

Rules of Procedure for Conducting Public Hearings

The following rules of procedure must be followed when Council receives representations and verbal submissions at public hearings:

Call to Order

To begin a public hearing, the Mayor must call the hearing to order and ask if anyone is present in the Council Chamber to speak on the matter to be considered at the hearing.

Procedure When Speaker Present at Hearing

If a person indicates their presence to speak to the issue under consideration at the hearing, then the following procedures must apply:

1. The Administration, or the person if it is someone other than the Administration, introduces the matter and explains to the members of Council and others present in the Council Chamber the purpose of same.
2. If required, the Mayor reads into the record and for the information of those present in the Council Chamber, the receipt of any representations received by Council in writing on the issue under consideration.
3. All persons wishing to address Council on the issue is then allowed five minutes to speak; those in favour speak first, followed by those opposed unless the sequence is altered by the Mayor.
4. After a person has spoken, any member of Council may ask that speaker relevant questions concerning the issue ensuring that:
 - a. questions are asked in a courteous and respectful manner;
 - b. he/she does not engage in any debate or argument with the person;
 - c. he/she refrains from making any derogatory, accusatory and/or inflammatory remarks to the person; and
 - d. he/she does not make any statements, arguments or express an opinion that would disclose a bias and would be more appropriately dealt with subsequent to the public hearing.
5. Any member may ask the Administration relevant questions after all persons who wish to speak have been heard.

6. The Mayor then allows an opportunity for all persons to respond to any new information that has been introduced.
7. Following the conclusion of all questions and representations on the issue, any member of Council may move that:

“The public hearing on be hereby concluded.”

8. At times, Council may decide not to conclude the hearing until further information or representations are received. Any member may move a motion to recess the hearing to a future day and time.

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Procedure When No Speaker is Present

If no one is present to speak to a matter which requires a public hearing, Council may:

1. hear an introduction of the matter from the Administration, ask relevant questions on the issue, and then vote to conclude the public hearing.
2. decide not to conclude the public hearing due to the fact the person causing the hearing is not present. Any member may move a motion to recess the said hearing to a future day and time when such person can attend.

Debate and Decision

In the case of applications under The Planning Act such as variation and conditional use applications, the debate and decisions must occur under the Order of Public Hearings directly following the hearing being concluded. Council may then decide to:

1. reject or approve the application whereby the approval may be with or without conditions; or
2. refer the application to another meeting for further consideration and final decision.

In the case of the Financial Plan the debate and decision must occur under the Order of General Business without a referral motion to that order of business.

In the case of any matter to which a by-law applies, the debate and readings of the by-law must occur under the Order of By-laws without a referral motion to that order of business. Under the Order of By-laws, Council may refer the by-law to another meeting for further consideration and readings.