

Town of Truro – Bylaws

Subject: Council Meetings
Bylaw Number: B100-004
Approval Date: September 11, 2001
Departments: All Departments

1. (a) This Bylaw shall be known and may be cited as the “Council Meetings Bylaw” of the Town of Truro.
(b) There shall be a regular meeting of Council held on the first Monday of each month at 1:00 p.m. at the Council Chamber in Truro or at such other place or time that the Council shall decide by resolution.
2. If there is no quorum within twenty minutes from the time appointed for the meeting, the Town Clerk shall call the roll and record the names of the Councillors present, and the meeting shall then stand adjourned.
3. The Council shall not sit later than 5:00 p.m., unless otherwise determined by a two-thirds vote of the Councillors present.
4. Minutes of the proceedings of every meeting of the Council shall be drawn up and fairly entered by the Town Clerk in a book kept for that purpose by the Town Clerk, and such book shall be properly indexed.
5. Such minutes shall:
 - (a) Contain all resolutions and motions passed, with the names of the movers and seconders;
 - (b) Mention reports, petitions, and other papers submitted to the Council by their respective titles only, or by a brief description of their purport, except accepted reports which shall be entered at length.
6. Unless objection is taken to the minutes when read or as circulated, they shall be deemed approved and shall be signed by the Chairperson. If any objection is made thereto, the Councillor making it shall state their ground without comment, and if the Council acquiesces, the minutes shall be amended accordingly. If all Councillors do not acquiesce in the proposed amendment, a motion must be made and seconded to amend all minutes in accordance with the objection, which shall then be debatable.

The Town of Truro recognizes the approved written minutes of its proceedings as the “official record”. These minutes include summarized narratives on the various issues that come before Council/Committee and record actions and motions. The Town office uses

audio recording equipment to assist with accurate composition of draft minutes. To ensure the integrity and status of the written minutes once approved, it will be the normal practice to destroy audio recordings six months after minute approval is complete. On certain occasions and on certain issues, it might be desirable for historic purposes to maintain an audio recording. The preservation of such recordings will be an infrequent event and the decision to preserve will be at the discretion of the Council/Committee.

7. The order of the business at a regular meeting of the Council shall be:
 - (a) The reading or circulation of a printed copy of minutes of the last regular meeting and of any special meeting held since such meeting;
 - (b) Motions to amend or confirm minutes;
 - (c) Motions by Councillors and notices of motions;
 - (d) Old business;
 - (e) The reading of memorials, petitions, correspondence and other papers and their references by the Chairperson to the appropriate committee without motion;
 - (f) Reading and discussion of reports of any select or standing committee;
 - (g) Questions by Councillors;
 - (h) Motions of reconsideration, if any;
 - (i) New business; and
 - (j) Accounts.
8.
 - (a) 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 Chairperson shall designate the order in which the same shall be taken up.
 - (b) After such a particular business for which notice was given is disposed of, Council may proceed to the consideration of any other business if all Councillors are present and unanimously consent to same.
9.
 - (a) No person other than a member of Council shall address Council or interfere with or interrupt the proceedings of Council without permission of the Council. Any person so addressing the Council or interfering with or interrupting the proceedings of the Council without such permission may be removed from the Council Chambers by the Clerk, a police constable or any other person so

authorized on the verbal order of the Mayor, the Deputy Mayor or presiding Councillor.

- (b) Upon receipt by the Clerk of a written application to address Council on a named subject or subjects, at least forty-eight (48) hours in advance of a scheduled meeting of Council, Council may by resolution grant permission to a person to address Council on any of the named subjects, provided that such person agrees:
 - (i) To restrict the address to the subject matters upon which Council granted permission; and
 - (ii) To limit such address to no longer than ten (10) minutes in total, unless Council otherwise agrees to waive such requirements.

Such permission by Council shall not be unreasonably withheld.

- 10. Every document intended to be submitted to the Council must be plainly printed or written and signed by at least one person.
- 11. It shall not be necessary to read, other than by title, any minutes, petition, memorial, or other paper when first submitted, or any report or other document of which a copy has been furnished to the Councillors at the time of the giving of the notice of meeting, unless the Chairperson directs, or not less than three Councillors request that it shall be read in full.
- 12. (a) The Town 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 Councillor at the time of the giving of the notice of meeting. The Council by a majority vote may at any time direct that any item of deferred business, except one where the consideration of which has been deferred to a specified time, may be taken up.
 - (b) A report will be provided to Council identifying actions taken as a result of a decision made at previous meetings of Council.
- 13. Any Councillor when about to speak shall address themselves to the Chairperson. They shall confine themselves to the questions under debate and avoid personalities and not refer to any member of the Council except in a respectful manner.
- 14. If two or more Councillors wish to speak at the same time, the Chairperson shall decide which shall be heard.
- 15. It is recommended that no Councillor shall speak longer than ten minutes at one time, or more than twice on any motion, and once on any amendment thereto, and any Councillor speaking after an amendment has been moved shall be deemed to be speaking to the amendment.

16. No Councillor shall interrupt any Councillor while speaking except to ask an explanation or ask leave to explain or to take a point of order.
17. The Chairperson may call any Councillor to order at any time and any Councillor may raise a point of order.
18. If a Councillor when speaking is called to order, they shall cease speaking and take direction from the Chairperson until the point is determined. Any Councillor may, with the permission of the Chairperson, have leave to explain, but any remarks so made shall be strictly confined to the explanation desired, and shall not be a controversial manner.
19. The Chairperson shall decide all points of order and shall, upon request of any Councillor, state their reasons for any such decision.
20. If any Councillor uses insulting or improper language to the Chairperson or any Councillor and refuses to apologize when so directed by the Chairperson, or willfully obstructs the conduct of business and refuses to desist when called upon so to do by the Chairperson, they may be ordered by the Chairperson to retire from the Council for that meeting, and if they refuse so to do, they may, on the order of the Chairperson, be removed from the meeting. Any Councillor so removed on making an apology to the Chairperson and to any member of the Council insulted by them, may, but a vote of Council, be permitted to resume their place.
21. An appeal shall lie to the Council from any decision of the Chairperson on a point of order, or ordering a Councillor to retire from the Council or from the meeting then in progress. Such appeal shall be submitted by the Town Clerk to the Council by the question: "Shall the decision by the Chair be sustained?" and shall be decided without debate. The Chairperson shall be guided on the point by the vote on such appeal and rule accordingly.
22. When any member of Council is speaking, no other member of the Council shall be allowed to speak or whisper so as to interrupt them unless it be to speak to a point of order, or to ask the Chair for leave to explain. Leave to explain shall only permit the explanation of an actual misunderstanding of language.
23. All members of Council shall be required to be familiar with and abide by the provisions of the Municipal Conflict of Interest Act, as amended.
24. When a question is regularly under debate, no other question or motion shall be entertained until it is decided, except if it is:
 - (a) A motion in amendment of the original motion;
 - (b) A motion to refer the question, including the motion and amendment, if on is moved, to any standing committee or a special committee;

- (c) A motion to defer the consideration of the question whether indefinitely or to some time named;
 - (d) A motion to close the debate at a special time;
 - (e) A motion that the question be now put; or
 - (f) A motion to adjourn.
25. When any one of the motions enumerated in the preceding section has been made as an amendment to the original motion, no other motion may be made as an amendment either to the original motion or to the amendment, except:
- (a) To refer to a board or committee;
 - (b) To defer the consideration thereof;
 - (c) To close the debate at a specified time;
 - (d) That the question be now put; or
 - (e) To adjourn.
26. 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 other Councillor who has not spoken on the question and claims a right to speak has been heard.
27. A motion that the question be now put, until it is decided, shall preclude all amendments 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.
28. A motion to adjourn shall always be in order and providing no motion to adjourn has been made within fifteen minutes previously thereto, unless other business in the meantime has been considered by the Council.
29. No Councillor shall leave the Council before the close of any meeting without permission of the Chairperson.
30. No question shall be debated or voted on unless a resolution or motion in respect thereto has been moved and seconded.

31. The Chairperson may require that any motion shall be reduced to writing and signed by the mover and seconder before debated.
32. Any Councillor may require the division of any question when, in the opinion of the Chairperson or on appeal, in the opinion of the Council the sense will admit of it.
33. No debate shall be allowed on any motion of adjournment or on a motion that the question be now put, or 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.
34. Before putting any question to vote, the Chairperson shall state the same clearly and ask the Council if it is ready for the question, provided that in any matter on which there has been no discussion the Chairperson may, if there is any objection to the resolution and if none is made, declare the motion carried.
35. Every question shall be decided by a vote of yeas and nays, and the Chairperson shall state whether in his opinion the motion has been carried or defeated, but any Councillor may call for names on the division, in which case the vote of each Councillor shall be taken and recorded in the minutes, and the question decided accordingly.
36. If the majority of Council present is of the opinion that any motion, of the moving of which notice has not been given, is of such a character or importance that discussion should not proceed without opportunity for further information or consideration, the Chairperson shall direct that consideration thereof be deferred until a subsequent meeting, in which case such motion shall operate as a notice of motion.
37. Subject to the provisions of the preceding section, any Councillor may at any time move that the order of business be suspended to permit them to introduce a motion, and the Council by a majority vote may grant such permission.
38. When a motion has been moved and seconded, it cannot be withdrawn, except by leave of the mover and seconder.
39. Any Councillor may have the motion under discussion read at any time during the debate on the same.
40. After the Chairperson has asked the Council if it is ready for the question and has begun to take the vote, no Councillor shall be permitted to speak while the vote is being taken.
41. (a) After a resolution or motion has been voted upon, any Councillor who voted thereon may at the same meeting as the resolution was voted on, give notice for reconsideration or rescission of the resolution for the next regular meeting of the Council.

- (b) After any resolution has been voted upon, any Councillor may, at any subsequent regular meeting of the Council, give notice for reconsideration or rescission of the resolution for the next regular meeting of the Council.
 - (c) If the Council refuses to reconsider or rescind the question, or if the Council agrees to reconsider or rescind the question and votes upon it, which motion for reconsideration or rescission must have the support of at least five of the seven Councillors, no other motion for reconsideration or rescission can be made within six months from the decision of Council, except with the unanimous consent of all Councillors present at a regular monthly meeting.
 - (d) When a motion for reconsideration or rescission comes up, the giver of the notice, or in his/her absence any other Councillor on his/her behalf, may briefly state his/her reasons for reconsideration or rescission, and if the motion is seconded, the same shall then be open for debate and voted upon in the usual manner.
42. For the purpose of eliciting information in respect to any matter relating to the business of the Town, any Councillor may, at the time appointed by the order of business, put any question to any official of the Town or Chairperson of any committee or board, but any such question shall be stated simply and concisely and shall be reduced to writing if the Chairperson so directs.
43. When the consideration of miscellaneous business is reached, the Chairperson shall have precedence in bringing before the Council such matters as the Chairperson deems expedient.
44. If any question arises not provided for by any of the foregoing rules, the same shall be decided according to the rules of procedure set forth by Robert's Rules of Order.
45. Any of the foregoing rules may be suspended in its operation by the unanimous consent of the Councillors present.
46. These rules shall apply to meetings of committees, boards, and commissions of the Town of Truro mutatis mutandis.
47. Adoption of this "Council Meetings Bylaw" hereby repeals the "Rules of Order by Council" Bylaw No. 4 of the Bylaws of the Town of Truro, Consolidated 1916.