The Council shall always adjourn no later than the hour of eleven o'clock p.m., if in session at that hour, unless otherwise determined by a vote of two thirds of the members present;

OPENING PROCEEDINGS

3. As soon after the hour of meeting as there shall be a quorum present, the Mayor shall take the Chair and call the meeting to order.
4. If the Mayor does not attend within *fifteen minutes* after the time appointed, the Deputy Mayor shall call the members to order, and if a quorum be present, shall preside over the meeting, or until the arrival of the Mayor.
5. In case neither the Mayor nor Deputy Mayor are in attendance within *fifteen minutes* after the time appointed, the Clerk shall call the members to order, if a quorum be present, and a Presiding Councillor shall be chosen to preside over the meeting, or until the arrival of the Mayor or Deputy Mayor.
6. If there be no quorum present within *one half hour* after the time appointed for the meeting, the Clerk shall take down the names of the members then present, and the Council shall stand adjourned, until the next day of meeting. Provided always that if all members present remain until a quorum is made up, they may proceed with the business.

MINUTES

7. Immediately after the meeting is called to order, the minutes of the preceding meeting shall be considered, in order that any mistakes, therein, may be corrected. The minutes as considered, or as considered and corrected, shall be marked "*Approved*" and signed by the Mayor or Presiding Councillor at the close of the meeting, at which such approval shall have been given. Council may, by unanimous vote, dispense with a reading of the minutes, when all members of Council have been furnished with written copies of the minutes, in advance of the meeting.

DUTIES OF MAYOR OR PRESIDING COUNCILLOR

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herein referred to as "The Chair"

8. The Chair shall preserve order and decorum, and decide questions of order, subject to an appeal to the Council.
9. When the Chair is called upon to decide a point of order or practice, the point shall be stated without unnecessary comment, and the Chair shall cite as far as able, the rule or authority applicable to the case.
10. The Chair, in the event of an equality of votes of the Council, upon any question before it, shall give the casting vote, but shall not otherwise vote.
11. If the Chair decides to take part in debate, the Chair shall call upon another member of the Council to fill his place.

RULES OF CONDUCT AND DEBATE

12. Every member, previous to speaking to any question or motion, shall address himself to the Chair.
13. When two or more members indicate a desire to speak, the Chair shall name the member who, in his opinion, first.
14. Every member who shall be present in the Council Chambers when a question is put forth, shall vote thereon, unless excused by Council.
15. When the Chair is putting the question, no member shall walk across or out of the room, or make any noise or disturbance. When any member is speaking, no other member shall pass between him and the Chair or interrupt him, except to raise a point of order.
16. A member called to order from the Chair, shall immediately cease speaking, however, may afterwards explain; and the Council, if appealed to, shall decide the case, but without debate. If there be no appeal, the decision of the Chair shall be final.
17.
 - (a) No member shall use offensive words in or against the Council, or any member.
 - (b) No member shall speak beside the question in debate;
 - (c) No member shall resist the rules of the Council;
 - (d) No member shall disobey the decision of the Chair or of the Council, on

any question of order or practice, or upon the interpretation of the rules of the Council;

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- (e) In the event that any member shall so resist or disobey, this member may be ordered by the Chair, or by resolution of the Council, to leave that meeting;
 - (f) In the event that any member refuses to do so, this member may, on the order of the Chair, be removed by the Police;
 - (g) However, in case of an apology being made by the offender, this member may, by vote of the Council, be permitted forthwith to take his seat.
18. Any member may require the question or motion in discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.
19. No member shall speak more than once to the same question, without leave of the Council, except in explanation of a material part of his speech, which may have been misunderstood. In doing so, this member is not to introduce new matter. A reply is allowed to a member who has made a substantive motion to the Council, but not to any member who has moved an amendment. No member, without leave of the Council, shall speak to the same question or in reply, for longer than ten minutes.
20. Upon division of the Council, the names of those who voted for and those against the question, shall be entered upon the minutes when any member shall call for the ayes and nays.
21. When the question in consideration contains distinct propositions, upon request of any member, a vote upon each proposition, shall be taken separately.
22. After the question is finally put by the Chair, no member shall speak to the question, nor shall any other motion be made, until after the result of the vote has been declared. The decision of the Chair, as to whether the question has been finally put, shall be conclusive.
23. Whenever the Chair is of the opinion that a motion is contrary to the rules and privileges of the Council, the Chair shall appraise the members immediately, without putting the question, and shall cite the rule or authority applicable to the case, without argument or comment. If there be no appeal or if the Chair is sustained on appeal taken to the Council, the question shall not be put.
24. It is the right of a member to call another member to order. He must state the point of order clearly and succinctly, and it will be for the Chair to decide whether the point is well taken.
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25. An appeal may be taken, from the decision of the Chair, by any member of the Council. When an appeal is made, the Chair shall first give the terms of this decision appealed against, and add, - "*The question is now, shall the decision of*

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the Chair stand as the judgment of the Council".

26. When any question of order or practice is raised, it must be decided before the question in discussion proceeds.
27. When any matter of privilege arises, it shall be immediately taken into consideration.
28. Every member shall be heard if any charge is brought against this member as a Councillor; or on any motion by which this member's private interests may be affected; However, the member shall withdraw, before the Council proceeds to consider or decide upon such charge or motion.
29. The members of the Council shall not leave their places on adjournment, until the Chair is vacated.
30. No member shall leave the Council Chambers during the transaction of business, without the permission of the Chair.

MOTIONS IN GENERAL

31. All motions, save those numbered 1, 2, 3, 4 and 5 in Section 33, shall be in writing, if required by the Chair or any Councillor, and all motions shall be seconded before debated or put from the Chair.
32. When a motion is read by the Chair, it shall be deemed to be in possession of the Council, but may, with the permission of the Council, be withdrawn at any time before decision or amendments.
33. When a question is under consideration, no motion shall be received unless:
 1. To adjourn.
 2. To lay on the table.
 3. To postpone to a certain time.
 4. To refer.
 5. To amend.

These several motions shall have precedence in the order in which they are named.

A motion to adjourn shall always be in order, except:

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1. When a member is in possession of the floor.
 2. When the ayes and nays are being called.
 3. While the members are voting.
34. The following questions shall be decided without debate or amendment:
1. A motion to reconsider.
 2. All motions as to priority of business, or as to the suspension of the general order of the day.
 3. Application to speak more than the prescribed number of times.
 4. A motion to allow any person, other than a member of the Council, to address the Council.
 5. A motion to adjourn.
 6. A motion to postpone to a certain day.
 7. A motion to lay on the table.
35. Amendments shall be put in the reverse order, to that in which they are moved. Every amendment shall be decided or withdrawn, before the main question is put to vote. Only one amendment shall be allowed to an amendment, and to any amendment, more than one must be to the main question.
36. On an amendment "*To strike out and insert,*" the paragraph to be amended shall be first read as it stands; then the words proposed to be struck out; then those to be inserted, and finally the paragraph as it would stand, if so amended.

APPOINTMENTS

37. In all motions for the appointment of any person to any office in the gift of the Council the Candidates shall be voted on separately in the order in which they are proposed.

RESOLUTIONS INVOLVING EXTRAORDINARY EXPENDITURE

38. Any resolution involving an "extraordinary expenditure," or an expenditure not definitely arranged for in the estimates, shall be laid on the table as a notice of motion, to be considered at a subsequent meeting, unless such resolution be approved by a two-thirds vote of the members present, at which this resolution is first introduced.

RECONSIDERATION

39. After any question has been decided, either in the affirmative or in the negative, any member of Council who voted with the majority, may at the same meeting, or at any subsequent meeting, thereafter, move for a reconsideration. No discussion of the main question shall be allowed, unless or until, the Motion to reconsider

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has been duly moved, seconded and passed. The Chair may decline to put the Motion to reconsider, unless the mover asserts some just cause for reconsideration, such as new information being available, or some change in circumstances making a different decision on the question desirable.

GENERAL ORDER OF THE DAY (AGENDA)

40. The following shall be the agenda, subject to suspension by the Council at any meeting, as the exigencies of business may require.
 1. The consideration of minutes of the last regular meeting and of any special meeting held since such meeting.
 2. Receiving of accounts.
 3. Presentation and consideration of reports of Committees.
 4. Reading of memorials and petitions.
 5. Correspondence and other original communications.
 6. Notices of Motion.
 7. Motions.
 8. Unfinished business.
 9. Questions by members.
 41. The Clerk shall have prepared, for the use of the members at the general meetings of the Council, all matters that are to come before the Council, in the sequence in which matters should appear " on the agenda".
 42. Business shall be taken up, in the order in which it stands upon the Agenda.
 43. For all special meetings of the Council, the Clerk shall prepare for the use of the members of the Council, under the direction of the Mayor, a memorandum of the principal business to be transacted at such meeting.
 44. Every petition, or other written application intended to be presented to the Council, must be plainly written or printed and signed by at least one person.
 45. Every such petition or written application, must be presented to the Council by some member thereof, who shall be answerable that it does not contain any impertinent or improper matter.
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46. No person, except a member of Council, shall be heard without permission of Council.
 47. No person, except members and officers of the Council, shall be allowed within the 'In Camera' session, during the sitting of the Council, without the permission of the Chair.

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48. One of the Police Officers of the Town shall attend all meetings of the Council, and if ordered by the Chair, on resolution of the Council, shall expel and exclude from any meeting, any person who has been guilty of improper conduct, at such meeting.

49. No standing rule or order concerning the meetings and government of the Council, shall be suspended, except by the unanimous vote of the members present.