

**CHAPTER 5
RULES GOVERNING THE TOWN
COUNCIL BY-LAW**

1.
 - 1) In all the proceedings of the Town Council of the Town of Bridgewater, 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) In this chapter, the word "Chair" shall mean the Mayor, or in his absence, or upon his vacating the Chair, it shall mean the Deputy Mayor, or in the absence of the Mayor and Deputy Mayor, or upon neither occupying the Chair, it shall mean the Councillor elected to preside as Chairman of the meeting.

OPENING PROCEDURES

2. As soon after the hour of meeting as there shall be a quorum (a majority of the members of the Council) present, the Mayor shall take the Chair and shall call the meeting to order.
 3. In case the Mayor does not attend within fifteen minutes after the time appointed, the Deputy Mayor shall call the meeting to order, and if a quorum is present, shall preside over the meeting, or until the arrival of the Mayor.
 4. In case neither the Mayor nor the 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 Chairman shall be chosen who shall preside over the meeting, or until the arrival of the Mayor or the Deputy Mayor.
 5. If there be no quorum present within one-half hour after the time appointed for the meeting, the Clerk shall enter a record of the members present, and a statement that no meeting was held on the then date, and the members shall disperse.
 6. Immediately after the Chair shall have taken his seat, the minutes of the preceding meeting shall be read by the Clerk, unless copies thereof have been circulated and given to the Mayor and Councillors by the Clerk, in order that any mistakes therein may be corrected. The minutes as read, or circulated, or alternatively, as read or circulated and corrected, shall be marked "Approved" and signed at once by the Chair presiding at the meeting at which such approval shall have been given.
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DUTIES OF MAYOR OR PRESIDING COUNCILLOR

7. The Chair shall preserve order and decorum and decide questions of order subject to an appeal to the Council, and in the absence of the Mayor, the Chair shall have the same authority while presiding at the meeting as the Mayor would have had, if present.
8. 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 he is able, the rule or authority applicable to the case.
9. If the Mayor desires to leave the Chair, for the purpose of taking part in debate or otherwise, he shall call the Deputy Mayor, or in his absence, any member of the Council, to fill his place until he resumes the Chair.

RULES OF CONDUCT AND DEBATE

10. Every member previous to speaking to any question or motion shall address himself to the Chair.
 11. When two or more members address the Chair, the Chair shall name the member who, in his opinion, first addressed him, but a motion may be made that any member who has spoken, "be now heard" or "do now speak".
 12. Every member, who shall be present in the Council Chambers when a question is put, shall vote thereon, unless the Council excuses him, or unless he be personally interested in the question, provided such interest is resolvable into a pecuniary profit, or is peculiar to that member and not in common with the interest at large, and in such case, he shall not be required to vote.
 13. When the Chair is putting the question, no member shall walk across or out of the room, or make any noise or disturbance, nor when any member is speaking shall any other member pass between him and the Chair or interrupt him except to raise a point of order.
 14. A member called to order from the Chair shall immediately cease speaking, but 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 stand.
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15. No member shall use offensive words in or against the Council or any member thereof; nor shall he speak beside the question in debate; nor shall he resist the rules of the Council or disobey the decision of the Chair, or of the Council on any question or order or practice or upon the interpretation of the rules of the Council, and in case any member shall so resist or disobey, he may be ordered by the Chair, by order or resolution of the Council, to leave his seat for that meeting, and in case of his refusing to do so, he may, on the order of the Mayor, be removed therefrom by the police, but in case of an apology being made by the offender, he may, by vote of the Council, be permitted forthwith to take his seat.
 16. 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.
 17. 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 misconceived, and in doing so, he is not to introduce new matters. A replay is allowed a member who has made a substantive motion to the Council, but not to any 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 a longer time than twenty minutes.
 18. Upon any division of the Council, the names of those who voted for and those who voted against the question, shall be entered upon the minutes, when any member shall call for the ayes and nays.
 19. 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 votes has been declared, but the decision of the Chair as to whether the question has been finally put shall be conclusive.
 20. Whenever the Chair is of the opinion that a motion is contrary to the rules and privileges of the Council, he shall apprise the members thereof immediately, without putting the question, and shall cite the rule or authority applicable to the case without argument or comment. There shall be an appeal from his decision to the Council. If there is no appeal from his decision, or if the Chair be sustained on appeal taken to the Council, the question shall be not put.
 21. It is the right of a member to rise and call another member to order. He must state the point of order clearly and it will be for the Chair to decide whether the point is well-taken.
 22. 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 his decision appealed against and add: "The question is now, shall the decision of the Chair stand as the judgment of the Council?"
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23. When any question of order or practice is raised, it must be decided before the question in discussion is proceeded with.
24. When any matter of privilege arises, it shall be immediately taken into consideration.
25. Every member shall be heard in his place touching any charge brought against him as Council, or on any motion by which his private interest may be affected, but shall withdraw before the Council proceeds to consider or decide upon any charge or motion.
26. The members of the Council shall not leave their places on adjournment until the Chair leaves the Chair.
27. No member shall leave the Council Chambers during transaction of business without the permission of the Chair.

MOTIONS IN GENERAL

28. All motions, save those numbered 1, 2, 3, 4 and 5 in Section 30, shall be in writing, if required by the Chair, the Clerk or any Councillor, and all motions shall be seconded before debated or put from the Chair.
29. A motion may be withdrawn, with the permission of the Council, at any time before decision or amendment.
30. 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 date or 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,

- 1) when a member is in possession of the floor.
 - 2) when the ayes and nays are being called.
 - 3) when the members are voting.
 - 4) when to adjourn was the last preceding motion, but it must be simply in the form, "that this Council do now adjourn", or that the "debate be adjourned", and the motion to adjourn the Council or the debate to a certain day, adding any expression of opinion or qualifications thereto, shall not come within the terms of this rule.
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31. 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.
32. Amendments shall be put in the reverse order to that in which they were moved. Every amendment submitted shall be produced in writing, if required by the Chair, the Clerk, or any Councillor, and shall be decided or withdrawn before the main question is put. Only one amendment shall be allowed to an amendment, and any amendment more than one must be to the main question.

RECONSIDERATION

- 33.
- 1) After the question has been decided either in the affirmative or negative, no discussion of the question shall be allowed unless a motion is made to reconsider the question.
 - a) At the same meeting by a majority of those present, if no member has left the meeting, or by a majority vote of the whole Council if any member has left, or
 - b) At the first regular meeting thereafter, by a majority vote of those present, if a notice of motion is given or by a majority vote of the whole Council, if notice of motion is not given, or
 - c) At the second regular meeting thereafter, or a later meeting, by a majority vote of the whole Council.
 - 2) Upon making the motion for reconsideration, the mover and seconder shall briefly state their reasons for reconsideration, and the motion shall be put without further debate, and if carried, the main question shall then be read and disposed of.
 - 3) If the motion to reconsider is not made at the time specified in a notice of reconsideration, if the Council refuses to reconsider, no other motion to reconsider or rescind can be made within one year, except by a 5/7 vote of the whole of the Council.
 - 4) If any questions where a notice of motion to reconsider is given by two Councillors, or action shall be taken by Council upon the main motion until such reconsideration is disposed of.
 - 5) No questions shall be reconsidered more than once a year.

GENERAL ORDER OF THE DAY

34. The following shall be the general order of the day, subject to suspension by Council at any meetings, as the exigencies of business may required:

- 1) At the meeting held on the second Monday (or on the day following of each month):
 - a) Consideration of minutes of the last regular meeting and any special meetings held since such meeting.
 - b) Approval and amendment of agenda.
 - c) Hearings, including rezoning and amendments to the Town Plan.
 - d) Delegations.
 - e) Correspondence and other original communications.
 - f) Receiving reports of any special or general committee, including ordering payment of accounts.
 - g) Report of Town officers.
 - h) Notices of motion.
 - i) Unfinished business.
 - j) New business and questions by members
 - 2) At the meeting normally held on the fourth Monday of each month:
 - a) Minutes of the last regular and any special meetings of Council subsequent thereto.
 - b) Hearings.
 - c) Delegations.
 - d) Opportunity for each Councillor to raise questions and make brief comments.
 - e) Business which is of an urgent nature.
 - f) Unfinished business.
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- g) New business.
35. No person not a member of the Council shall be heard without permission of the Council.
 36. No persons, except members or officers of the Council, shall be allowed within the Bar during the sitting of the Council, without the permission of the Mayor.
 37. In all unprovided cases in the proceedings of the Council, Bourinot's Rules of Order, revised by J. G. Dubroy, 2nd edition shall be followed.
 38. No standing order or rule concerning the meetings and government of the Council shall be suspended except by the unanimous vote of the members present.
 39. The former Chapter 5 of the by-laws of the Town is hereby repealed and this by-law substituted therefor.
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