

MUNICIPALITY OF THE COUNTY OF  
**ANTIGONISH**

<b>TOPIC:</b>	<b>Public Participation at Council/Committee Meetings</b>
<b>POLICY NUMBER:</b>	<b>17</b>
<b>DATE APPROVED:</b>	
<b>DATE REVISED:</b>	<b>September, 2014</b> <b>June 13, 2023 (Min#2023-078)</b>

**TITLE:**

This Policy may be cited as the “Public Participation Policy” of the Municipality of the County of Antigonish.

**PURPOSE:**

Section 23 of the Municipal Government Act permits municipalities to make policies to regulate its own proceedings and preserve order at meetings of Council. This Policy is intended to outline a format whereby ratepayers, residents, corporations doing business within the Municipality of the County of Antigonish, can participate in an orderly and proper fashion in the proceedings of Municipal Council.

**POLICY:**

1. In this Policy:
  - a) “Council” means the Council of the Municipality of the County of Antigonish
  - b) “Board” means the Utility and Review Board;
  - c) “Municipality” means the Municipality of the County of Antigonish;
  - d) “Presiding Member” means:
    - i) The Warden when present at a meeting of the Council;
    - ii) The Deputy Warden when presiding in the absence of the Warden;
    - iii) Such other member as may be presiding at a meeting of council in the absence of the Warden and Deputy Warden.
  - e) “Petition” includes a written or an electronic petition.
  - f) “Petitioner” means a person who represents the redress of grievances, through use of a petition.

**PUBLIC HEARINGS**

2. Council Public Hearings will be advertised to their intent, start time, and location in advance of a hearing as outlined for that purpose in the Municipal Government Act.
3. Those interested in providing a written submission pertaining to the Public Hearing may do so by directing the submission to the Deputy Municipal Clerk. To distribute to members of Council in a timely fashion, submissions should be received no later than two business days before the advertised Public Hearing date.

4. At the onset of a Public Hearing, the presiding member will request staff to:
  - a) present any staff report and recommendation(s),
  - b) outline the recommendation(s) of any committee of Council with authority over the matter at hand, and
  - c) confirm the public hearing was advertised in accordance with the requirements of the Municipal Government Act.
5. After the staff presentation, members of Council may ask questions of clarification only.
6. The presiding member shall compile a speakers list by first asking that anyone present wishing to speak against the proposed amendment identify themselves. They will then ask that anyone wishing to speak in favour of the amendment identify themselves. All speakers shall provide their name and community of residence. Only those listed will be called upon to speak.
7. Speakers addressing Council should do so from the podium and with proper decorum. Speakers' comments must be specifically related to the subject of the Public Hearing, be directed to the presiding member and are limited to five (5) minutes.
8. Debates between speakers, members of council, staff or applicants shall not be permitted.
9. The role of Council at a Public Hearing is to listen to the public. Members of Council shall not debate nor challenge the comments being offered by the speaker. Following a speaker's presentation, members of Council may ask questions of the speaker, seeking clarification of the points they have raised. Members of council shall not enter into a dialogue with the public during the Public Hearing.
10. Any questions of Council or staff shall be viewed as a matter for Council to consider in making a decision.
11. No applause or other expressions of emotion, inappropriate language, outbursts or criticisms aimed at individuals or groups will be condoned. No signs shall be displayed.
12. The presiding member may place limits on any speaker necessary to conduct an orderly Public Hearing.
13. When all seeking to provide comment on the matter at hand have had an opportunity, the presiding member shall provide the applicant (if one) followed by staff with an opportunity to briefly respond to points raised by the speakers.
14. At the discretion of the presiding member, Council may take a recess every hour.
15. At the close of the Public Hearing, Council may proceed to immediately consider the matter under consideration and reach a decision. Consideration of a motion to refuse, approve or approve with amendments is subject to the regular rules of order and council proceedings. No further public presentations will be heard once a motion is introduced.

16. If Council requires more time to consider presentations from the Public Hearing, or further information from staff, Council may defer the debate and decision until a later date; usually the next regular meeting.
17. Only members of council present for the entire Public Hearing are permitted to vote.
18. Following the close of the Public Hearing, members of council shall not accept individual, representations, whether oral or in writing, in respect to those matters considered quasi-judicial in nature such as development agreement applications, site-plan appeals, variance appeals, heritage registrations or de-registrations and less than market value property sales.

### **PETITIONS**

19. Every ratepayer or resident of the Municipality, and every corporation doing business therein, shall have the right to be heard before Council by petition and every petitioner shall be entitled to be heard at the time of presentation of the petition.
20. Persons accompanying the petitioner may be heard, in support of such petition, if they have obtained consent by a majority vote of the Council.
21. Every petition shall be presented to the Council either by a member of Council or by the individual presenting the petition and the Council member or presenter shall be prepared to advise Council that the petition does not contain any impertinent or improper matter and that the petition shows due respect and reverence in its language and contents.
22. When petitioners, or person speaking in support of a petition, address Council, they shall exhibit the utmost of respect and reverence for the Council and its members both in speech and in action. They shall at no time argue with the Council in answer to any question put by the Council or by a Council member, but they shall answer the same respectfully.
23. Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person and filed with the Clerk.
24. The filing of a petition with the Clerk shall be done at least one week before the date of the meeting of Council at which it is to be considered, and the Clerk shall keep a book containing a record of all petitions so filed.

### **DELEGATIONS & PRESENTATIONS**

25. All persons or groups wishing to make a presentation to Council shall provide their request in writing to the Deputy Clerk, not less than ten (10) working days prior to the Council Meeting, at which the delegation wishes to appear.
26. All material to be presented to Municipal Council or a Committee shall be provided to the Deputy Clerk not less than ten (10) business days prior to the meeting at which the delegation is schedule to appear. If material is not provided the Deputy Clerk may cancel or reschedule the delegation's appearance.

27. The Municipality has the right to refuse a presentation.
  - a) Presentations related to personnel, or matters in which the Municipality of Antigonish has entered into legal proceedings, will not be received.
  - b) Presentation related to matters that are not within the Municipality's jurisdiction or reflective of a community interest will not be received.
  - c) Presentations related to matters for which a formal public engagement process has been adopted will not be received, and the persons or groups shall be directed to participation in that process.
28. The Deputy Clerk shall review each presentation request, and if there are concerns regarding the appropriateness of the presentation content, raise those concerns with the CAO and Warden. If either the CAO or Warden have concerns regarding the appropriateness of the presentation content, the presentation will not be scheduled.
  - a) If a presentation is not scheduled on the grounds of Section 25 (a) or (b), it will be communicated to the person or group wishing to present and the appropriate committee / Municipal Council.
    - i) The person or group, or a councillor on behalf of the person or group, may request the committee or Municipal Council reconsider this decision by applying in writing. The matter will be brought forward for discussion by the committee or Municipal Council as soon as practical.
29. The Deputy Clerk will respond to presentation requests not less than five (5) working days prior to the Council Meeting, if the presentation is appropriate for Council, and shall advise the presenter of the location and time of the meeting.
31. Presentations may have more than one speaker but are encouraged to have only one and collectively are limited to the 15-minute time period.
32. Questions from members of Council may follow the presentation.

### **DECORUM**

34. Any persons who are not members of Council or officers of the Municipality of the County of Antigonish shall observe silence and order in the Council Chambers, unless given permission to speak on behalf of a petition or otherwise allowed in this Policy. Any such persons disturbing the proceedings of Council shall be called to order by the Chairman and, if they fail to comply, shall be ordered, by the Chairman to leave the Council Chambers.
35. A person, not a member of Council, shall be heard with permission of the Council; and such person shall be limited to ten minutes in addressing the Council.

### **POLICY REVIEW**

This Policy is to be reviewed within six months after a municipal election, unless deemed otherwise by the Committee of the Whole from time to time.