

## TOWN OF BERWICK BYLAW

### **MEETINGS, MINUTES, ORDER OF BUSINESS**

- Meetings:      2.      There shall be a regular meeting of the Council held on the second Tuesday of every month at eight o'clock p.m. at the Council Chamber or at such other place as the Mayor or Council may decide.
3.      A meeting of the Council, duly called, shall stand adjourned until the next day, at the same place and hour (not being Sunday or a holiday, in which event it shall stand adjourned till the day following) if within one half hour from the time appointed a quorum shall not appear.
- Minutes:        4.      As soon as the chair is taken and the meeting opened, unless otherwise provided, the minutes of the previous meeting shall be read by the Clerk, if they have not been circularized, when any mistakes therein shall be corrected by the Council after which or in the event of no mistake being found they shall be approved, a copy of the same shall be entered in the minute book of the proceedings of the Council and shall be signed by the Mayor or presiding Councillor and the Clerk and such entry so made in the minute book shall be deemed to be the original minutes of the Council.
- Order of  
Business:      5.      Before it shall be competent for any Councillor to make a motion, the Mayor or presiding Councillor shall have the privilege of bringing such matters as he may have in charge or may deem expedient, before the Council, he shall have the same privilege at any time except when a question is actually under debate.
6.      The Town Clerk shall under the direction of the Mayor or presiding Councillor make out an arranged list of the business matters which it appears requisite to lay before the Council for their consideration. The list shall be termed the Order of the Day, a copy of which shall be laid before each member of the Council and before the Mayor or presiding Councillor.
7.      The following shall be the Order of the Day as nearly as may be subject however to alterations by the Council at any meeting as the exigencies of business may require:
1.              Call to order
  2.              Reading of minutes of previous meeting, unless otherwise provided
  3.              Business arising from minutes
  4.              Old business

5. Bills and accounts
6. Reports of committees etc.
7. Correspondence
8. New business
9. Announcements
10. Adjournment

Provided however that it shall be the privilege of the Mayor or presiding Councillor to take up any item of business out of its usual order or to bring before the Council any matter that he may have in charge or deem expedient, or otherwise to alter the order of business except when any question is actually under discussion.

8. A motion must be seconded and afterward repeated from the chair or read aloud before it is debated. It shall be reduced to writing if the Mayor or any Councillor requires it.
9. A motion or resolution moved and seconded may be withdrawn by the mover with the leave of the seconder before it is debated, but after it is debated it can be withdrawn only by leave of the Council.
10. All questions shall be decided by a majority of votes. In case of equality the Mayor or presiding Councillor shall have a casting vote but shall not otherwise vote.
11. The Mayor or presiding Councillor shall preserve order and decorum and shall decide all points of order subject to an appeal to the council by any two Councillors. His decision on points of order shall not be debatable, unless entertaining doubts upon the subject he invites discussion. He may speak to points of order in preference to Councillors. When an appeal is made from his decision he shall put the question: "Shall the decision of the chair be sustained?".
12. It shall be the duty and the privilege of any Councillor to appeal to the Mayor or presiding Councillor for order whenever a member violates any established regulation or rule of order.
13. Every member who speaks in Council shall address the Mayor or presiding Councillor.
14. No member shall speak more than twice on the same question and no longer than seven minutes on each such occasion, unless by special leave of the Council. A member however who has spoken to the question may speak again once more upon every distinct amendment proposed to the original question. A member who introduces a resolution or motion, being

the original resolution or motion, shall have the privilege of closing the debate.

15. If objected to by the Mayor or a Councillor no resolution shall be discussed and voted on at the same sitting in which it is moved unless the Council shall be a two-thirds vote determine it expedient so to do or unless notice thereof was given at a previous meeting.
16. When a question is regularly under debate no other question or motion shall be entertained until it is decided unless it be:
  1. A motion in amendment of the original.
  2. A motion to refer the question to a committee.
  3. A motion to postpone the question to some future day or time, to be named.
  4. A motion to postpone the question indefinitely.
  5. A motion that the question be put now.
  6. A motion to adjourn.
17. After the vote has taken place upon a question or resolution any member may call for the names of the yes and no votes and may have the same recorded.
18. No debate shall be allowed on any motion of adjournment.
19. Every member shall confine himself to the question under discussion and shall abstain from all personal reflections and irritating language.
20. While any Councillor is speaking no other member of the Council shall be allowed to speak or whisper so as to interrupt him unless it be to speak to order or to ask the chair for leave to explain. Leave to explain shall only permit the explanation on an actual misunderstanding of language.
21. Every member present when a vote is taken shall vote upon it unless excused by the Council upon good grounds stated.
22. No member shall leave the room during the transaction of business without the permission of the Mayor or the presiding Councillor.
23. Any member called to order by the chair shall do so at once but may b leave of the chair afterwards explain.
24. If two or more members begin to speak at the same time the Mayor or the presiding Councillor shall name the member who in his opinion first began to speak and that member shall have the right to speak first unless

on motion duly moved and seconded and passed without debate the Council shall decide that another member be heard first.

25. Any member of Council offending against any of the foregoing rules or refusing or neglecting to obey the orders of the Mayor or the presiding Councillor when called to order, may be censured by the Mayor or presiding Councillor, and until the censure is removed shall not attempt to speak or vote in Council or in any way interrupt the meeting. If he does so he may be removed from the Council room by any policeman or constable or any other person on the verbal order of the Mayor or the presiding Councillor and kept excluded therefrom until he apologizes and the censure is removed. The Mayor or the presiding Councillor may remove the censure. In case he refuses so to do, the censure may be removed by a two-thirds vote of the Council.
26. After any question has been decided either in the affirmative or negative any member of the Council may, after the decision has been announced from the chair and at the same session, give notice that he will move a reconsideration thereof at the next session of the Council. No discussion of the matter to be reconsidered shall be allowed on the giving of notice of motion to reconsider. No question shall be reconsidered more than once nor shall a vote on a motion to reconsider be reconsidered. Unless by unanimous consent of the Council no matter shall be reconsidered except as herein provided. No such notice of reconsideration shall have the effect of delaying or impeding the action necessary to give effect to any resolution unless the Council shall by majority vote otherwise order.
27. All meetings of the Council shall stand adjourned at eleven o'clock p.m. unless the Council by unanimous consent shall agree to sit later than eleven o'clock p.m. at any meeting thereof.
28. In all cases not provided for in these rules of order the laws or rules of Parliament shall govern proceedings of the Council.
29. No person except members of the Council, the Town Solicitor and the Clerk or Deputy Clerk or Stenographer appointed by the Council shall come or be within the bar during the sitting of the Council without permission of the Mayor or of the presiding Councillor.
30. No person except members of the Council shall address the Council or interfere with or interrupt the proceedings of the 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 Room by any policeman or constable or any other person on the verbal order of the

Mayor or of the presiding Councillor and kept excluded therefrom until the Council meeting adjourns.

History of this Bylaw:

Enacted - July 9, 1963

Repealed - January 11, 2000