

Council Procedural Policy

Date adopted by Council: September 24, 2024



POLICY STATEMENT

The Town of Lunenburg is committed to ensuring that all Council and Committee meetings are conducted consistently, transparently, and in full compliance with legislative requirements. This policy supports orderly and effective decision-making processes that uphold the Town’s governance standards.

POLICY PURPOSE

The purpose of this policy is to establish a clear and structured framework for conducting Council and Committee meetings.

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PART 1: DEFINITIONS

“Additional Meeting” refers to a meeting scheduled to address regular business that could not be completed during a regular meeting, often due to the need for more discussion or a full agenda. It can also be used for detailed presentations, such as budget reviews or public consultations on significant projects.

“Agenda List” refers to the structured order of items to be addressed during a Council or Committee meeting, as outlined in Schedule A of this policy.

“Closed Session” refers to a private portion of a Council or Committee meeting where confidential matters are discussed, as permitted by the Municipal Government Act.

“Committee of the Whole” refers to a meeting format where all Council Members convene for informal discussion on various topics.

“Council Committees” refer to the Town of Lunenburg’s internal advisory committees of Council.

“Emergency Meetings” are for urgent situations requiring immediate decisions to protect public safety, respond to a crisis, or prevent serious harm to the community.

“Friendly amendment” is a minor change or adjustment to the wording of a motion proposed during a meeting and accepted by the original mover without requiring a formal vote. This type of amendment is typically made with the general consent of the Council and does not alter the intent or substance of the motion.

“Leave of Council” refers to the permission granted by a majority of Council Members to allow an action that would otherwise not be permitted under standard procedures.

“Main Motion” is the primary proposal presented by a Council Member during a meeting to bring a specific issue, policy, or action to the floor for discussion and decision. A Main Motion introduces a topic for consideration, unlike a Secondary Motion, which addresses procedural aspects or modifies the handling of the Main Motion.

“Meeting Calendar” refers to the official schedule that outlines the dates, times, and locations of all regular Council meetings.

“Municipal Clerk” is the Town of Lunenburg staff person designated by the CAO to fulfill the duties and responsibilities of the clerk as outlined in the Municipal Government Act.

“Non-binding Motion” is a motion that allows Council to express an opinion or position on an issue without creating a legal obligation. These motions often direct staff to bring back a report or provide further information, but they do not require immediate action.

“Notice of Motion” refers to an advance notice given by a Council Member to introduce a motion at a future meeting.

“Point of Order” is a motion raised by a Council member to call attention to violating the rules or procedures governing the meeting.

“Point of Personal Privilege” is a motion raised by a Council member to address an issue that affects their rights, comfort, or integrity during the meeting. This could involve physical environment (e.g., temperature, noise), personal safety, or correcting a misrepresentation.

“Public Hearing” refers to a formal process held during a regular or special Council meeting where Council considers public input on specific matters, such as proposed bylaws or other significant issues.

“Procedural Motion” refers to a motion that deals with the organization and management of the meeting rather than the substantive issues being debated. It is typically used to control the meeting’s process, such as determining the order of business, ending debate, or postponing a discussion.

“Reconsider” refers to a motion to bring a previously approved or defeated motion back to Council for a new debate and vote.

“Recorder” is the individual designated to document the attendance and proceedings of a meeting.

“Refer” refers to a motion to direct a matter to a committee, staff, or another body for further consideration or action, with the expectation that it will return to Council with additional input or recommendations.

“Regular Council Meetings” are scheduled, recurring meetings where Council conducts routine business, discusses agenda items, and makes decisions. These meetings are open to the public and are scheduled as part of the Council's meeting calendar per the Organizational Meeting.

“Rescind” refers to a motion to nullify a previously adopted motion, effectively reversing a prior decision.

“Secondary Motion” refers to a procedural motion related to the handling of the main motion or meeting conduct, such as amendments or points of order.

“Special Meeting” refers to a meeting called to address urgent, time-sensitive, or specific issues requiring immediate attention and that cannot wait until the next regular meeting.

“Urgent matters” are issues that require immediate attention or action by the Council and cannot be reasonably deferred to a future meeting without causing significant harm or delay to the Town’s operations, legal standing, or public safety.

“Waiver of Notice” refers to a motion that allows an item to be considered at the current meeting without prior notice, requiring a majority vote, except for policies or bylaws.

PART 2: APPLICATION AND INTERPRETATION

This policy applies to all meetings of Council, Committee of the Whole and Council Committees.

If the Municipal Government Act or this policy does not cover a matter or definition, Council will refer to *Robert’s Rules of Order Newly Revised*.

The rules for Council procedures are prioritized as follows:

- a) The Municipal Government Act;
- b) Other provincial legislation;
- c) This policy;
- d) *Robert’s Rules of Order Newly Revised*.

2.2 Compliance with the Municipal Government Act

Council will comply with all provisions of the Municipal Government Act. If any part of this policy contradicts the Act, the Act will take precedence.

2.3 Suspension of Rules

Council may temporarily suspend any part of this policy for a specific meeting if all Council members unanimously agree. However, rules required by the Municipal Government Act or other provincial legislation cannot be suspended. Before any suspension, Council will consult with the Municipal Clerk to confirm that the proposed suspension adheres to all legislative requirements.

PART 3: ORGANIZATION OF COUNCIL

3.1 Organizational Meetings

Council will hold an Organizational Meeting each October. In an election year, this meeting will held in November.

At this meeting, Council will:

- Establish the position and term or schedule of the Deputy Mayor.
- Set the dates, times, and locations for regular Council Meetings.
- Appoint Council members to Council Committees and representatives to inter-municipal and external boards and committees.
- Review its procedural policy, except at the organizational meeting following a regularly scheduled municipal election.
- Address any other business listed on the Organizational Meeting agenda.

3.2 Inaugural and Oath of Office Meeting

The first meeting following a regularly scheduled municipal election is called the Inaugural Meeting. The only matter of business at this meeting is for the Mayor and each Councillor to take the prescribed oath of office. This Inaugural Meeting may be combined with Council's swearing-in ceremony.

In the event of a special municipal election, the newly elected Mayor or Councillor must take the prescribed oath of office as the first order of business at the next Council meeting following the election.

PART 4: MEETINGS

Council will hold regular meetings on the dates established at the Organizational Meeting. A regular meeting scheduled on a statutory holiday will be rescheduled to the next business day.

The Mayor serves as the Chair of all Council meetings. If the Mayor is absent, the Deputy Mayor will assume the role of Chair. In the absence of both the Mayor and Deputy Mayor, the Councillors present will select one among them to chair the meeting before the start of the meeting.

Unless otherwise approved by Council, all Council meetings, public hearings, Council committee meetings, and Committee of the Whole meetings will be held in Council Chambers at the Town Hall for the Town of Lunenburg.

Council and Committee meeting dates, along with any changes, must be coordinated with the input of the Municipal Clerk to avoid conflicts and ensure proper public notification.

The Chair may cancel a scheduled meeting, in consultation with the Municipal Clerk, if the deadline for agenda submissions has passed and there is no time-sensitive business to address.

4.2 Additional Meetings

Council may schedule additional meetings beyond regular meetings when there is a need for more discussion on specific issues that cannot be accommodated within the regular meeting schedule. These additional meetings are not as urgent as special meetings but are necessary when the volume of regularly scheduled business exceeds the time available during regular Council meetings.

To formally arrange an additional meeting, a Council member should make a procedural motion during a regular meeting, proposing the specific date, time, and purpose of the additional meeting. Once the motion is seconded and approved by the majority, the Municipal Clerk will update the meeting schedule and ensure proper public notification is provided.

If it is not possible to arrange an additional meeting during a regular Council meeting, all Council Members may be polled by phone or email to reach a consensus on the date and time. Once agreed upon, the Municipal Clerk will update the schedule and notify the public accordingly.

4.3 Special Meetings

A special Council meeting is a meeting outside the regular meeting schedule to address urgent or specific matters requiring the Council's immediate attention. Special meetings can be called under the following circumstances:

- **By the Mayor:** The Mayor, in consultation with the CAO and Municipal Clerk, may call a special Council meeting whenever necessary. This might occur when an urgent issue arises that cannot wait until the next regular meeting, such as a critical decision on a time-sensitive matter.
- **By request of Council Members:** If a majority of Council Members believe a special meeting is necessary, they can submit a written request to the Mayor, outlining the

specific purpose of the meeting. Upon receiving this request, the Mayor is required to call a special Council meeting within 14 days.

Special meetings are convened to address a specific issue or set of issues. The notice for the meeting must clearly describe the purpose to ensure that Council Members and the public are aware of the focus of the meeting.

Council Members must be notified at least three days before the special meeting. The Municipal Clerk must provide at least two days' public notice.

Only the issues specified in the notice of the special meeting can be discussed and decided upon. No new business may be introduced unless directly related to the purpose outlined in the meeting notice.

4.4 Providing Notice of Meetings

Council meetings listed on the adopted Meeting Calendar from the Organizational Meeting will be advertised on the Town's website. Additional notices will be posted on the Town's website and social media pages once the meeting agendas are published online five days in advance of the meeting.

For emergency meetings, the Mayor can call a meeting with whatever notice is possible.

4.5 Meeting Duration

Council and Committee meetings are limited to a maximum duration of three hours. If the meeting reaches this time limit and additional time is required to complete the agenda, a motion to extend the meeting must be made and approved by a majority of members present. This motion to extend is considered a secondary motion and must specify the additional time allotted for the meeting. If the motion to extend is not approved, the meeting will adjourn, and any remaining agenda items will be carried over to the next scheduled meeting.

4.6 Livestreaming and Recording of Council Meetings

All Council meetings held in Council Chambers will be livestreamed. These meetings will be broadcast to the public, and recordings will be available on the municipality's YouTube channel indefinitely.

If technical difficulties prevent the livestream from being enabled or if livestreaming is otherwise not possible, the meeting will continue as scheduled without interruption.

4.7 Quorum

A quorum is a majority of Council members, meaning more than 50% of all members must be present for the meeting to proceed.

If a quorum is present at the scheduled start time, the Chair will call the meeting to order.

If a quorum is not achieved within 15 minutes of the scheduled start time, the Recorder will record the names of those present, and the meeting will be adjourned and rescheduled.

If a quorum is lost during a meeting, the meeting will be recessed. The meeting will be considered adjourned if a quorum is not restored within 15 minutes.

4.8 Adjourning the Meeting

The Chair may adjourn the meeting without a motion if all scheduled business has been completed.

In cases where there is disagreement or where the meeting is being adjourned before all business is concluded, a motion to adjourn is required.

PART 5: COMMITTEE OF THE WHOLE

The Committee of the Whole includes all members of Council. It serves as a forum for in-depth discussion, question-asking, and detailed exploration of issues before making decisions at a regular Council meeting.

Council may appoint a Council Member or the Deputy Mayor to serve as the Chair of the Committee of the Whole. If no appointment is made, the Mayor will assume the role of Chair.

The Mayor, in consultation with the Municipal Clerk, may call a Committee of the Whole meeting as needed.

When staff identify items for consideration under the Committee of the Whole, in line with this policy, the topic will initially be presented as part of a regular Council agenda without a staff report. However, if staff deem it relevant, they may choose to prepare a report. During the regular meeting, staff will provide either a verbal update or present the report, explaining why the item is being proposed for discussion at a Committee of the Whole meeting. Council will then decide through a motion whether to refer the item to a Committee of the Whole meeting.

Council Members can also request that an item be referred to the Committee of the Whole during the "Council Reports" or "Items for Consideration at a Committee of the Whole" sections of a regular Council meeting.

Council may refer any item from a regular meeting to a Committee of the Whole for further discussion. The Committee of the Whole may consider a wide range of matters, including but not limited to:

- Operating and capital budgets
- Audit matters
- Development matters

- Strategic planning
- Legislative reform
- Policy and by-law formulation

The Committee of the Whole is limited to making two types of motions:

1. Referring matters back to a regular Council meeting for Council's consideration.
2. Directing staff to prepare reports for future consideration at a Council meeting or for further discussion at a Committee of the Whole meeting.

5.2 Process Committee of the Whole

During the Committee of the Whole meeting, Council Members can engage in open discussion without the formal structure of a regular Council meeting. Members can ask questions, raise concerns, and thoroughly discuss the details of each agenda item.

No binding decisions are made during a Committee of the Whole meeting. The primary goal is to explore the issues fully and gather information that will inform later decisions at a regular Council meeting.

Council Members are encouraged to speak multiple times during the discussion, provided all Members have had an opportunity to contribute.

The Chair is responsible for:

- Ensuring that all Members have an equal opportunity to speak.
- Making sure that Members take turns speaking and that the conversation flows in an organized manner.
- The Chair may also participate in the discussion and ask questions without relinquishing chairing duties.

Once the discussion is complete, the Committee of the Whole can refer items back to a regular Council meeting for a formal decision. This referral is done through a motion outlining the recommendations or next steps.

PART 6: CLOSED SESSIONS

All Council and Council Committee meetings must be open to the public. However, a portion of a meeting may be closed to the public when necessary, but only to discuss matters that fall under the exceptions to disclosure outlined in the Municipal Government Act.

Before entering a closed session, Council or the Committee must pass a motion during the public meeting. This motion must cite the specific sections of the Municipal Government Act that justify the closed session.

Staff, legal counsel, and hired contractors or consultants may attend a closed session if their involvement is relevant without needing a formal invitation. Council or the Committee may allow other third parties to attend if their presence relates to the discussion, but this must be approved by a vote during a closed session before the invitation is sent.

Remote participation in closed sessions must comply with the rules outlined in this policy's "Participation from Remote Locations" section.

In consultation with the CAO and/or at the request of Council, the Municipal Clerk or their designate may prepare agenda packages and keep notes of discussions during closed sessions to assist Council in their deliberations. These notes should capture key discussion points, decisions, and any actions that need to be taken, ensuring that Council Members clearly understand the matters discussed. However, formal agenda packages and the adoption of formal minutes are not required for closed sessions.

Except when done by the Municipal Clerk or their designate for note-taking or record retention purposes, sharing, copying, printing, photographing, saving, or otherwise recording closed session information is strictly prohibited.

6.2 Decision-Making in Closed Sessions

In accordance with the Municipal Government Act, Council and Committees must not make binding decisions during closed sessions. The only motions that can be made in a closed session are:

- A motion to revert back to public session,
- A motion to extend the meeting when required,
- A motion to direct staff for further investigation or preparation of a report.

Within a closed session, Council can also direct staff to take specific actions such as:

- Gather additional information or data on a topic discussed.
- Conduct further research or analysis.
- Prepare a draft policy or bylaw for future consideration.
- Consult with external experts or legal counsel.
- Develop potential options or recommendations for Council's review.
- Negotiate contracts.

6.3 Making Motions Following a Closed Session

Council should only make motions after reverting back to a public meeting if there isn't enough time to include the matter in a staff report for the next regular Council meeting. The preferred approach is to bring the issue back to a regular Council meeting with a staff report, ensuring transparency and giving the public notice of potential decisions.

Motions made immediately following a closed session should only occur if immediate action is required and cannot be delayed until the next regular meeting.

PART 7: PUBLIC HEARINGS

Public Hearings will comply with all requirements outlined in the Municipal Government Act. In addition to these mandated requirements, Council will hold public hearings for any new bylaws or amendments to existing bylaws.

Beyond legislative obligations, Council may also choose to hold public hearings for other significant matters through a motion of Council.

Public hearings must be conducted during a regular, additional or special Council meeting.

During a public hearing, Council:

- Must hear from anyone who claims to be affected by the proposed bylaw, amendment, or matter and who has adhered to the participation procedures established by Council.
- May also hear from others who wish to speak at Council's discretion.

The public hearing for any proposed bylaw, amendment or matter must occur before the second reading of the bylaw or before Council makes a decision on the matter for which the public hearing is being held.

7.2 Procedures for Public Hearings

1. The Chair opens the public hearing.
2. Staff introduces the bylaw, amendment, or matter under consideration.
3. If an applicant is involved and has coordinated with staff, they may present together. If not, the applicant may present independently for up to 10 minutes following staff's introduction.
4. Council may ask questions of both staff and the applicant, if applicable.
5. The Chair invites members of the public to speak on the bylaw, amendment or matter.
6. Each speaker has five minutes to present.
7. No presentation should exceed the allotted time unless:

- The Chair extends the time at their discretion.
 - Council votes by resolution to extend the time.
8. If requested by a Council Member, a vote may be held to approve any extension granted by the Chair.
 9. Council may ask questions of public speakers.
 10. Council may ask additional questions of staff based on the public's input.
 11. The Chair closes the public hearing.

If multiple public hearings are on the agenda, the Chair must close one hearing before opening the next.

All matters related to the same topic can be addressed in a single public hearing.

Once a public hearing is officially closed, Council will not accept any further public submissions or comments specifically regarding passing a bylaw, passing a bylaw amendment, or the specific motion related to the item for which the public hearing was held. However, the public may still provide input or request amendments to the bylaw or related issues after it has been passed or provide input on related matters if the item has been defeated.

Council will only accept additional public submissions under the following exceptional circumstances related to the specific item for which the public hearing was held:

- **New Information:** If significant new information, unavailable during the original public hearing, comes to light and could materially impact Council's decision, Council may, by majority vote, choose to schedule a new public hearing to allow for further public input.
- **Legal Requirements:** If legal advice or a court ruling requires further public consultation on the matter, Council will schedule a new public hearing to comply with such directives.
- **Council Motion:** If, by a majority vote, Council determines that further public input is necessary to make an informed decision, they may resolve to schedule a new public hearing at a future meeting.

In all cases where Council decides to allow further public input, a new public hearing will be scheduled. Appropriate notice must be provided to the public, and the same procedures for public participation will apply.

7.3 Voting After a Public Hearing

Members who were absent for the entire public hearing are not allowed to vote on the matter.

Members who missed part of the public h may choose to abstain from voting.

PART 8: BYLAWS

All proposed bylaws must have a clear title that reflects their purpose.

Council Members must be given the opportunity to review the entire proposed bylaw before any meeting where the first or second reading is being considered.

8.2 Bylaw Readings

Before the first reading, Council may debate the content of the proposed bylaw.

A proposed bylaw is formally introduced at a Council meeting through a motion for the first reading.

After the first reading, any Council Member may move for the second reading, following the requirements of the Municipal Government Act.

A bylaw is passed after it receives two distinct and separate readings at two separate meetings, per the Municipal Government Act.

8.3 Amendments to a Proposed Bylaw

After the first reading and before the second (final) reading, Council can propose and consider amendments to the bylaw.

Once all amendments are addressed, Council will vote on the second (final) reading of the amended bylaw.

After a bylaw is passed in the second reading, it can only be changed or repealed by another bylaw or bylaw amendment that follows the same process.

8.4 Bylaw Readings and Rescission

If the second reading of a proposed bylaw fails, the first reading is automatically nullified.

If a proposed bylaw does not receive a second reading within two years of the first reading, the first reading is nullified, and the bylaw is considered abandoned.

The failure of a proposed bylaw does not prevent a new bylaw with similar terms from being introduced in the future.

PART 9: POLICIES

As required by the Municipal Government Act, all policies must be presented to Council for notice before adoption. Council may give notice of a policy and simultaneously direct staff to incorporate suggested amendments without delaying the notice. The policy, including any amendments, will then be brought back for a final decision at a future Council meeting.

9.2 Significant Amendments to Proposed Policies

If the proposed amendments significantly alter the original intent or core provisions of the policy, such as changes to the policy's objectives, scope, or fundamental principles, the revised policy must be brought back to Council for a new notice period before it can proceed to final adoption.

9.3 Policy Adoption Process

A policy is adopted after it receives Council approval following the notice period. Once adopted, the policy becomes effective immediately unless otherwise specified within the policy itself.

9.4 Policy Abandonment

If a proposed policy is not adopted within two years of the notice being given, the notice is considered abandoned and nullified. However, the abandonment of the policy does not prevent a new policy with similar terms from being introduced in the future.

9.5 Rescinding or Amending Adopted Policies

Once a policy is adopted, it can only be changed or repealed through a Council motion. Any proposal to rescind or amend an existing policy must follow the same notice and adoption procedures outlined in this section.

PART 10: AGENDAS & MINUTES

Items on Council agendas must follow the Agenda List outlined in Schedule "A" of this policy. Council can change the established standing agenda items through a motion without requiring an amendment to this policy. The Municipal Clerk may make occasional adjustments to the Agenda List to accommodate non-standard items that may arise.

The CAO, in consultation with the Municipal Clerk, will determine agenda items based on the following:

- Directions provided during Council meetings.
- Agenda item requests submitted in accordance with Council's policies and bylaws.
- Operational needs identified by staff.
- Any relevant legislative requirements that need to be addressed.
- Notices of motions and requests received from Council members.

The Mayor in collaboration with the CAO and the Municipal Clerk, may adjust the draft agenda before it is finalized, guided by the following considerations:

- Legal or Legislative Concerns: Items that may present legal issues or do not comply with legislative requirements can be removed after consulting with legal counsel or relevant authorities.

- **Redundant Items:** Items that have already been addressed or are repetitive may be removed.
- **Operational Necessity:** Items may be deferred if they require additional information or preparation. This decision will be made in consultation with the CAO and the Municipal Clerk, with a plan for when the item will be presented to Council.
- **Political Sensitivity:** If an item is considered politically sensitive under these conditions, the Mayor and/or Deputy Mayor may suggest deferring it. This decision must be made in consultation with other Council Members to ensure consensus and a timeline or conditions for reintroducing the item must be established at the time of deferral.

Political sensitivity refers to situations where discussing or making decisions on an item at a given time could cause significant controversy, divisiveness, or public unrest or where external factors (such as pending legislation, elections, or ongoing negotiations) could affect the Council's ability to make an informed decision. Examples of politically sensitive items include:

- Issues likely to polarize public opinion or create heightened tension within the community.
 - Items related to legal matters, negotiations, or governmental actions that are not yet finalized.
 - Topics that could be significantly impacted by upcoming elections or major political events.
 - Decisions requiring more public consultation or stakeholder engagement.
- **Extensive Meeting Agenda:** If the draft agenda is particularly lengthy and some items are not urgent, they may be deferred to a future meeting. This decision will be made in consultation with the CAO and the Municipal Clerk, and a plan will be established for when these items will be presented to Council.

In all cases, if an item from the draft agenda is removed, the proposed item and why it was removed must be shared with all Council Members.

An agenda is considered finalized once the Mayor and Deputy Mayor have reviewed the draft agenda. This finalization must occur at least six days before the scheduled meeting to ensure that Council Members receive their agenda at least six days in advance.

At all stages of the agenda review and adjustment process, the Deputy Mayor will be consulted to assist in finalizing the agenda. If the Deputy Mayor is unavailable or cannot be reached in time to finalize the agenda, the Mayor will proceed with finalizing the agenda alone. Alternatively, if the Mayor is unavailable, the responsibility to finalize the agenda will fall solely to the Deputy Mayor.

10.2 Agenda Submission Deadlines

Council Members can submit a notice of motion or request to add a discussion item to the agenda by contacting the Municipal Clerk at least eight days before the agenda is finalized. These submissions are limited to notices of motion or discussion topics. Any requested agenda item requiring a staff report must be directed by Council through a motion.

When a Council Member submits a notice of motion, the Municipal Clerk will ensure the motion is clear, properly formatted, and meets procedural requirements.

If the agenda submission deadline falls on a statutory holiday, it will be extended to the next business day.

10.3 Motion Action List

The Motion Action List is included in every regular agenda package and tracks motions passed by Council that need follow-up. It provides the status and updates on each motion to ensure accountability and transparency. This list helps prevent motions from being overlooked, keeping Council and Staff informed of ongoing and pending actions.

10.4 Provision of Agendas

The Municipal Clerk or their designate will send Council agendas to Members electronically at least six days before a meeting. Twenty-four hours after Council receives the agenda, it will be published on the Town's website and shared on social media for public access.

10.5 Confirming the Agenda Order / Changes to a Finalized Agenda

Once the agenda has been finalized and distributed to Council, it cannot be changed prior to the meeting. Any amendments to the agenda must be proposed and approved by a majority vote during the agenda approval process at the start of the Council meeting.

10.6 Additions and Deletions to Agenda

Additions to the agenda at the start of a Council or Council Committee meeting should be minimized and reserved for urgent matters. An urgent matter is defined as an issue requiring immediate action or attention that cannot be reasonably deferred to a future meeting without risking significant harm or delay to the Town's operations, legal standing, or public safety.

A Council Member may propose a motion to add urgent business to the agenda at the start of the meeting, either during the additions and deletions section or through the agenda approval process. However, the item can only be added if a majority of Council votes in favour. The Chair will consult with the CAO or lead committee staff to determine if the item qualifies as urgent.

If time permits, and the Council Member becomes aware of the urgent matter after the agenda has been finalized and published but in advance of a Council meeting, they should submit the proposed urgent matter to the CAO and Municipal Clerk. The CAO and Municipal Clerk will make

every effort to distribute any related materials before the meeting; however, the finalized and published agenda will not be altered.

If Council plans to make a decision on an item added at the start of the meeting, it must first pass a motion to waive the notice of motion requirement. The Council Member proposing the waiver must clearly explain the reason for urgency, and the waiver must be approved by a majority vote of Council before the item can be discussed.

At the start of the meeting, before approving the agenda, Council may also make a motion to remove any agenda items by a majority vote.

10.7 Process for Addressing Agenda Items

The process for addressing each agenda item where a motion is recommended will be as follows:

1. Introduction/Presentation by Staff or Council Member: If an item was requested by a Council Member, that Member will introduce or present the item.
2. Questions from Council Members to Staff or Council Member (when applicable)
3. Informal Discussion among Members
4. Formal Motion
5. Formal Discussion/Debate
6. Vote

For information reports, requests for direction, or other reports where a motion may not be recommended, this process will be followed as closely as appropriate, except the steps for a formal motion and vote, which may not apply.

10.8 Minutes

The Municipal Clerk is the official record keeper responsible for verifying and maintaining the minutes of all Council meetings. In consultation with the CAO, other staff may be assigned to record minutes.

Minutes will be taken for all Council and Committee meetings, documenting all resolutions, decisions, and proceedings. Meeting minutes will include:

- The type, place, date, and time of the meeting.
- The names of all Council members, staff, and presenters in attendance.
- The times of any late arrivals or early departures of voting Members.
- The substantive decisions made and actions taken.

- The results of votes on all motions, including the names of members voting in the minority.
- The times the meeting entered and exited a closed session.

The minutes of each Council meeting will be presented to Council for approval at the next regular meeting.

The draft minutes of each Committee meeting will be posted on the Town's website and circulated to all committee members within one week after the meeting. These minutes will then be presented for approval at the next committee meeting.

Minutes from Committee of the Whole meetings will be treated like regular Council minutes and presented to Council for approval at the next regular meeting.

PART 11: MOTIONS

11.1 Main Motions

Unless otherwise specified by this policy, or if a notice of motion has been waived, all main draft motions must be provided in writing to Council Members and the public as part of the meeting agenda. Non-binding or procedural motions do not require notice or a waiver of notice.

During the meeting, Council may modify the wording of a proposed motion through discussion and amendments. Even if the wording is changed from the original draft, notice of the decision is still considered to have been given, as Council and the public were informed that the matter would be debated and decided based on the agenda package.

The Municipal Clerk, at their discretion, may suggest administrative edits to motions and amendments. These edits:

1. Will not change the intention of the motion.
2. May include grammatical and typographical corrections.
3. Will maintain or clarify the original intent of the motion.
4. Can occur during or after the meeting. If after the meeting, these changes will be confirmed by Council through approval of the minutes at a subsequent meeting.

All draft motions presented to Council or Committees must be concise, clear, and thoughtfully consider any previously adopted directions to minimize potential conflicts. However, Council retains the authority to change or override past decisions through new motions, provided these overrides or changes adhere to the procedures outlined in the Motions Section of this policy.

11.2 If a Motion is Not Seconded

If a motion is not seconded after being moved by a Council Member, it will not proceed to the formal discussion/ debate process or a vote. The Chair will declare that the motion has failed due to the lack of a seconder, and the meeting will move on to the next agenda item. The motion is effectively dropped and will not be recorded as a formal motion in the minutes.

11.3 Friendly Amendments

Once the debate on a main motion has begun, the Council Member who moved the motion may, with general consent, make minor changes to its wording or agree to minor changes proposed by another Council Member. This is known as a "Friendly Amendment".

11.4 Amendments to a Motion

Any Council Member may propose an amendment to a motion that has already been moved, seconded, and is under debate. Unlike a "friendly amendment," which involves minor changes agreed upon by general consent, this type of amendment is used when the proposed changes are more substantial or when there is disagreement about the changes. An amendment to a motion requires both a mover and a seconder before it can proceed to debate and a vote.

The sequence for handling amendments is as follows:

1. **Move and Second the Amendment:** A Council Member proposes an amendment to the main motion under debate, and another Member seconds it to bring the amendment forward for discussion.
2. **Debate the Amendment:** The debate focuses solely on the specific changes proposed in the amendment. The original motion is not discussed until the amendment is resolved.
3. **Vote on the Amendment:** After the debate on the amendment, Council will vote on it. If the amendment passes, the original motion is modified to include the approved changes.
4. **Return to the Original Motion (As Amended):** Once the amendment is resolved, Council will resume debate on the original motion, now incorporating any approved amendments.
5. **Final Vote on the Main Motion:** After any further debate, if needed, Council will take a final vote on the main motion, as amended.

Only one amendment to the main motion may be considered and voted on at a time. Additional amendments can be proposed and will be handled in the same sequence after each previous amendment is resolved.

11.5 Withdrawal of a Motion

Once a motion has been moved and seconded, only the Council Member who moved it can withdraw the motion. The Council Member must request to withdraw the motion, and the withdrawal must be approved by either general consent or a majority vote of Council.

If no Council Member objects, the Chair may allow the motion to be withdrawn without a formal vote. However, if any Council Member objects, the Chair will call for a formal vote, requiring a majority to approve the withdrawal.

If the motion is withdrawn, it is no longer considered, and Council moves on to the next agenda item. If the withdrawal is not approved, the motion remains on the floor and will proceed to debate and a vote as originally proposed.

11.6 Stating the Motion

Before a vote, the Chair or the Municipal Clerk must restate the motion to ensure that all Council Members and the public fully understand what is being voted on.

11.7 Questions During Debate

Council Members may ask questions during the debate to clarify the motion or issues being discussed. All questions should be directed through the Chair and addressed to the appropriate person.

Staff should provide their best professional judgment on the issues. Council Members should avoid debating with staff or asking argumentative questions.

11.8 Secondary Motions

Secondary motions are used to manage the main motion or address the conduct of the meeting. They include:

- Subsidiary motions (such as amendments or referrals)
- Privileged motions (such as a point of personal privilege to address a Council member's rights, comfort, or integrity during the meeting)
- Incidental motions (such as points of order)

These motions take precedence over the main motion and must be resolved before the main motion can proceed. Secondary motions are introduced, debated, and voted on in the order they are raised, with the most recent motion being addressed first.

Unless specified otherwise in this policy, secondary motions do not require a notice of motion. They are made during the meeting to address immediate procedural needs and are handled as they arise.

Common secondary motions not covered in detail in this policy can be found in Appendix B, which serves as a guide for Council Members during meetings.

11.9 Motion to Reconsider an Approved or Defeated Motion

Council may make a motion to reconsider a previously approved or defeated motion under the following conditions:

- A motion to reconsider does not require prior notice. It can be introduced at the same meeting where the original motion was decided or at the next regular Council meeting.
- The motion to reconsider must be made by a Council Member who voted in favour of the original motion if it was approved or against it if it was defeated.
- A motion to reconsider requires a majority vote of the Council Members present to proceed.
- If the motion to reconsider is approved, the original motion is reopened for debate and may be amended, affirmed, rescinded, or re-voted.

A motion to reconsider cannot be applied to actions that have already been carried out due to the original motion or where legal or contractual obligations have been incurred.

11.10 Motion to Amend a Previously Adopted Motion

Council may amend a previously adopted motion under the following conditions:

- Any Council Member can propose a motion to amend a previously adopted motion. This allows the Council to modify, add to, or remove parts of the original motion.
- Unless the amendment is urgent, notice of intent to amend should be given in advance, following the standard notice of motion procedures.
- A motion to amend a previously adopted motion requires a majority vote of the Council Members present to proceed.
- If the motion to amend is approved, the debate will focus on the proposed changes, not on re-discussing the entire original motion.

An amendment cannot be used to reverse actions that have already been taken based on the original motion or where legal or contractual obligations have been incurred.

11.11 Motion to Rescind a Previously Adopted Motion

Council may consider rescinding a previously adopted motion under the following conditions:

- Any Council Member can propose a motion to rescind, allowing the Council to nullify a previously approved motion.

- Unless the matter is urgent, notice of intent to rescind should be given in advance, following the standard notice of motion procedures.
- A motion to rescind requires a majority vote of the Council Members present to proceed.
- If the motion to rescind is approved, the debate will center on whether to nullify the original motion, focusing on the reasons for and consequences of rescinding it.

A motion to rescind cannot be applied to actions that have already been carried out based on the original motion or where legal or contractual obligations have been incurred.

11.12 Chair's Ability to Make Motions

The Chair may make motions if they relinquish the chair to the Deputy Mayor. If the Deputy Mayor is unavailable, the Chair may appoint another Council Member to act as Chair while they make a motion.

11.13 Notice of Motion

A Council Member who wishes to introduce a motion must submit a notice of motion in writing to the Municipal Clerk at least eight days before the meeting they want the item to be discussed. If the notice is received within this timeframe, it will be included on the Council's agenda under the notice of motion section, with the requesting Councillor's name attached. Alternatively, the Member may present the notice of motion verbally during the notice of motion portion of a Council meeting. The Municipal Clerk will then add the motion to the agenda for the next meeting or whichever meeting the Council Member requests.

Staff will not prepare a report for a notice of motion. Work on the matter will begin only after Council has passed a motion approving the request.

11.14 Waiving a Notice of Motion

Council may waive the requirement for a notice of motion in certain circumstances, allowing an item to be considered at the current meeting without the usual advance notice. A majority vote of the Council Members present and voting is required for the waiver, except for Policy and Bylaw matters, which cannot be waived.

Conditions for Waiver:

- **Urgent Matters:** Council may vote to waive the notice of motion if a matter is deemed urgent and requires immediate action—defined as an issue that cannot reasonably be deferred without causing significant harm or delay to the Town's operations, legal standing, or public safety.
- **General Correspondence Requests:** If a request is made within general correspondence and no recommendation has been proposed by staff because it does not align with

existing policy, practice, or bylaw, Council may vote to waive the notice of motion requirement to consider the request at that meeting.

Before waiving a notice of motion, Council must confirm with the Municipal Clerk that doing so does not contravene any legislation or other Council policies.

PART 12: Debate and Speaking Procedures

12.1 Speaking limits

Council Members may speak for up to 10 minutes on any matter or motion under discussion, referred to as "the question." Each Council Member can only speak once on a question until all other Members who wish to speak have had their turn; after that, a second round of discussion may be permitted.

12.2 Rules of Debate

After staff present a report or information on a matter, the Chair will open the floor for Council Members to ask questions directly to staff. This is followed by an informal discussion among Council Members.

Once the informal discussion and questions have concluded, the Chair will request a formal motion from Council.

After a motion has been made and seconded, the Chair will open the floor for formal discussion and debate on the motion. Council Members may speak only after being recognized by the Chair, who will indicate when it is their turn.

When recognized, a Council Member must direct their questions or comments to the Chair and focus solely on the matter under consideration. The Chair will recognize Council Members in the order they indicate their desire to speak.

When a Council Member is speaking, others may not interrupt except to raise a point of personal privilege or point of order.

Any Council Member may request that the question or motion under discussion be read at any time during the debate, as long as it does not interrupt another speaker.

A Council Member may speak only once on a question until all other Members have had an opportunity to speak on the matter. The Chair will speak last, after all other Members have contributed or been given the opportunity to contribute.

A Council Member may speak to the same question or in reply for no longer than 10 minutes without Council's permission.

Council Members must limit their questions and comments to those directly related to the matter under discussion.

Once the Chair has called for a vote, no Council Member may speak on the question or make any other motion until after the vote is taken and the result is declared.

12.3 Points of Order and Points of Privilege (Secondary Motions)

A Council Member may raise a point of order, a secondary motion, during a meeting if they believe the rules of procedure are being violated. This must be done immediately after the perceived breach occurs.

A Council Member may also raise a point of privilege, another secondary motion, if they feel their rights, privileges, or integrity—or those of the Council as a whole—are being infringed upon. Points of privilege can include issues like the comfort of the meeting environment or a personal attack on a Member's character.

When raising a point of order or privilege, the Council Member must be recognized by the Chair and clearly state the issue.

The Chair must then immediately rule on the point of order or privilege. The Chair may uphold, dismiss, or take other appropriate action to address the issue.

If a Council Member disagrees with the Chair's ruling, they may appeal it. This appeal, also a secondary motion, must be seconded and will be put to a vote by the Council. The Council's decision on the appeal is final.

A point of order or privilege may interrupt a speaker, but it should not be used to engage in debate or unnecessarily delay the meeting. The Chair will ensure the meeting remains orderly and respectful.

PART 13: VOTING

Every voting Member present at a meeting of Council or a Council Committee must vote on every matter put to a vote unless a Member declares a Pecuniary Interest or abstains due to absence from a public hearing. If a Member refuses to vote for any other reason, their refusal will be recorded as a negative vote.

A motion will be carried out when a majority of Members at the meeting vote in favour of it.

If a motion cannot be voted on due to a loss of quorum, the matter will be postponed to the next meeting as unfinished business.

Voting Members must be present in their designated seat in Council Chambers or attending via remote access with their video turned on when the Chair calls for the vote to begin.

Voting Members must submit their vote verbally or by a show of hands at the call of the Chair.

The Chair must declare the result of the vote immediately after it is concluded.

13.2 Voting Results

If there is any doubt about the results of a vote, the Chair may immediately call for a revote to clarify the outcome. Additionally, the Recorder may request that the vote be clarified to ensure accurate recording.

A motion is declared defeated if it does not receive the required number of votes or if the vote is tied.

13.3 Division of a Motion

A Member may request, or the Chair may direct, that a motion be divided and voted on separately. This can only occur if each part of the divided motion is complete and independent, meaning it can be acted upon or decided without requiring the other parts to be valid or effective. Each divided portion must represent a distinct decision or action that does not depend on the approval or rejection of the other portions.

PART 14: DISCLOSURE OF PECUNIARY INTEREST

Each Council or Committee member is responsible for identifying and disclosing any Pecuniary Interest in any item or matter before the Council or Committee, as defined by the Municipal Conflict of Interest Act.

When a Member has a direct or indirect pecuniary interest in any matter under consideration at a Council or Committee meeting and is present at the meeting, they must:

- Disclose the interest and its general nature before any discussion begins.
- Leave their seat and sit in the gallery for the discussion on the matter.
- Not participate in the discussion or vote on the matter.
- Refrain from attempting to influence the voting on the matter before, during, or after the meeting.

If the meeting is not open to the public, the Member must leave the meeting during the discussion and comply with the other requirements listed above.

PART 15: ELECTRONIC MEETINGS AND VIRTUAL PARTICIPATION

15.1 Electronic meetings

Council and Council Committee meetings may be conducted entirely by electronic means under the following conditions:

- Electronic meetings may be conducted when in-person attendance is impractical or impossible due to circumstances such as emergencies, public health concerns, inclement weather, or other situations where physical presence would pose a risk.

- At least two days before the meeting, the public must be notified of how the meeting will be conducted and how to access it. This notice must include clear instructions on how to join the meeting electronically and any technical requirements needed.
- The electronic platform used for the meeting must allow the public to see and hear the meeting in real-time.
- The electronic platform must enable all meeting participants, including Council Members and staff, to see and hear each other throughout the meeting. This ensures effective communication and the smooth conduct of the meeting.
- All additional requirements established by relevant regulations must be adhered to, ensuring that electronic meetings are conducted legally and effectively.

The Mayor, or Deputy Mayor in their absence, has the authority to decide if a meeting will be conducted electronically, provided it aligns with this policy. The CAO and Municipal Clerk should be consulted ahead of this decision being made to address any logistical arrangements.

Solely electronic meetings will adhere to this policy for all other procedural rules.

15.2 Participation from Remote Locations

In-person attendance at Council and Council Committee meetings is required whenever possible. Council Members may not attend more than three consecutive meetings remotely unless they have received approval from Council.

Members participating in a meeting via remote access are considered present at the meeting.

Remote participation is allowed only under the following conditions:

- The Member is in a location outside of Lunenburg County.
- The Member is unable to attend in person due to illness, medical reasons, family medical matters, or obligations such as unforeseen travel or emergencies.

Any Member planning to attend a meeting via remote access must:

- Notify the Chair or Municipal Clerk in advance.
- Specify which meeting they will attend remotely.

When a Council Member participates remotely, all individuals present in Council Chambers must be able to see and hear the remote attendee clearly throughout the meeting. If a Member attending remotely is not visible and audible at the time of a vote, their vote will not be counted, and the minutes will reflect their non-participation in that vote.

Members may participate in closed sessions via remote access under the following conditions:

- The Member must be in a secure and private location.
- The Municipal Clerk or their designate will provide instructions and access links for remote participation. The Member must attempt to reconnect if the connection is lost during the meeting.

15.3 Technical Difficulties

If the connection for an electronic meeting is lost, a recess of up to 15 minutes will be called to allow time to restore the connection. If the connection cannot be re-established within this 15-minute period, the meeting will be adjourned, and any remaining business will be moved to a subsequent meeting.

If an individual participant experiences connection difficulties, they must make every effort to reconnect. If unable to reconnect, if possible, they should notify the Chair or relevant staff immediately. Unless Council decides to call a brief recess, the meeting will continue without the participant, and their absence will be noted in the minutes.

PART 16: ROLES AND CONDUCT

All Council Members, including the Mayor, Deputy Mayor, and other Members, are expected to fulfill their roles in accordance with this policy and adhere to any established Code of Conduct.

16.2 The Chair

The Mayor chairs Council meetings, ensuring they are conducted orderly and fairly.

The Chair is responsible for maintaining order, ruling on procedural questions, and ensuring that all Members who wish to speak have the opportunity to do so.

If the Chair wants to make a motion, they must temporarily relinquish chairing duties to the Deputy Mayor or another appointed Council Member for the discussion and decision on that motion.

The Chair will speak last in any debate after all other Council Members have had the opportunity to contribute.

16.3 The Deputy Mayor

The Deputy Mayor serves as Chair in the Mayor's absence, taking on all the responsibilities and duties of the Mayor during meetings.

If both the Mayor and Deputy Mayor are unavailable, the available Council Members will appoint a Councillor to act as Chair.

16.4 Council Members

Council Members must direct their questions and comments through the Chair and remain relevant to the topic under discussion.

A Council Member may speak only after being recognized by the Chair and must not interrupt another speaker except to raise a point of order or privilege.

16.5 Enforcement of Rules

The Chair is responsible for enforcing the rules of procedure during meetings. If a Member violates these rules, the Chair may interrupt the Member, explain the violation, and cite the relevant rule.

If the Member continues to breach the rules, the Chair may call a recess or invite a motion for the Member's removal from the meeting.

If a motion to remove a Member passes, the Chair will direct the Member to leave the meeting.

PART 17: ANNUAL REVIEW OF PROCEDURAL POLICY

This policy will be reviewed annually during the Organizational Meeting to ensure it remains current and effective. However, this review will not take place at the Organizational Meeting immediately following a regularly scheduled municipal election.

Appendix A: Agenda List Order

1. CALL TO ORDER
2. LAND ACKNOWLEDGEMENT
3. ADDITIONS/ DELETIONS TO AGENDA
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES
6. PRESENTATIONS
7. PUBLIC INPUT AND QUESTIONS – 20 MINUTES
8. CORRESPONDENCE FOR ACTION OR INFORMATION
9. PUBLIC HEARINGS, PUBLIC INFORMATION MEETINGS, AND APPEALS
10. BUSINESS ARISING AND UNFINISHED BUSINESS
11. NEW BUSINESS
12. NOTICES OF MOTION, INFORMATION REQUESTS, AND COUNCILLOR REPORTS
13. ITEMS FOR CONSIDERATION AT COMMITTEE OF THE WHOLE
14. MOTION ACTION LIST
15. CLOSED SESSION
16. ADJOURNMENT

Appendix B: Secondary Motions

Definitions

"Not debatable" refers to a type of motion that cannot be discussed or argued by the members of a meeting before a vote is taken. Once a "not debatable" motion is made, the meeting proceeds directly to a vote without any discussion on the motion itself. This is usually applied to procedural motions that need quick resolution.

"Chair Rules" refers to the authority of the meeting's Chairperson to make decisions or rulings on procedural matters during the meeting. These rulings may include decisions on points of order, procedural motions, or any other issue that requires interpretation of the rules of procedure. The Chair's ruling is typically final unless successfully appealed by Council Members.

"Majority against the ruling" means that more than half of the voting members must disagree with the Chair's decision in order to overturn it. If the majority votes against the ruling, the Chair's decision is overturned; if not, the ruling stands.

"Negative vote only" means that a motion can only be reconsidered or brought back for discussion if the vote on it was negative (i.e., the motion was originally defeated).

Motion	Function	Rules of Debate	Vote	Eligibility for Reconsideration
Lay on the Table or Set Aside Temporarily	To temporarily pause discussion on a pending main motion during the meeting.	Not debatable, Not amendable	Majority to pass	No
Previous Question (Close Debate)	To close debate and immediately vote on the motion.	Not debatable, Not amendable	Majority to pass	Only before the vote is taken. Once voting starts, it's too late to request to close the debate.
Limit/Extend Time for Debate	To set a time limit or extend the time limit for debate.	Not debatable, Amendable	Majority to pass	Yes

Postpone to a Certain Date/Time	To postpone consideration of a motion to a later date/time in the same or another meeting.	Debatable, Amendable	Majority to pass	Yes
Refer to Committee / Staff	To send the motion to a committee or staff further consideration.	Debatable, Amendable	Majority to pass	Yes
Amend	To change the wording of a motion before voting on it.	Debatable, Amendable	Majority to pass	Yes
Postpone Indefinitely	To effectively kill the main motion for the current Council Term.	Debatable Not amendable	Majority to pass	If the motion was passed originally, it can be brought back for reconsideration.
Amend/Rescind a Previous Decision	To amend or rescind a previous decision made by the Council.	Debatable, Amendable	Majority to pass	Yes
Question of Privilege	To address matters affecting the rights and privileges of the members.	Not debatable, Not amendable	Chair rules	No
Point of Order	To alert the Chair that a rule of procedure has been violated during the meeting, prompting the Chair to	Not debatable, Not amendable	Chair rules	No

	address and correct the breach.			
Appeal	To challenge a ruling made by the Chair.	Not debatable, Not amendable	Majority against the ruling	No
Divide a Motion	To divide a multi-part motion into separate motions.	Not debatable, Amendable	Majority to pass	No
Withdraw a Motion	To withdraw a motion from consideration.	Not debatable, Not amendable	Majority to pass	Negative vote only