

**ADMINISTRATIVE POLICY ONE**  
**THE PROCEDURES OF THE BOARD OF POLICE COMMISSIONERS**  
**ADMINISTRATIVE POLICY**

**December 13, 2023**

## TABLE OF CONTENTS

<u>ITEM</u>	<u>SECTION NUMBER</u>
<b><u>GENERAL</u></b>	
- Short Title .....	1
- Purposes .....	2
- Interpretation.....	3
- Rules Adopted and Suspended.....	4
- Amendment to Rules.....	5
- Interference with the Work of the Chief and Officer in Charge .....	6
<b><u>TYPES OF MEETINGS OF THE BOARD</u></b>	
- Regular Meeting of the Board.....	7
- Special Meeting of the Board .....	8
- Emergency Special Meeting of the Board.....	9
<b><u>AGENDA FOR MEETINGS OF THE BOARD</u></b>	
- Information Reports .....	10
- Agenda .....	11
- Agenda Item Respecting Staff.....	12
- Added Items to Agenda.....	13
- Late Additions to Agenda .....	14
- Items Added by Board .....	15
- Agenda Review .....	16, 17
- Cancellation of any Meeting of the Board .....	18
<b><u>INFORMATION PRIOR TO MEETING OF BOARD</u></b>	
- Agenda Package.....	19
- Information to be Provided to the Public.....	20
- Circulation of Late Reports.....	21, 22
<b><u>REQUIREMENTS FOR A MEETING OF THE BOARD</u></b>	
- Location of Meeting of the Board.....	23
- Duties of Presiding Officer.....	24
- Call to Order of Meeting .....	25
- Presiding Officer has Power of the Chair.....	26
- Seating of Commissioners .....	27
- Quorum for Meeting .....	28
- Person Within Bar of the Board .....	39
- Placing Items on Desks.....	30
- End of Meeting.....	31
- Extending Time of Meeting of the Board.....	32
<b><u>PROCEDURES DURING MEETING OF THE BOARD</u></b>	
- Order of Business .....	33, 34
- Order of Business at Special Meeting of the Board .....	35
- Land Acknowledgement Statement .....	36
- Special Announcement and Acknowledgements .....	37
- Minutes .....	38
- Consent Agenda .....	39

**TABLE OF CONTENTS**

<b><u>ITEM</u></b>	<b><u>SECTION NUMBER</u></b>
- Virtual Meetings and Virtual Participation Procedures .....	40
<b><u>PUBLIC INPUT</u></b>	
- Request for Presentation.....	41
- Presentations .....	42
- Presentations as Added Items .....	43
- Petitions and Communications .....	44
<b><u>MOTIONS</u></b>	
- Notice of Motion .....	45
- Waiver of Notice of Motion .....	46
- Motions that Do Require Notice of Motion .....	47
- Order of Consideration of Motions .....	48
<b><u>MOTIONS RECEIVED WHILE QUESTION UNDER CONSIDERATION</u></b>	
- Motion to Refer .....	49
- Motion to Amend.....	50
- Motion to Table .....	51
- Motion to Defer .....	52
- Motion to Adjourn.....	53
- Motion to Call for the Question .....	54
<b><u>OTHER MOTIONS</u></b>	
- Motion in Opposition to the Staff Recommendation .....	55
- Motion of Reconsideration.....	56
- Motion of Rescission .....	57
- Procedure for Motion of Rescission .....	58
<b><u>RULES FOR MOTIONS</u></b>	
- Notice and Order of Putting Questions in the Board .....	59
- Requirement for Secunder for Motion.....	60, 61
- Reading of Motion .....	62, 63, 64
- Motions Not Within Jurisdiction of the Board .....	65
- Motion Contrary to the Rules.....	66
- Determining Speaking Priority .....	67
- Presiding Officer Entering Into Debate .....	68
<b><u>DECORUM AT MEETING OF THE BOARD</u></b>	
- General Decorum.....	69
- Addressing the Presiding Officer when Speaking to Question or Motion.....	70
- No Interruptions .....	71
- Point of Order .....	72
- Commissioner Called to Order .....	73
- Personal Privilege .....	74
- Speaking to Question .....	75
- Decorum During Voting .....	76
- Questions to Presiding Officer .....	77
- Silence During Reading of Minutes .....	78

## TABLE OF CONTENTS

<u>ITEM</u>	<u>SECTION NUMBER</u>
<b><u>VOTING</u></b>	
- Commissioner To Be Seated During Vote .....	79
- Voting on A Motion Arising From An Added Item or A Presentation.....	80
- Separate of Proposition.....	81
- Method of Voting in Meetings.....	82, 83, 84
- Commissioner Required to Vote.....	85
- Result of Refusing to Vote.....	86
- Declaring Vote .....	87
- Disputing Declaration of Vote .....	88
<b><u>IN CAMERA (IN PRIVATE)</u></b>	
- In Camera (in Private) Meeting of the Board or Committee.....	89
- Agenda for In Camera (in Private) Meeting of the Board .....	90
- Agenda for In Camera (in Private) Meeting of Committee.....	91
- Moving In Camera (in private) .....	92
- In Camera Meetings (in Private) – Presence of Board Solicitor.....	93
- In Camera (in Private) Procedures .....	94
- Minutes of In Camera (in Private) Meeting .....	95
- Staff Reports and Details of Matters Discussed at In Camera (in Private)...	96
- Release of Confidential Information.....	97
- Public Access to an In Camera (in Private) Report .....	98, 99
<b><u>COMMITTEES</u></b>	
- Special Committee .....	100
<b><u>ROLES AND RESPONSIBILITIES OF ALL COMMITTEES</u></b>	
- Roles and Responsibilities of Committee .....	101, 102
<b><u>ELECTIONS AND APPOINTMENTS</u></b>	
- Motion for Procedure for An Appointment to Committee.....	103, 104
<b><u>SECRETARY FOR COMMITTEE</u></b>	
- Election of Presiding Officer of a Committee .....	105
- Vacating of Position on Committee.....	106
<b><u>MEETINGS OF COMMITTEE</u></b>	
- Committee Support .....	107, 108
- Special Meeting of a Committee.....	109
- Meetings of Committee Open to Public .....	110
- Chair as an Ex-Officio Member of Committee.....	111
- Attendance at Committee Meetings by Commissioners of the Board Not on Committee .....	112

**TABLE OF CONTENTS**

**ITEM**

**SECTION NUMBER**

- Order of Business at Committee ..... 113
- Public Submissions ..... 114
- Quorum of Committee..... 115
- Quorum Where Chair Ex Officio ..... 116

**TABLE OF CONTENTS**  
**FOR APPENDIXS**

<b><u>ITEM</u></b>	<b><u>PAGE NUMBER</u></b>
<b>APPENDIX A – VIRTUAL MEETING PROCEDURES .....</b>	<b>39</b>
<b>APPENDIX B – PUBLIC ENGAGEMENT .....</b>	<b>41</b>

**BOARD OF POLICE COMMISSIONERS FOR THE HALIFAX REGIONAL  
MUNICIPALITY**

**ADMINISTRATIVE POLICY ONE RESPECTING THE  
PROCEDURES OF THE BOARD OF POLICE  
COMMISSIONERS**

**WHEREAS** the Municipality having established the Halifax Regional Police Department has enacted By-law P-100, Respecting the Board of Police Commissioners for the Halifax Regional Municipality in accordance with s.44 of the *Police Act*, SNS 2004, c.31;

**AND WHEREAS** section 6 of By-law P-100 provides Regional Council's direction, in accordance with s.55(2)(b) of the *Police Act*, that:

6. (1) The Board shall conduct its business according to the procedure established by the Council for the conduct of its business subject to such modifications as may be required to fit the needs of the Board.

**BE IT RESOLVED AS AN ADMINISTRATIVE POLICY** of the Board of Police Commissioners for the Halifax Regional Municipality, as follows:

**Short Title**

1. This Administrative Policy may be cited as Administrative Policy Number One, the *Procedures of the Board of Police Commissioners Administrative Policy*.

**Purposes**

2. (1) The purposes of this Administrative Policy are

(a) to recognize the functions of the Board include providing good civilian governance on behalf of Council in relation to the enforcement of law, the maintenance of law and order and the prevention of crime in the municipality;

(b) to complement and supplement, and not to replace, the requirements contained in applicable provincial and municipal legislation;

(c) to provide notice to the Commissioners and the citizens respecting matters that will be considered by the Board; and

(d) to provide an open, respectful and orderly forum for public input, debate and decisions.

(2) In accordance with the purposes of subsection 1, the Board hereby adopts the rules of procedure to govern meetings of the Board and committees of the Board.

**Interpretation**

3. In this Administrative Policy,

(a) "Board" means the Board of Police Commissioners for the Halifax Regional

Municipality;

- (b) “CAO” means the Chief Administrative Officer of the Municipality;
- (c) “Chair” means the Chair of the Board;
- (d) “Chief of Police” means the Chief of Police of the Halifax Regional Police;
- (e) “Clerk” means the Clerk for the Municipality or delegate;
- (f) “CFO” means the Chief Financial Officer of the Municipality;
- (g) “Commissioner” means a member of the Halifax Regional Board of Police Commissioners;
- (h) “Council” means the Council of the Halifax Regional Municipality;
- (i) “*HRM Charter*” means the *Halifax Regional Municipality Charter*, S.N.S., 2008, c. 39, as amended;
- (j) “HRP” means the Halifax Regional Police;
- (k) “in-person” means a meeting where the Commissioners are physically present in the same room;
- (l) “Municipality” means the Halifax Regional Municipality;
- (m) “Officer in Charge” means the Officer in Charge of the RCMP – Halifax Division;
- (n) “Petition” includes a written or an electronic petition;
- (o) “*Police Act*” means the *Police Act*, SNS 2004, c.31;
- (p) “Presiding Officer” means:
  - (i) the Chair when present at a meeting of the Board;
  - (ii) the Vice Chair when presiding at a meeting of the Board in the absence of the Chair;
  - (iii) Chair of a committee of the Board; or
  - (iv) such other Commissioner or member of a committee of the Board as may be presiding at a meeting in the absence of the Chair and Vice Chair;
- (q) “RCMP” means the Royal Canadian Mounted Police;
- (r) “Staff Report” means a report prepared by the Chief of Police, Officer in Charge or the as directed by the Chief Administrative Officer (CAO);



(s) “Vice Chair” means the Vice Chair of the Board; and

(t) “Virtual” means appearing by video, or by a combination of video and telephone.

### **Rules Adopted and Suspended**

4. (1) The proceedings of the Board and committees of the Board shall be governed by this *Administrative Policy* unless a by-law of Council or provincial enactment specifically provides otherwise.

(2) Notwithstanding subsection (1), any one or more of the rules of procedures contained herein except for sections 5 and 39 and subsections 10(5) and 54(3) may be suspended by the Board by the affirmative vote of two-thirds (2/3<sup>rds</sup>) of the Commissioners present and voting.

(3) A committee of the Board may only suspend the rules of procedure respecting the number and length of time a person may speak pursuant to clause 42(1)(d), and subsection 114(1).

### **Amendment to Rules**

5. This *Administrative Policy* shall not be amended or repealed except by Administrative Policy passed at a meeting of the Board pursuant to a notice of motion in writing given at a prior regular meeting of the Board and setting forth the terms and substantial effect of the proposed Administrative Policy which shall not be inconsistent with the procedures established by Council for the conduct of its business.

### **Interference with the Work of the Chief and Officer in Charge**

6. (1) No Member shall have power to direct, instruct, give direction or interfere with the performance of any work of the Board, HRP or the RCMP or an employee thereof.

(2) The Board shall not exercise jurisdiction relating to:

(a) complaints, discipline or personnel conduct except in respect of the Chief of Police;

(b) a specific prosecution or investigation;

(c) the actual day-to-day direction of HRP and RCMP; or

(d) complaints, discipline, personnel conduct or the internal management of the Royal Canadian Mounted Police.

(3) On behalf of the Board, the Chair or the Chair’s delegate may give:

(a) advice or direction, in writing, to the Chief of Police on any matter within the jurisdiction of the Board under the *Police Act*; or

(b) advice in writing to the Officer in Charge,

but not to other members of either the HRP or RCMP and, for greater certainty, no other Commissioner of the Board shall give advice or direction to a member of the police department or RCMP.

## TYPES OF MEETINGS OF THE BOARD

### **Regular Meeting of the Board**

7. The Board shall meet at least every three months on such day and time as determined by the Chair and Clerk jointly.

### **Special Meeting of the Board**

8. (1) Upon receipt of a written petition of the majority of the Commissioners that may be elected to the Board, the Clerk shall summon a special meeting for the purpose and at the time mentioned in the petition, on at least three days' notice.

(2) Once such a petition is received by the Clerk, no Commissioner may remove their name.

(3) Written notice of any special meeting of the Board setting forth the matters to be considered shall be given to all Commissioners official email address of each Commissioner recorded with the Clerk, not less than seventy-two hours prior to the time fixed for the meeting and the Clerk shall make every reasonable effort to contact the Commissioners to advise of the meeting.

(4) Subject to section 28 regarding quorum, at a special meeting of the Board, the Board shall only consider or decide upon a matter set forth in the notice calling the special meeting, unless all the Commissioners that may be elected to the Board consent to considering or deciding on an additional matter.

(5) If all the Commissioners consent to consider or decide upon additional business, such consent shall be recorded in the Minutes.

### **Emergency Special Meeting of the Board**

9. Notwithstanding this Administrative Policy, in an emergency, with the consent of two-thirds (2/3<sup>ds</sup>) of the Commissioners (which shall be recorded in the Minutes of the meeting), an emergency special meeting of the Board may be called by the Chair and held to consider and deal with such emergency.

## AGENDA FOR MEETINGS OF THE BOARD

### **Information Reports**

10. (1) The Clerk shall have prepared a collection of information reports with copies of all such reports together with an index to be provided to the Board only for its information.

(2) The index shall indicate the source of the item and the date received.

(3) An anonymous item shall not be included in the collection of information provided to the Commissioners.

(4) Where a Commissioner wishes to have an item placed in the collection of information reports, the Commissioner shall submit the request in writing to the Office of the Clerk no later than 72 hours prior to the Board meeting at which the item is to be considered, whereupon the Clerk shall cause the item to be added to the collection.

(5) A Commissioner may request that an information report be added to the Agenda for the purpose of a staff presentation or to ask questions of clarification providing the Commissioner has given notice to the Board at the prior regular meeting of the Board at which the information report appears in the collection of information items on the Agenda.

(6) If the request is not in respect of a question of clarification or a staff presentation, the Commissioner must include an explanation of the item and the reasons for making it as well as providing, no later than 72 hours prior to the meeting at which the matter will be discussed, a copy of any draft motion which the Board will be requested to consider.

### **Agenda**

11. (1) The Clerk shall have prepared the agenda of the Board together with copies of all reports or communications to be dealt with at each regular meeting of the Board.

(2) The headings of the Agenda shall be the same as the Order of Business.

### **Agenda Item Respecting Staff**

12. If a Commissioner has an issue concerning staff, a member of the HRP or RCMP, either individually or collectively, the issue shall not be added to the agenda of a regular meeting of the Board until the Commissioner has discussed the issue with the CAO, Chief or Officer in Charge as the case may be and the matter has been discussed at an In Camera (in Private) Session of the Board.

### **Added Items to Agenda**

13. (1) If a Commissioner wishes to have an item placed on the Board agenda, the Commissioner shall submit the request in writing to the Office of the Clerk no later than 12:00 noon on the Wednesday of the week prior to the Board meeting at which the item is to be considered.

(2) The request shall include an explanation of the issues and a copy of any draft motion requesting a Staff Report which the Board will be requested to consider.

(3) If subsections (1) and (2) are complied with, the Clerk shall add the Commissioner's item to the agenda.

### **Late Additions to Agenda**

14. (1) If a Commissioner wishes to have an item placed on the Board agenda following the deadline prescribed by section 13, the Commissioner shall submit the request in writing to Office of the Clerk by noon on the business day immediately preceding the Board meeting.

(2) The request shall include an explanation of the issues and a copy of a draft motion requesting a Staff Report which the Board will be requested to consider.

(3) The Chair shall review all requests that comply with subsections (1) and (2) and decide whether or not to place the item on the agenda.

### **Items Added by Board**

15. The Board shall not vote on a motion arising out of an item added to the agenda by a Commissioner until a Staff Report and recommendation is received from either the Chief or Policy Advisor to the Board as the case maybe in respect of the subject matter of the motion, and a motion so made shall be deemed to be deferred until such report and recommendation is received

by the Board, but the Board shall not be bound to adopt such recommendations.

**Agenda Review**

16. (1) The Agenda may be reviewed prior to a meeting of the Board or a committee of the Board.

(2) If an Agenda Review is conducted for the Board the following Commissioners and staff shall be notified and permitted to attend:

- (i) the Chair;
- (ii) the Vice Chair;
- (iii) the Chief;
- (iv) the Officer in Charge;
- (v) the CAO;
- (vi) the Policing Policy Strategist to the Board;
- (vii) the Solicitor to the Board; and
- (vi) the Clerk, or delegate.

(3) During the Agenda Review, the Chair may:

- (a) defer any item on the Agenda to a subsequent meeting; or
- (b) cancel any meeting of the Board, where, in their judgement, the holding of the meeting is not justified or for any other reason which in their judgement appears appropriate.

(4) In the absence of the Chair the Vice Chair shall stand in the place and stead of the Chair.

17. (1) On receipt of a request for a presentation, during Agenda Review the Chair shall review the request and determine the appropriate disposition of the request and may:

- (a) place the presentation on the Board Agenda;
- (b) refer the presentation to a committee chair;
- (c) if the subject matter of the presentation is a matter which can be addressed by the HRP or RCMP refer the presentation to the appropriate police department;
- (d) determine that the Board will receive only written submissions on the matter; or
- (e) If the subject matter of the presentation is a matter which is outside the jurisdiction of the Board, refuse the request.

(2) Unless otherwise determined by the Presiding Officer the presentation shall be placed on the Board agenda only if the presentation is in reference to an item of business before the Board or any matter within the jurisdiction of the Board.

**Cancellation of any Meeting of the Board**

18. (1) A meeting of the Board may be cancelled:

(a) pursuant to clause 16(3)(b); or

(b) on the written request of two-thirds (2/3<sup>rds</sup>) of the Commissioners where, they have determined that the holding of the meeting is not justified or for any other reason which in their judgement appears appropriate.

(2) A meeting of a committee of the Board may be cancelled:

(a) by the Presiding Officer; or

(b) on the written request of two-thirds (2/3<sup>rds</sup>) of the committee members,

where, in their judgement, the holding of the meeting is not justified or for any other reason which in their judgement appears appropriate.

**INFORMATION PRIOR TO MEETING OF THE BOARD**

**Agenda Package**

19. On the Wednesday of the week preceding each regular meeting of the Board, the Clerk shall cause to be delivered electronically or circulated to each Commissioner the following:

(a) the agenda;

(b) a copy of each report which is to be considered;

(c) a copy of each motion to be considered if the motion or the purpose thereof is not indicated on the agenda; and

(d) the collection of the information reports.

**Information to be Provided to the Public**

20. The Clerk shall make the agenda and the other information referred to in section 19 available to the general public by noon on the Friday of the week preceding the meeting.

**Circulation of Late Reports**

21. If an item on the agenda has a notation indicating that the report will be circulated other than with the agenda package listed in section 19, the report shall be delivered electronically or circulated to each Commissioner as soon as it is practical prior to the regular meeting of the Board, and the report shall be provided to all Commissioners as near as is reasonably possible at the same time, and in no case shall the report be made available to the public prior to the report having been provided to all Commissioners.

22. If a report to be considered by the Board is circulated to the Board as prescribed in section

21 after the deadline identified in section 19, the Board shall not consider the report unless one or more of its Commissioners requests it to do so, and with agreement of majority vote of its Commissioners present and voting.

## **REQUIREMENTS FOR A MEETING OF THE BOARD**

### **Location of Meeting of the Board**

23. Until otherwise decided by the Board, the Board, if not meeting virtually, shall either meet in Halifax Hall located at 1841 Argyle Street, Halifax or Harbour East-Marine Drive Community Council Meeting Space located at Alderney Landing, 60 Alderney Drive, Dartmouth.

### **Duties of Presiding Officer**

24. (1) The Presiding Officer shall:

- (a) open the meeting of the Board by taking the chair, calling the Commissioners to order and reading the land acknowledgement;
  - (b) receive and submit, in the proper manner, motions properly presented by a Commissioner;
  - (c) put to a vote a question that is moved and seconded or necessarily arises in the course of the proceedings and to announce the result of the vote;
  - (d) decline to put to a vote a motion which infringes upon the rules of procedure;
  - (e) restrain the Commissioners, when engaged in debate, within the rules of order;
  - (f) enforce, on all occasions, the observance of order and decorum;
  - (g) call by name any Commissioner persisting in a breach of the rules of order of the Board thereby ordering them to vacate the meeting space;
  - (h) permit questions to be asked through the Presiding Officer to provide information to assist any debate when they deem it proper to do so;
  - (i) provide information to Commissioners on any matter touching on the business of the Board;
  - (j) inform the Board when necessary, or when referred to, on a point of order;
- and
- (k) adjourn the meeting when the business is concluded.

(2) At the time of calling the meeting to order, the Presiding Officer may call for a moment of reflection.

### **Call to Order of Meeting**

25. (1) As soon after the hour of a meeting as there is a quorum present, the Chair shall take the chair and the Commissioners shall be called to order.

(2) If the Chair is not present within fifteen minutes of the hour of a meeting, the Vice Chair shall take the chair and the Commissioners shall be called to order.

(3) If neither the Chair nor the Vice Chair is in attendance within fifteen minutes after the hour appointed for a meeting, the Board may appoint a person to preside from among the Commissioners present.

(4) If there is no quorum present fifteen minutes after the time appointed for the meeting, the Clerk shall call the roll and take down the names of Commissioners present and the Board shall then stand adjourned.

#### **Presiding Officer has Power of the Chair**

26. For greater certainty, while presiding, the Presiding Officer shall have all the powers of the Chair under this Administrative Order.

#### **Seating of Commissioners**

27. Seating of Commissioners shall be as agreed to by the Chair and Clerk.

#### **Quorum for Meeting**

28. A majority of the members of the Board constitutes a quorum.

#### **Person Within Bar of the Board**

29. No person, except a Commissioner or an officer of the HRP or RCMP shall be allowed to come within the bar of the Board during the sittings of the Board without the express permission of the Presiding Officer.

#### **Placing Items on Desks**

30. No person, other than a Commissioner, the Chief, the Officer in Charge, the Clerk or the Board's Solicitor shall, before or during a meeting of the Board, place on the desks of Commissioners or otherwise distribute to Commissioners any material whatsoever unless such person is so acting with the permission of the Clerk.

#### **End of Meeting**

31. A meeting of the Board shall automatically end at the scheduled time unless otherwise determined by a vote of two-thirds (2/3<sup>rds.</sup>) of the Commissioners present and voting.

#### **Extending Time of Meeting of the Board**

32. Notwithstanding section 31, a motion, made after the scheduled ending time of a meeting, to extend the time of a meeting beyond the scheduled end time may be made and passed.

## PROCEDURE DURING A MEETING OF THE BOARD

### Order of Business

33. The Order of Business shall be:

- (a) Call to Order;
- (b) Land acknowledgment statement;
- (c) special announcements and acknowledgments;
- (d) approval of the listed order of business and approval of any additions thereto or deletions therefrom;
- (e) Consent Agenda;
- (f) business arising out of the Minutes unless dealt with elsewhere;
- (g) call for declaration of conflict of interests;
- (h) motions of reconsideration;
- (i) motions of rescission;
- (j) consideration of deferred business;
- (k) notices of tabled matters that are subject to be deemed to be withdrawn pursuant to subsection 51(6);
- (l) correspondence, petitions and delegations or presentations;
- (m) information items brought forward;
- (n) reports and recommendations from:
  - (i) HRP/RCMP;
  - (ii) HRM Administration; and
  - (iii) committees of the Board;
- (o) motions;
- (p) added items;
- (q) notices of motion; and
- (r) adjournment.

34. (1) The Order of Business established in section 33 shall apply unless otherwise



determined by a vote of two-thirds (2/3<sup>ds</sup>) of the Commissioners present and voting.

(2) The vote pursuant to subsection (1) shall be decided without debate.

#### **Order of Business at Special Meeting of the Board**

35. (1) The Order of Business at a Special Meeting of the Board shall be:

- (a) additions to or deletions from the Order of Business;
- (b) approval of the Order of Business;
- (c) call for declaration of conflict of interests;
- (d) consideration of the particular business for which the Special meeting was called in the order designated by the Presiding Officer; and
- (e) adjournment.

(2) If there are a number of items for consideration at a Special meeting, the Order of Business for a regular meeting of the Board shall be followed so far as is possible.

#### **Land Acknowledgment Statement**

36. The Land Acknowledgement Statement may be in the following form:

The Halifax Regional Municipality is located in Mi'kma'ki, the ancestral and traditional lands of the Mi'kmaq people. The Municipality acknowledges the Peace & Friendship Treaties signed in this Territory and recognizes that we are all Treaty People.

#### **Special Announcement and Acknowledgments**

37. (1) A Commissioner may speak once for no longer than one minute to Special Announcements and Acknowledgments related to business of the Board at the time so specified in the Board agenda.

(2) Special Announcements and Acknowledgments shall not be recorded but the Minutes shall reflect that Announcements and Acknowledgments were given.

#### **Minutes**

38. (1) The Minutes shall record:

- (a) the place, date and time of meeting;
- (b) the name of the Presiding Officer and the record of the attendance of the Commissioners;
- (c) the reading, if requested, correction and adoption of the Minutes of prior meetings; and
- (d) all motions moved, or moved and seconded, by a Commissioner or Commissioners.

(2) If there is any objection made to such Minutes of the Board presented at any regular meeting of the Board, the Commissioner making it shall state the grounds of the objection, without comment, and if the Board agrees, the Minutes shall be altered accordingly.

(3) If all the Commissioners present at such meeting do not agree to the proposed alteration, a motion must then be duly made and seconded, to amend the Minutes, to meet such objection, which shall then be debatable.

(4) Where Minutes have been previously circulated to the Commissioners, reading of such Minutes is not required unless a motion requiring such reading is adopted.

(5) A resolution that the Minutes be adopted as if read shall be in order.

(6) After the Minutes have been adopted, the Minutes shall be signed by the Clerk.

### **Consent Agenda**

39. (1) Subject to subsection (2), the Consent Agenda may contain routine or non-controversial items;

(2) The following matters shall not be set on the Consent Agenda:

- (a) Information items brought forward;
- (b) Motions of rescission, or motions requiring a 2/3 vote of the Board;
- (c) Motions made by Commissioners of the Board;
- (d) Late or added items to the agenda.

(3) After the Consent Agenda motion has been duly moved and seconded, any Commissioner may move that an item be removed from the Consent Agenda, with no seconder, the motion shall be granted as of right.

(4) During consideration of the motion to approve the Consent Agenda, there shall be no discussion or debate on the specific items contained therein.

(5) The Presiding Officer shall clarify the items that remain on the Consent Agenda, before a vote shall be taken

(6) The vote on the Consent Agenda shall require a majority vote of Board Commissioners present.

(7) Items listed under the Consent Agenda are deemed approved when the vote as described in subsection (6) is passed.

(8) Items removed during the Consent Agenda, will be dealt with where it has been placed on the agenda.

### **Virtual Meeting and Virtual Participation Procedures**

40. (1) The additional Procedures contained in Appendix "A" attached to this *Administrative*

*Order* shall apply to the conduct of virtual meetings, and virtual participation in a meeting.

(2) A meeting is a virtual meeting if a majority of the Commissioners are virtual participants.

## **PUBLIC INPUT**

### **Request for Presentation**

41. (1) A request for a presentation from a member of the public or other organization shall be made to the Clerk in writing, either by letter, fax or e-mail, and state the essence of the presentation to be made including any potential outcomes.

(1A) A request for a presentation to present to the Board or any, shall be made through the Office of the Municipal Clerk in writing, either by letter, fax or e-mail, by noon, one week in advance of the desired Board meeting. The presentation request shall state the essence of the presentation to be made, any potential outcomes, a list of persons attending and the desired body of the Board to hear the presentation such as a particular committee of the Board.

(2) The Clerk shall forward the request to Agenda Review in accordance with section 17.

### **Presentations**

42. (1) Presentations, requested pursuant to section 41, which are placed on the agenda may be scheduled on an “as requested” basis, subject to the following criteria:

- (a) a maximum of two presentations shall be scheduled per meeting;
- (b) each presentation shall deal with one topic only;
- (c) each presentation shall consist of a maximum of two presenters;
- (d) each presentation shall be allotted a maximum of five minutes. A time extension may be given by agreement of the Board;
- (e) the topic of the presentation shall be relevant to the mandate of the body hearing the presentation and be timely.
- (f) the request for the presentation shall form part of the Agenda; and
- (g) after the meeting, any slides used during the presentation shall be posted to Halifax.ca.

(2) The list of presentations for the Board meeting will be included on the finalized Agenda posted to Halifax.ca.

(3) The Clerk shall include in the information agenda for each regular meeting of the Board a report listing the presentations considered by Agenda Review and the disposition of the request.

(4) After the presentation has been made, Commissioners may ask questions of clarification of the presenters, but there shall be no debate of the subject matter of the presentation.

(5) After questions of clarification, Commissioners may move a motion on a matter arising from the presentation.

(6) Notice of motion is not required for a motion arising from the presentation.

(7) If a motion is not passed in respect of the presentation or the requested information is not received, no further action shall be taken arising from the subject of the presentation and the presentation shall form part of the public record for the meeting.

(8) A presenter, once heard or considered, shall not be entitled to be received or considered again on substantially the same matter for a period of three months from the date of its first hearing.

### **Presentations as Added Items**

43. If a presentation is added to the agenda, the rules outlined in sections 17 and 42 shall apply to the presentation.

### **Petitions and Communications**

44. (1) (a) Every communication, including a petition designed to be presented to the Board, shall:

- (i) be legibly written, printed, typed or delivered electronically;
- (ii) not contain any impertinent or improper matter or language;
- (iii) be signed by at least one person, or be received from an electronic address which clearly identified the person sending the communication;
- (iv) state the reasons for the communication and the remedy sought; and
- (v) be filed with the Clerk as set out in subsection (2).

(b) A petition shall include:

- (i) the date the petition was commenced;
- (ii) the name, civic address and either the telephone number or email address of the person(s) who started the petition;
- (iii) the name and civic address of every person who signed or electronically submitted their name to the petition.

(c) The content of all petitions submitted and accepted by the Board under this section shall be public information, including the names and addresses of those signing the petition.

(2) The Clerk shall list on the agenda every petition which has been delivered to the Clerk not later than 12:00 o'clock noon on the Wednesday immediately preceding each regular meeting of the Board.

(3) The Clerk shall arrange that the communication be placed before the Board unless, upon examination, the Clerk is of the opinion that it contains matter that is impertinent or improper in which case the person presenting the communication shall be advised that the document is not deemed in suitable form for presentation to the Board; provided that the decision of the Clerk in the matter may be appealed to the Board.

(3A) A petition shall be placed before the Board by a Commissioner and in the event that no Commissioner wishes to bring the petition forward, the Clerk shall bring the petition forward to Board.

(4) When a Commissioner presents a petition to the Board, the Commissioner shall acquaint the Board with its contents and ask leave for it to be entered.

(5) A petition or written communication to the Board on a subject already before a committee of the Board may be referred by the Presiding Officer to the committee without any motion.

(6) No Commissioner shall speak upon nor debate a petition or a written communication if it has been referred but a Commissioner may move that in referring the matter the Board give certain instructions.

(7) Notwithstanding subsections (4), (5) and (6) above, when the Board considers that the petition or communication requires an immediate reply, the matter contained therein may be discussed and disposed of forthwith.

(8) When an individual wishes to be heard in respect of a petition before Board, any Commissioner may move a motion that the member of the public be heard.

## **MOTIONS**

### **Notice of Motion**

45. (1) A Notice of Motion shall:

- (a) be in writing;
- (b) include the name of the mover;
- (c) be received by the Clerk at a regular meeting of the Board; and
- (d) be printed in full in the agenda for the next regular meeting and each successive meeting of the Board until considered or otherwise disposed of.

(2) When a Commissioner's motion has been called at two successive meetings of the Board and not proceeded with, it shall be deemed to have been withdrawn and be dropped from the agenda unless the Board otherwise decides.

(3) The mover may withdraw a Notice of Motion at any time prior to the commencement of debate thereon.

### **Waiver of Notice of Motion**

46. (1) Board may waive Notice of Motion on a two-thirds (2/3<sup>rds</sup>) vote of the Commissioners present and voting.

(2) Notwithstanding subsection (1), the Board may not waive Notice of Motion respecting:

(a) the determination of priorities, objectives and goals respecting police services in the community pursuant to s.55 (3) of the *Police Act*; or

(b) a Board Policy.

### **Motions that Do Not Require Notice of Motion**

47. (1) A point of order or personal privilege may be introduced without written notice and without leave.

(2) The following motions may be introduced without notice and without leave:

(a) a motion to adjourn;

(b) a motion to call for the question;

(c) a motion to refer;

(d) a motion to table or to defer to a day certain;

(e) an amendment to a motion;

(f) a motion to suspend a rule of procedure;

(g) a motion arising from a presentation pursuant to section 42

(h) a motion to convene In Camera (in private), providing the Board's Solicitor or delegate is present; or

(i) any other procedural motion.

### **Order of Consideration of Motions**

48. (1) When a question is under consideration, no motion shall be received except:

(a) a motion to refer;

(b) a motion to amend;

(c) a motion to table;

(d) a motion to defer;

(e) a motion to adjourn;

- (f) a motion to call for the question;
- (g) a point of order; or
- (h) a motion to close debate at a specified time.

(2) When any matter set out in subsection (1) above is made, no other motion may be made except:

- (a) a motion to refer;
- (b) a motion to defer;
- (c) a motion to close the debate at a specified time;
- (d) a motion to call for the question; or
- (e) a motion to adjourn.

(3) A motion:

- (a) that the debate be closed at a specified time;
- (b) to call for the question; or
- (c) to adjourn;

shall be put without amendment or debate.

(4) Procedural motions shall be considered immediately upon being made and are subject to debate as follows:

- (a) non-debatable:
  - (i) to extend the time of the meeting;
  - (ii) to call for the question;
- (b) debatable:
  - (i) to refer;
  - (ii) to defer certain;
  - (iii) to table;
  - (iv) any other procedural motion;
  - (v) a motion to convene In Camera (in private); and

but debate shall be limited only to the desirability of referring, deferring, convening, adjourning or tabling or to the date when the matter should be brought back before the Board.

## **MOTIONS RECEIVED WHILE QUESTION UNDER CONSIDERATION**

### **Motion to Refer**

49. (1) A motion to refer, until it is decided, shall preclude an amendment to the main question and a motion to defer or table.

(2) A motion to refer is debatable but only with respect to the desirability of referring the motion.

(3) A motion to refer shall not be put to a vote until all Commissioners listed to speak on the motion proposed to be referred have been given the opportunity to ask any questions or raise any issues they wished considered.

### **Motion to Amend**

50. (1) A motion to amend:

(a) shall be decided upon or withdrawn before the main question is put to a vote and before a further amendment to the question is considered;

(b) shall be relevant to the question; and

(c) shall not propose a direct negative to the question.

(2) A motion to amend that the mover of the original motion agrees is a friendly amendment, is not required to be put to vote.

(3) A motion to appoint a person to an office shall preclude any amendments.

### **Motion to Table**

51. (1) A motion to table a question is debatable but only with respect to the desirability of tabling and cannot be amended.

(2) A motion to table with some qualification other than time is subject to amendment and debate.

(3) The matter tabled shall not be considered again by the Board until a motion has been passed to take up the tabled question at the same or a subsequent meeting of the Board.

(4) A motion to take up a tabled question is not subject to debate or amendment.

(5) A motion which has been tabled at a previous meeting of the Board cannot be taken up unless notice thereof is given in accordance with section 45.

(6) A motion which has been tabled and not taken from the table for six months shall be deemed to have been withdrawn.

(7) The Clerk shall at the last meeting of the Board immediately preceding one month before a tabled motion would be deemed to be withdrawn pursuant to subsection (6) give notice to



the Board of the motion and of the potential effect of subsection (6).

**Motion to Defer**

52. (1) A motion to defer indefinitely shall be treated as if it were a motion to table.

(2) A motion to defer shall be debated only with respect to the desirability of deferring consideration of the motion.

(3) A motion to defer shall not be put to a vote until all Commissioners listed to speak on the motion proposed to be deferred have been given the opportunity to ask any questions or raise any issues they wished considered.

(4) A motion that is deferred and not considered by the Board for six (6) months shall be deemed to have been withdrawn.

**Motion to Adjourn**

53. (1) A motion to adjourn:

(a) shall always be in order, except:

(i) when a Commissioner is speaking,

(ii) during a vote,

(iii) during the verification of a vote;

(iv) immediately following the affirmative resolution of a motion to call for the question;

(b) does not require a seconder; and

(c) is not debatable.

(2) A motion to adjourn when:

(a) made without qualification, and if carried, brings a meeting or session of the Board to an end; or

(b) made to adjourn to a specific time or to reconvene upon the happening of a specified event, suspends the meeting of the Board to continue at that time.

(3) A motion to adjourn when resolved in the negative, shall not be made again until after some intermediate proceedings have been completed by the Board.

**Motion to Call for the Question**

54. (1) A motion to call for the question:

(a) does not require a seconder;

(b) is not debatable;

(c) shall not be amended; and

(d) shall not be proposed when there is an amendment under consideration.

(2) A motion to call for the question shall be determined by a vote of two-thirds (2/3<sup>rd</sup>s) of the Commissioners present and voting and if resolved in the affirmative, the main motion shall be put immediately without further amendment or debate.

(3) When a motion to call for the question is resolved in the negative, then the main motion under consideration may be further amended and debated.

## **OTHER MOTIONS**

### **Motion in Opposition to the Staff Recommendation**

55. (1) A motion before the Board arising from a recommendation from a committee of the Board, which is in opposition to the recommendation contained in the Staff Report shall not be considered by the Board unless:

(a) no Commissioner is prepared to move the motion arising from the recommendation contained in the Staff Report; or

(b) the motion arising from the recommendation contained in the Staff Report is moved but there is no seconder to such motion.

(2) If the motion arising from the Staff Report fails or is not moved or seconded, an alternative motion may be moved providing the alternative motion arises from the matter contained in the Staff Report.

(3) An alternative motion pursuant to this section that is not listed as an alternative motion in the Staff Report shall be deferred until the next meeting unless the alternative motion has been circulated to the Clerk by 9:00 am of the day of the meeting and the notice complies with the requirements pursuant to clauses 45(1)(a) and (b).

### **Motion of Reconsideration**

56. (1) The intent of reconsideration is to allow the majority of the assembly to bring back for further discussion a motion which has already been voted on, the purpose of which is to permit correction of a hasty, ill-advised or erroneous action, or to take into account additional information or a changed situation that has developed since the taking of the vote.

(2) After a matter has been decided, a Commissioner who voted with the prevailing side, one who voted aye if the motion was passed and one who voted nay if the motion was lost, may put forward a motion of reconsideration before the adjournment of the meeting at which the same was decided.

(3) Notice of motion is not required as the motion to reconsider must be put forward and seconded at the same meeting at which the matter was decided.

(4) (a) A motion of reconsideration must be seconded, at which time it is owned by the Board and cannot be withdrawn except by the agreement of the Board.

(b) The seconder to the motion can be any Commissioner regardless of how they voted on the original motion.

(5) (a) The motion of reconsideration is held over to be dealt with as the first order of business at the next meeting of the Board, including a special meeting called to hear the motion, immediately after the consideration of the Minutes and before any other business is considered.

(b) The Board may, with a vote of two-thirds (2/3<sup>rd</sup>s) of the Commissioners present and voting, agree to take up the motion of reconsideration at the same meeting in which the matter was decided.

(6) At the time when the motion of reconsideration is taken up by the Board the mover of the motion, or in the Commissioner's absence any other Commissioner on the Commissioner's behalf, may briefly state the reasons for reconsideration and reconsideration shall be put to a vote without further debate.

(7) No question may be reconsidered more than once nor shall a vote to reconsider be reconsidered.

(8) If the motion to reconsider is carried, the question to be reconsidered shall be read again.

(9) The question to be reconsidered is debatable as to the merits of the question to be reconsidered but is not amendable, as the question to be reconsidered is the same question put before the Board previously.

(10) A majority of the Commissioners present and voting is required to carry the motion.

(11) No motion of reconsideration shall be allowed in regard to a motion approving all or part of the annual HRP budget or a motion authorizing legal proceedings.

(12) A motion of reconsideration shall have the effect of delaying or impeding any action necessary to give effect to the motion to be reconsidered and no action shall be taken on that motion until such reconsideration has been disposed of.

### **Motion of Rescission**

57. (1) The purpose of a motion of rescission is to allow the Board to change an action previously taken or ordered.

(2) A motion of rescission cancels or countermands a previous action or order has the effect of striking out an entire main motion, resolution, rule, section, or paragraph that has been adopted at some previous time.

(3) A motion of rescission may only be taken in regard to a matter that has been decided in the affirmative.

(4) If a motion of rescission is defeated, no other motion to rescind shall be made within twelve months, except with the consent of two-thirds (2/3<sup>rd</sup>s) of the Commissioners.

(5) A motion of rescission is not in order:

(a) in respect of a matter that has previously been moved to be reconsidered; or

(b) if something has already been done as a result of the vote on the matter that is impossible to undo such as a document has already been executed.

(6) A motion of rescission is not required to cancel or countermand a previous action or order if such action or order was passed before the most recent ordinary municipal election.

### **Procedure for Motion of Rescission**

58. (1) A motion of rescission shall not be made at the same meeting when the matter is decided but may be put at any subsequent meeting.

(2) A motion of rescission may be put by any Commissioner regardless of how the Commissioner voted on the original matter.

(3) At a subsequent meeting of the Board, the giver of such notice, or in that Commissioner's absence any other Commissioner on the Commissioner's behalf, may put forward the motion of rescission.

(4) A motion of rescission must be seconded.

(5) A motion of rescission is debatable as to the merits of the question which is proposed to be rescinded.

(6) A motion of rescission is amendable.

(7) A motion of rescission shall be passed by a vote of two-thirds (2/3<sup>rds</sup>) of the Commissioners present and voting.

## **RULES FOR MOTIONS**

### **Notice and Order of Putting Questions in the Board**

59. No motion introducing a new matter, other than to bring up a petition, read a communication or report, raise a matter of privilege or consideration of a report of a committee of the Board, shall be considered unless:

(a) notice of the same be given at a meeting of the Board held at least five days before the meeting at which the motion is to be considered, or

(b) notice is waived pursuant to section 46.

### **Requirement for Secunder for Motion**

60. (1) Except for a motion to adjourn or a motion to call for the question, all motions shall be seconded before being debated or voted on.

(2) At the time the motion is made, the mover may speak for not more than five minutes in order to explain the motion and the reasons for making it.

(3) When a motion is seconded, it may be read before debate, if requested.

61. After a motion is moved and seconded, it shall be deemed to be in possession of the Board but may be withdrawn by the mover at any time before the question is put with the permission of the Board.

### **Reading of Motion**

62. (1) Every motion shall be read or stated except in the cases provided for by the rules of the Board.

(2) When reading motions which have been distributed or printed in the Agenda, recitals need not be read.

(3) No Commissioner shall speak to any motion until it is first read or stated from the Presiding Officer.

63. With the consent of the mover, the Presiding Officer may waive the reading of a motion arising from the recommendation set out in the Staff Report on the matter.

64. A Commissioner may require the question or motion under discussion to be read at any time during debate, but not so as to interrupt a Commissioner while speaking.

### **Motions Not Within Jurisdiction of the Board**

65. A motion in respect of a matter which is not within the jurisdiction of the Board shall not be in order.

### **Motion Contrary to the Rules**

66. Whenever the Presiding Officer is of the opinion that a resolution is contrary to the rules and privileges of the Board, the Presiding Officer shall apprise the Commissioners thereof immediately, before putting the question, and shall cite the rule or authority applicable to the case without argument or comment.

### **Determining Speaking Priority**

67. (1) When two or more Commissioners desire to speak to a matter the Presiding Officer shall settle the priority.

(2) A motion may be made that a Commissioner who wishes to speak “be now heard” or “do now speak”, which motion shall be put without debate and if carried, such Commissioner shall be allowed to speak immediately.

### **Presiding Officer Entering Into Debate**

68. (1) If the Presiding Officer desires to take part in the debate, the Presiding Officer shall leave the chair and in such case shall call on the Vice Chair or one of the Commissioners to take the chair. The Presiding Officer shall return to the chair before the vote is taken on the motion.

(2) Except as set out above, or to provide information on any matter before the Board, or to give reasons for deciding a point of order, the Presiding Officer shall not take part in debate.

## **DECORUM AT MEETING OF THE BOARD**

### **General Decorum**

69. (1) No Commissioner shall:

- (a) use offensive or unparliamentary language or speak disrespectfully of anyone while in the Board chamber;
- (b) speak to a matter or a question other than the matter or the question in debate; or
- (c) reflect upon any vote of the Board except for the purpose of moving in accordance with the provisions hereof, that the question be rescinded or reconsidered.

(2) If a Commissioner resists the rules of the Board, willfully obstructs the business of the Board or disobeys the decision of the Presiding Officer, or of the Board on appeal, on any question of order or practice or upon the interpretation of the rules of the Board after being called to order by the Presiding Officer the Commissioner may

- (a) for an in-person participant, be ordered by the Board by a majority vote to leave the Commissioner's seat for that meeting; or
- (b) for a virtual participant, be ordered by the Board by a majority vote to leave the meeting.

(3) If the Commissioner refuses to

- (a) leave their seat, the Presiding Officer may order the Commissioner removed therefrom by the police;
- (b) leave the meeting, order the Clerk to disconnect the Commissioner;

but in case of ample apology being made, the Commissioner may, by vote of the Board, be permitted forthwith to retake their seat, or remain in or reconnect to the meeting.

#### **Addressing the Presiding Officer when Speaking to Question or Motion**

70. A Commissioner shall, upon being recognized by the Presiding Officer, address only the Presiding Officer.

#### **No Interruptions**

71. When a Commissioner is speaking no other Commissioner shall interrupt, except to raise a point of order.

#### **Point of Order**

72. (1) The Presiding Officer shall preserve order and decide any point of order.

(2) If a Commissioner is called to order while speaking, such Commissioner shall, subject to that Commissioner's right to enter the debate on the point of order, not speak further until the point has been determined.

(3) When a Commissioner rises on a point of order, the Commissioner shall ask leave of the Presiding Officer to raise a point of order and, if leave is granted, shall state the point of order to the Presiding Officer and then remain silent until the Presiding Officer shall have stated and decided the point of order.

(4) Thereafter, a Commissioner shall only address the Presiding Officer for the purpose of appealing to the Board from the Presiding Officer's decision.

(5) If no Commissioner appeals, the decision of the Presiding Officer shall be final.

(6) The Board, if appealed to, shall decide the question: "Shall the decision be sustained?" without debate and its decision shall be final.

### **Commissioner Called to Order**

73. (1) A Commissioner called to order shall immediately stop speaking, but may afterwards explain, and the Board, if appealed to, shall decide the same without debate.

(2) If there be no appeal the decision of the Presiding Officer shall be submitted to by the Commissioner.

### **Personal Privilege**

74. (1) Where a Commissioner considers that his or her integrity or the integrity of the Board as a whole has been impugned, the Commissioner may, as a matter of personal privilege, speak at any time, with the consent of the Presiding Officer, for the purpose of drawing the matter to the attention of the Board, provided that in so doing no Commissioner shall speak for more than five minutes.

(2) Whenever any matter of privilege arises, it shall be immediately taken into consideration.

(3) Whenever possible, a Commissioner shall give notice to the Clerk, twenty-four hours prior to the meeting at which the Commissioner intends to raise the matter of privilege, of the nature of the matter or privilege.

### **Speaking to Question**

75. (1) A Commissioner shall not speak the first time for more than five minutes.

(2) No Commissioner shall, without leave of the Presiding Officer, speak a subsequent time to the same question or in reply for longer than three minutes.

(3) A Commissioner who has made a substantive motion shall have the right to speak for no longer than three minutes to sum up in closing the debate.

(4) No Commissioner shall, without leave of the Presiding Officer speak more than three minutes on an amendment to a motion.

### **Decorum During Vote**

76. (1) When the Presiding Officer calls for the question no Commissioner shall walk across or out of the room or speak to any other Commissioner or make any noise or disturbance.

(2) A Commissioner not in their seat shall not be entitled to vote.

(3) A Commissioner that is a virtual participant that is not present shall not be entitled to vote.

### **Questions to Presiding Officer**

77. (1) A Commissioner may ask a question of the Presiding Officer for the purpose of Obtaining information relating only to the item or matter under discussion.

(2) When enquiries are provided for on the agenda or a specific item is under discussion, enquiries may be made of the Presiding Officer, or through the Presiding Officer to any Commissioner or to an Officer, concerning any item or matter connected with business of the Municipality but no argument or opinion is to be offered or facts to be stated except so far as may be necessary to explain the enquiry, and in answering any such question a Commissioner is not to debate the matter.

(3) No Commissioner shall speak longer than three (3) Minutes when putting a question pursuant to this section.

### **Silence During Reading of Minutes**

78. During the reading of Minutes, a report, communication or other paper, and when a Commissioner is addressing the Board, silence shall be observed and no one shall be allowed to retire or otherwise disturb the meeting.

## **VOTING**

### **Commissioner To Be Seated During Vote**

79. A Commissioner shall always take his or her place when any vote is called for and shall remain there until the Presiding Officer has declared the result of the question.

### **Voting On A Motion Arising From An Added Item or A Presentation**

80. The Board shall not vote on a motion arising out of a presentation made at the Board, until a Staff Report and recommendation is received from the Chief, Officer in Charge or Policy Advisor to the Board as the case maybe in respect of the subject matter of the motion, and a motion so made shall be deemed to be deferred until such report and recommendation is received by the Board, but the Board, shall not be bound to adopt such recommendations.

### **Separation of Proposition**

81. When the question under consideration contains distinct propositions, upon the request of any Commissioner, the vote upon each proposition shall be taken separately.

### **Method of Voting in Meetings**

82. When a vote is taken on any motion at a meeting other than a meeting of the Board the Presiding Officer shall determine whether the vote shall be taken orally or by show of hands.



83. If the vote shall be taken orally or by show of hands, before the question is decided or immediately after the question is decided, a Commissioner may require that the vote be a recorded vote of the Commissioners present and voting.

84. When a vote is taken orally, and no dissent is declared, the vote shall be deemed to be unanimously in favour of the motion.

#### **Commissioner Required to Vote**

85. Every Commissioner shall vote when a question is put, unless the Commissioner is disqualified by virtue of their Oath of Office or the Code of Conduct for board members as set out in the Police Regulations made under the *Police Act*.

#### **Result of Refusing to Vote**

86. A Commissioner who fails or refuses to vote, except as set out in section 85 shall be recorded as having voted in the negative.

#### **Declaring Vote**

87. (1) After any question is put by the Presiding Officer, no Commissioner shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared.

(2) The decision of the Presiding Officer as to whether the question has been put shall be conclusive.

#### **Disputing Declaration of Vote**

88. If a Commissioner disagrees with the declaration of the Presiding Officer that a question is carried or lost, the Commissioner may object to the declaration and require a recorded vote to be taken but shall do so only immediately after the declaration by the Presiding Officer.

### **IN CAMERA (IN PRIVATE)**

#### **In Camera (in Private) Meeting of the Board or Committee**

89. (1) Where the Board, or a committee of the Board, meets In Camera (in Private) to discuss any items designated in section 51 of the *Police Act*, including matters related to discipline, personnel conduct, contract negotiations and security of police operations, the Clerk shall list such items at the end of the agenda of regular meetings of Board.

(2) Notwithstanding the above, at the outset of meetings where such matters are on the agenda, the board may decide to meet in public in respect of such matters.

#### **Agenda for In Camera (in Private) Meeting of Board**

90. In Camera (in Private) agenda items shall be identified by the type of matter to be discussed, with additional information, where possible, to further identify the item but not as to disclose the confidential information.

### **Agenda for In Camera (in Private) Meeting of Committee**

91. At least forty-eight hours notice of an In Camera (in Private) meeting of a committee of the Board shall be given to the Commissioners of a committee, and, wherever possible, an agenda shall be provided to the Commissioners in advance of the meeting.

### **Moving In Camera (in Private)**

92. The Board may, at the request of one or more of its Commissioners, and with the agreement of two-thirds (2/3<sup>rds</sup>) majority of the Commissioners present and voting, agree to enter into In Camera (in Private) discussions without meeting the requirements set out in section 90 and 91, provided that the request is supported by information which explains a legitimate reason for the necessity of In Camera (in private) discussions taking place.

### **In Camera (in Private) Meeting - Presence of Board Solicitor**

93. No In Camera (in private) meeting may proceed in the absence of the Solicitor to the Board.

### **In Camera (in Private) Procedures**

94. The rules of procedures set forth in this *Administrative Policy* for regular meetings of the Board shall apply to In Camera (in private) discussions except as otherwise specifically provided for in this *Administrative Policy*.

### **Minutes of In Camera (in Private) Meeting**

95. (1) Minutes of In Camera (in private) meetings shall be taken by the Clerk or a designate and kept in the Office of the Clerk.

(2) The Minutes of In Camera (in private) meetings shall be approved at the next In Camera (in private) meeting of the Board as the first item of business of the In Camera (in private) meeting.

(3) Subject to subsection (4) and section 98, such Minutes are not considered to be of public record.

(4) Recommendations resulting from discussions taking place in the In Camera (in private) meeting shall be brought forward as an added item for approval by the Board in open session immediately following dissolution of the In Camera (in private) session and the rules of procedure will apply to the adoption of such recommendations, provided that the motion to adopt a recommendation shall not be debated.

### **Staff Reports and Details of Matters Discussed at In Camera (in Private)**

96. Staff Reports submitted to In Camera (in private) Meetings of the Board and details of the Matters discussed at and the Minutes kept of such meetings, except background information, shall be maintained by the Clerk as confidential information unless the Board determines that the information or any part thereof be made available to the public pursuant to sections 98 and 99.

### **Release of Confidential Information**

97. (1) If it is determined by the Board, following a recommendation of staff, that the release of information identified as confidential, has the potential to unduly damage or embarrass or in other ways be detrimental to an individual or individuals, the Board may decide to maintain the confidentiality of the information for a further specified or unspecified period of time.

(2) This section will not be used to protect a Commissioner from potential embarrassment or damage arising from a position taken, or remarks made, during In Camera (in private) meetings.

### **Public Access to an In Camera (in Private) Report**

98. (1) Reports and other information arising out of In Camera (in private) meetings, for which the Board determines no legitimate reason exists to maintain such records as confidential information, may be made available to the public upon request in writing to the Clerk.

(2) If any member of the public requests access to an In Camera (in private) report, which is classified as confidential, the Municipality, under the signature of the CAO or HRM corporate designated responsible officer pursuant to Part XX of the *Municipal Government Act*, shall provide reasons in writing addressed to the inquirer why such information is so classified.

(3) For the purposes of subsection (2), merely identifying the requested information as being access restricted because it is considered to be of a confidential nature will not constitute a satisfactory response to a request for information.

99. Where a request for information from an In Camera (in private) meeting has been denied, or where such information is considered by the inquirer to have been withheld for an unreasonable period of time, the inquirer may in writing request the Board to rescind the decision to retain the information as confidential, in whole or in part, and the Board may, by a two-thirds (2/3<sup>rds.</sup>) majority vote of the Commissioners present and voting, direct the release of the information or some portion thereof.

## **COMMITTEES**

### **Special Committee**

100. (1) A committee may be appointed by the Board at any time as is deemed necessary concerning any matter which is within the jurisdiction of the Board.

(2) A Committee of the Board shall include not less than one Commissioner and not more than three.

(3) An appointment to a Committee of the Board shall be made according to section 104 of this *Administrative Policy*.

(4) Subject to the provisions of any general or special act, the Board, in appointing a Committee, shall set forth terms of reference of the committee and such other provisions as the Board shall consider proper.

(5) The Board in establishing a Committee may direct who shall be the Presiding Officer of the committee and in the absence of such direction the committee shall elect its own Chair and, if required, a Vice Chair.

(6) When a Committee has completed its work, made its report and the Board has made a final decision upon the report, the Committee thereupon shall dissolve automatically.

## **ROLES AND RESPONSIBILITIES OF ALL COMMITTEES**

### **Roles and Responsibilities of Committee**

101. A committee of the Board shall consider and report upon only such matters as have been referred to it as provided herein or such matters as come within or reasonably flow from its continuing terms of reference or such other jurisdiction as established from time to time by the Board.

102. The general duties of any committee of the Board shall be:

- (a) to report to the Board, or the appropriate delegated body, from time to time whenever desired by the Board and as often as the interests of the Municipality may require on all matters connected with the duties imposed on it, and to recommend such action by the Board, in relation thereto, as may be deemed necessary;
- (b) to consider and report on any and all matters referred to it by the Board;
- (c) in the transaction of all business, to adhere to the policies of the Board; and
- (d) to make its reports available to the Board prior to the same being given to the public.

## **ELECTIONS AND APPOINTMENTS**

### **Motion for Procedure for An Appointment to a Committee**

103. A report with recommendations for nomination and appointment shall be brought forward to the Board in accordance with any Public Appointment Policy and/or Terms of Reference adopted by the Board.

104. (1) Nomination or appointment of Commissioners and/or members of the public to a committee shall proceed as follows:

- (a) nominations or appointments shall be moved and seconded by Commissioners;
  - (b) the Presiding Officer shall call for any further nominations which shall be moved or seconded;
  - (c) where more than the number of Commissioners required by the Board for the committee stands for election, a vote shall be taken by secret ballot,
  - (d) where two or more nominations have an equal number of votes for an appointment, a second vote shall be taken to decide which one or more of such nominees shall be appointed; and
  - (e) where the second vote is taken and two or more nominees continue to have an equal number of votes, the appointment shall be made by draw.
- (2) A Commissioner may be placed on a committee of the Board notwithstanding the absence of the Commissioner at the time of appointment.

### **Election of Presiding Officer of a Committee**

105. Each committee of the Board shall, unless otherwise determined by the Board, determine the procedure for electing its own Presiding Officer.

### **Vacating of Position on Committee**

106. (1) A member of a committee of the Board may resign from a committee at any time by submitting to the Presiding Officer a signed resignation and the Board shall fill the vacancy created.

(2) A resignation may not be withdrawn once it has been delivered to the Presiding Officer.

## **MEETINGS OF COMMITTEE**

### **Committee Support**

107. The Policing Policy Strategist shall be Secretary of all committees of the Board, unless otherwise determined by the Board.

108. It shall be the duty of the Secretary of every committee of the Board:

(a) to cause notice of each regular and special meeting of the committee of the Board to be sent to each member of the committee and any officer required to attend, no later than the day preceding the meeting, if possible; and

(b) to attend, or cause an assistant to attend, all meetings of the committee of the Board and to record the Minutes, orders and requests of the committee.

### **Special Meeting of a Committee**

109. It shall be the duty of the Clerk to summon a special meeting of a committee of the Board whenever requested to do so by any Commissioner who is a member of the committee.

### **Meetings of Committee Open to Public**

110. Unless it is an In Camera (in private) Meeting, pursuant to section 51 of the *Police Act*, all meetings of the committees of the Board shall be open to the public.

### **Chair as an Ex Officio Member of Committee**

111. Unless otherwise provided for in an administrative policy, the Chair shall be an ex officio member of all committees of the Board and shall have all the powers and privileges of a member of the committee, including the right to vote upon any question to be dealt with by such committee.

### **Attendance at Committee Meetings by Commissioners of the Board Not on Committee**

112. Unless otherwise provided for in an administrative policy, a meeting of a committee of the Board, including any In Camera (in private) portion of the meeting, may be attended by Commissioners who do not serve on the committee, and such Commissioners shall be allowed to take part in discussion or debate but shall not move or second a motion and shall not vote.

### **Order of Business at Committee**

113. The Order of Business for a committee of the Board shall, in the discretion of the Clerk, follow as closely as possible to the Order of Business of the Board.

### **Public Submissions**

114. (1) Committees of the Board may hear and consider a submission or representation from any person who wishes to be heard, and each submission will be limited to five minutes.

(2) If more than one person appears representing a group or association in relation to a particular item, the Committee of the Board may require that the persons designate a spokesperson who shall speak on behalf of the group or association so appearing.

### **Quorum of Committee**

115. (1) A committee of the Board shall not consider any business if a quorum is not present.

(2) A quorum for a committee of the Board having an even number of members, is one-half (1/2) of all the appointed members thereof.

(3) A quorum for a committee of the Board having an uneven number of Commissioners, is a majority of the appointed Commissioners thereof.

(3A) In determining the quorum for a committee of the Board where a Commissioner is either on an approved leave of absence the Commissioner shall not be counted unless they are in attendance at the meeting.

(4) The Board may determine quorum through adoption of the continuing terms of reference and jurisdiction of a committee of the Board as established from time to time by resolution or by an administrative policy or by-law of the Board.

### **Quorum Where Chair Ex Officio**

116. In determining the quorum for a committee of the Board where the Chair is an ex officio member, the Chair shall not be counted unless they are in attendance at the meeting.

## APPENDIX “A”

### VIRTUAL MEETING PROCEDURES

1. These procedural requirements are intended to complement and supplement, and not to replace, the requirements contained in this *Administrative Policy*.

#### **Interpretation**

2. In this Schedule,

- (a) “meeting” means a meeting of the Board or a committee of the Board; and
- (b) “Commissioner” means a member of:
  - (i) the Board, including the Chair,
  - (iii) a committee of the Board.

#### **Public Notice**

3. A virtual meeting may be conducted if, at least two days prior to the meeting, notice is given to the public respecting the way in which the meeting is to be conducted.

4. The notice to the public referred to in section 3 of this Appendix must be given by:

- (a) publication in a newspaper circulating in the Municipality; or
- (b) posting on the Municipality’s publicly accessible Internet site and in at least five conspicuous places in the municipality; or
- (c) such other method permitted by regulation.

5. Notwithstanding clause 4(a), where the Chair determines that there is an emergency, a virtual meeting may be conducted without notice or with such notice as is possible in the circumstances.

#### **Clerk May Require Virtual Meeting**

6. The Clerk may require the meeting to be a virtual meeting if each Member and the Municipality have electronic equipment available that will:

- (a) enable the public to see and hear each Member participate in the virtual meeting;
- and
- (b) enable each Member to see and hear every other Member participating in the virtual meeting.

#### **One or more Board members attend by videoconference**

7. Members must attend in-person Board meetings unless:

(a) section 6 applies; or,

(b) if approved by the Clerk under section 8, one or more Members may appear at a virtual meeting.

8. Subject to the other provisions of this Appendix, the Clerk may grant permission to a Member to be a virtual participant in a meeting, or part of a meeting, if:

(a) prior to the meeting, the Member provides written notice to the Clerk indicating that the Member wishes to be a virtual participant;

(b) the Member has electronic equipment available that will:

(i) enable the public to see and hear the Member participate in the meeting;  
and

(ii) enable the Member to see and hear each of the virtual and in-person Members who are attending the meeting;

(c) the Municipality has electronic equipment available that will:

(i) enable the public to see and hear the Member participate in the meeting;  
and

(ii) enable every virtual and in-person Member to see and hear all other Members attending the meeting.

9. A Member that is a virtual participant in a meeting is deemed to be:

(a) present at those parts of the meeting in which a Member is permitted to be a virtual participant under this Appendix; and

(b) absent for any parts of the meeting in which Member is not permitted to be a virtual participant under this Appendix.

**Technological problems - failure to connect or disconnection**

10. If technological problems prevent a Member from participating in a meeting prior to the meeting commencing, the Member shall be marked absent from the meeting until the time of their arrival.

11. If a Member becomes disconnected from the meeting due to technical problems or other reasons, the Minutes shall reflect that the Member left the meeting at the time of the disconnection.



## APPENDIX “B”

### PUBLIC ENGAGEMENT

#### Interpretation

1. In this Appendix,

(a) “public engagement” means public engagement facilitated through one, or a combination of, the following means: written correspondence, the internet including an on-line survey, in-person or virtual meetings where public participation is on the agenda;

#### Virtual Meetings

2. (1) Notwithstanding any other policy of Board,

(a) a public meeting required for the purpose of gathering feedback from the public may be virtual or in-person as determined by the Board;

#### Written Submissions

3. A person who wishes to provide a written submission in respect of any matter which is the subject matter of a public engagement shall direct the submission to the Office of the Clerk.

#### Explanation of Speaking Rules

4. The Presiding Officer shall then explain speaking rules as set out in section 5.

5. Each speaker shall

(a) be given five minutes to address the topic;

(b) be required to come to microphone to speak, state their name, and the name of the community in which they reside;

(c) keep their comments respectful, on topic and directed at the Presiding Officer;  
and

(d) not debate points of view expressed by other speakers.

6. During a public Engagement:

(a) the Clerk may, upon receiving a request, advise members of the public where they appear on the speakers’ list;

(b) at the discretion of the Chair, the board may take a recess every hour;

(c) no applause or other expressions of emotion, inappropriate language, outbursts or criticisms aimed at individuals or groups will be condoned; and

(d) no signs shall be displayed.

### **Calling Speakers**

7. The Presiding Officer shall then call the speakers in the order on the speakers' list, and if a person is not present when their name is called, they will be given an opportunity to speak after everyone on the speaker's list has been called.

8. The Presiding Officer shall:

(a) once all those on the people on the speakers' list, or if there are no names on the speaker's list:

(i) invite anyone wishing to speak to come forward and speak; and

(ii) after all the people have spoken, call three times for further speakers wishing to speak; or

(b) if it is necessary to adjourn the public engagement to another date,

(i) direct those in attendance at the initial advertised date who did not have the opportunity to be heard and still wish to address the Council to speak to the Clerk, and

(ii) the Clerk shall, immediately following the adjournment of the meeting, collect the names of those who were in attendance at the initial meeting and indicate that they still wished to speak.

9. At the continuation of a public engagement on a second or subsequent date:

(i) only those whose names are on the speakers' list and were not heard at the initial advertised date; and

(ii) whose names are added to the speakers' list at the conclusion of the initial advertised date; shall be permitted to speak; and there shall be no substitution of names permitted.

### **Determination**

10. The Chair may, in consultation with the Clerk, determine whether a meeting, under section 2 is to be held in-person or virtual at the time the relevant notification is published.

Done and passed in Board this

day of

A.D. 2023

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Chair

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Municipal Clerk

I, Iain MacLean, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of the Halifax Regional Board held on

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Iain MacLean, Municipal Clerk