

Meetings & Procedures By-Law

Whereas, pursuant to Section 426 (a) and 426 (b) of the Municipal Government Act, the village commission may, by by-law, regulate proceedings and preserve order at Meetings of the village commission;

Whereas, pursuant to Section 408 (5) of the Municipal Government Act, the village commission may provide by by-law for times and places of Meetings of the village commissioners;

Whereas, pursuant to Section 408C a Meeting of the village commission or a committee of the village commission may be conducted by electronic means;

Whereas, pursuant to Section 408C (2) a village commissioner may participate in a village commission Meeting or village commission committee Meetings through electronic means;

The Commission of the Village of New Minas, duly assembled, enacts as follows:

A By-law relating to the Meetings and procedures of Meetings of the Village of New Minas Village Commission and its Committees. This By-law shall be titled the "Meetings and Procedures By-law."

1. Definitions

"Act" means the Municipal Government Act, R.S.N.S. 1998, Chapter 18;

"Clerk" means the Village Clerk Treasurer/Chief Administrative Officer appointed by the Commissioners pursuant to the Act;

"Commissioner" or "Commissioners" mean a Commissioner or Commissioners for the Village of New Minas within the scope of the Act;

"Village" means the Village of New Minas, Kings County, Nova Scotia;

"Chair" means the Chair; or in the absence of the Chair, the Vice Chair; or in the absence of the Chair and the Vice Chair, the member appointed by the Commission to preside;

"Meeting" means a regular, special, or emergency Meeting of Commissioners or a duly constituted village Committee and covers the period of time in which members are actually sitting, from the official opening of a Meeting until the final adjournment thereof, regardless of the number or length of sessions, which may be held and then terminated by temporary recesses or adjournments;

"Meetings" means the plural of Meeting;

"Recording Secretary" means someone appointed by the Commissioners or the Committee to serve this purpose.

2. Purpose

The purpose of this By-law is to define the procedures and processes that will govern Meetings.

3. Objectives

To outline procedures and processes of Meetings.

4. Authority

The provisions outlined in this By-law shall be observed in all Meetings; and in any case for which provision is not made herein the procedure to be followed shall be as described in *Robert's Rules of Order Newly Revised 12th Edition*, as revised from time to time.

5. Attendance

- (a) Any Commissioner or Committee member who is not able to attend a Meeting is requested to notify the Recording Secretary if unable to attend a Meeting;
- (b) The Commission of Committee may excuse and absence by Motion of the same.

6. Minutes

- (a) Upon the opening of each Meeting of the Commission the Minutes of the previous Meeting shall be reviewed and after all necessary corrections and amendments have been made and the Minutes approved, a correct copy shall be retained and shall be deemed to be the original Minutes of the Meeting;
- (b) Approved Minutes are official and cannot be altered or changed.

7. Voting

- (a) Any voting member who does not vote on a Motion shall be deemed as voting in the negative;
- (b) As to the proceedings of the Commission, all questions arising in the Commission shall be decided by a majority of votes and the Chair shall vote on all questions before the Commission. In the event of a tie, the question voted on shall be deemed to be lost;
- (c) As to the proceedings of a Committee all questions shall be decided by a majority of votes and the Chair shall vote on all questions before the Committee. In the event of a tie, the question voted on shall be deemed to be determined in the negative.

8. Electronic Meetings

- (a) A Meeting of the Commission or a Committee of the Commission may, on two days of notice to the public, be conducted by electronic means in accordance with the requirements of Section 408C of the Act;
- (b) A Commissioner may participate in a Commission Meeting or a Committee of the Commission through electronic means;
- (c) A Committee member may participate in a Committee Meeting through electronic means.

9. Election of Chair and Vice-Chair of Commission

- (a) The Commission shall elect a Chair and Vice Chair, who shall serve for a one-year term, at the first Meeting after the annual election of the Commissioners;
- (b) Where only one person is nominated for an office and nominations have been closed by resolution, the Chair shall declare that person elected to the office in question, by acclamation;
- (c) In these elections, where more than two persons are nominated for election to an office and no nominee receives, on the first vote or ballot, a majority of the votes of the Commissioners present, the name of the nominee who receives the least number of votes shall be dropped from the vote or ballot and the Commissioners vote again. The Commissioners shall continue to vote until one of the nominees has secured a majority of the votes of the Commissioners present.

10. Meetings of Village Commission

- (a) Except where some other place is designated by a resolution of the Commission, all Meetings of the Commission shall be held in the Louis Millett Community Centre;
- (b) The regular monthly Meeting of the Commission shall be held on the second Monday in each and every month, except for the month of August;
- (c) When the second Monday of any month falls upon a holiday, the Meeting of the Commission for that month shall be held on the Tuesday of the same week;
- (d) No notice of a Meeting is required unless the date, location, or established time of the Meeting has changed;
- (e) Every Meeting of Commission shall be presided over by the Chair or, in their absence, by the Vice Chair;
- (f) If both the Chair and the Vice Chair are absent, the Commission may appoint a Chair from the members present;
- (g) All Meetings of the Commission shall be open and public;
- (h) All Meetings shall convene at convenient time to enable the attendance of the Commissioners and the participation of the public.

11. Roll Call & Quorum at Village Commission Meetings

- (a) A majority of the members of the Commission (and the Chair is considered a member of the Commission) shall constitute a quorum for the transaction of business;
- (b) A Commissioner not present at roll call may have their name entered as present if that person joins the Commission at the place of the Meeting within thirty minutes after the opening of the session in question, and if that person calls the attention of the Recording Secretary to that fact immediately on arrival.

12. Duties of the Chair of Village Commission

- (a) To open the Meeting and to call the members to order;
- (b) To announce the business before the Meeting in the order in which it is to be acted upon;
- (c) To receive and submit, in the proper manner, all Motions presented;
- (d) To put to vote all questions that are regularly moved and seconded and to announce the result;

- (e) To rule as out of order a Motions which infringes the rules of procedure or which are illegal or ultra vires;
- (f) To preserve order in debate;
- (g) To call by name any member persisting in breach of the rules of order, thereby ordering that individual to vacate the Meeting room;
- (h) To receive all messages and other communications and announce them to the Meeting;
- (i) To authenticate, by signature when necessary, all By-laws, Resolutions, and Minutes;
- (j) To advise, when necessary or when referred to for the purpose, on a point of order;
- (k) To represent and support the Commission, declaring its will and implicitly obeying its decisions in all things;
- (l) To ensure that the decisions made are in conformity with the laws and By-laws governing the activities of the Meeting;
- (m) To adjourn the Meeting when the business is concluded;
- (n) To adjourn the Meeting, without question put, in the cause of grave disorder arising in the Meeting room.

13. Notice of Motion

- (a) Verbal Notice of Motion should be made at a Meeting if a member is intending to bring up an important or complicated matter for discussion at the next Meeting of the same body;
- (b) If such notice is made, that member shall provide a written copy of the same to the Recording Secretary on the day that the notice is made using the prescribed form;
- (c) A written Notice of Motion may be initiated between Meetings on the condition that it be provided to members at least two (2) days prior to the date of the Meeting at which it will be presented using the prescribed form;
- (d) When a member is absent from a Meeting for which they have previously given a Notice of Motion, such matter may be taken up by any other member at that Meeting and that other member may proceed in accordance with the matter;
- (e) A Motion in the case of urgent and pressing necessity may be added to the Agenda at the time of Approval of the Agenda, without previous debate or notice being given only by the unanimous consent of the members present;
- (f) When a member's Notice of Motion has been called for from the Chair at two successive Meetings and has not been proceeded with, it shall be deemed to have been withdrawn, unless the members decide otherwise.

14. Petitions to Commission

- (a) Every ratepayer or resident of the Village, and every corporation or business doing business therein, shall have the right to be heard before the Commission by petition and every petitioner shall be entitled to be heard at the time of presentation of the petition;
- (b) Persons accompanying the petitioner may be heard, in support of such petition, with consent of a majority vote of the Commission;
- (c) Every petition shall be presented to the Commission either by a member of the Commission or by the Clerk;

- (d) When petitioners, or person speaking in support of a petition, address the Commission, they shall exhibit the utmost of respect and reverence for the Commission and its members both in speech and in action; and they shall at no time argue with the Commission in answer to any question put by the Commission or by a Commission member, but they shall answer the same respectfully;
- (e) Every communication, including a petition designed to be presented to the Commission, shall be pertinent and proper for discussion, legibly written or printed, shall not contain any obscene or improper matter or language, and shall be signed by at least one person and filed with the Clerk;
- (f) The filing of a petition with the Clerk shall be done at least one week prior to the Meeting of the Commission at which it is to be considered, and the Clerk shall keep a book containing a record of all petitions so filed.

15. Presentations to Commission

- (a) Persons who are not members of the Commission or officers of the Village shall maintain order the Meeting, unless given permission to speak. Any such persons disturbing the proceedings of the Meeting shall be called to order by the Chair and, if they fail to comply, shall be ordered, by the Chair to vacate the Meeting room;
- (b) Persons who are not members of the Commission or officers of the Village may be heard with permission of the Commission; and limited to ten minutes in addressing the Commission, during the Public Discussion part of the Meeting;
- (c) Any delegation, wishing to address the Commission, shall give notice of such request to the Clerk at least one week prior to the date of the Meeting of the Commission.

16. Special Meetings of the Commission

- (a) Notwithstanding any Sections of this By-law, the Chair may convene a Special Meeting of the Commission upon three days of notice at a date and time convenient for members of the Commission and the general public to attend;
- (b) Upon receipt of a written petition of the majority of the members of the Commission, the Recording Secretary shall summon a special Meeting for the purpose and at the time mentioned in the petition, on at least three days of notice.

17. Emergency Meetings of the Commission

- (a) In an emergency, with the consent of two-thirds of the members of Commission, an Emergency Meeting may be called by the Chair and held to consider and deal with such emergency.