



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐
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To: West Hants Regional Municipal Council

Submitted by: Councillor Jim Ivey, District 11, Windsor South

Date: July 22, 2025

Subject: Amendment for Motions to Reconsider – Notice Period

LEGISLATIVE AUTHORITY

Municipal Government Act: Meetings of Council Section 19 – 23

Meeting and Committee Procedural Policy: Section 12 Motions and Voting

Specifically relating to the period of notice required for Notice of Reconsideration: 12.27

RECOMMENDATION or DECISION REQUEST:

Recommend that Council amend its Meeting and Committee Procedural Policy, within section 12.27 reducing the notice period required for a motion of reconsideration by replacing the text 'at least 14 days prior to the next meeting' with the text, 'at least 7 days' prior to the next meeting'.

If the amendment is approved, this would result in section 12.27 reading as follows:

In the event that Council or a Committee of Council member fails to give notice of reconsideration at the same meeting, the member will give notice in writing to the Clerk at least 7 days prior to the next meeting but not thereafter, of Notice of Motion to reconsider the motion of a previous meeting, stating the reasons therefore, and if the motion for reconsideration is seconded, the same will be put to a vote after debate (unless it is an undebatable motion) and if carried, the question for reconsideration will then be read and disposed of.

BACKGROUND

While rarely used, 'notices of motion to reconsider' can be a valuable tool to address motions passed, but which may require reconsideration for any number of reasons.

As was recently experienced by our Council during its budget meetings, 14 days prior notice would have further extended the budget process by at least 7 days before the Capital budget could have been reconsidered, without introducing other motions regarding the rules of procedure. In this regard 14 days can be considered an exceedingly long period of time to provide such notice.

A brief review of notice periods for reconsideration in other jurisdictions for judicial courts and governments reflects a range of days for notice, including 7 days, 10 days, 11 days 14 days and 15 days.

Property ☐	Public Opinion ☒	Environment ☐	Social ☐	Economic ☒	Councillor Activity ☒
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DISCUSSION

While many rules exist with regard to notices of motion to reconsider, the 14 day time period for notice might be considered as a key stumbling block.

For this reason, the intent of this report is to provide council with the opportunity to reduce the time period required for any future 'notices of motion to reconsider', if or when needed.

NEXT STEPS

To Be Determined based on Council discussion.

FINANCIAL IMPLICATIONS

Staff time to update.

ALTERNATIVES

ATTACHMENTS: (Below) Meeting and Committee Procedural Policy: Motions and Voting

CHIEF ADMINISTRATIVE OFFICER REVIEW

The meeting and committee procedures and composition are a core responsibilities of the Council. Pending the review by Council, policy amendments that support the manner for which Council wishes to conduct business should be discussed and considered.

Report Prepared by: Councillor Jim Ivey

Report Reviewed by: _____

A quick reference to section 12 of the Meeting and Committee Procedural Policy

12. Motions and Voting

12.1. The types of motions which may be made at a Council or Committee of Council meeting are:

- a) Main motions – reflects the proposed decision or action to be taken regarding a subject;
- b) Subsidiary motions – facilitates or modifies the main motion;
- c) Incidental motions – relates to a question of procedure regarding a main motion;
- d) Privileged Motions – a motion which does not relate to the main motion but takes immediate priority.

12.2. The following are common but not all Subsidiary motions:

- a) Postpone indefinitely – if approved this motion stops the main motion without a vote;
- b) Amend – changes something within the main motion;
- c) Postpone definitely – sets the main motion aside until a specified time;
- d) Refer – sends the main motion to a specific committee or staff for further investigation and report back;
- e) Limit or extend debate – shortens or lengthens the time for debate;
- f) Previous Question – closes debate and brings the main motion to a vote;
- g) Lay on the Table – puts the main motion aside temporarily for more urgent business and is taken up after the urgent business is dealt with.

12.3. The following are common but not all incidental motions:

- a) Point of Order – asked the Chair to enforce the rules; more details in Section 13;

- b) Appeal – takes the decision of the Chair away and gives it to members of Council or Committee of Council;
- c) Suspend the rules – allow Council or Committee of Council to do something it normally cannot do without breaking the rules;
- d) Objection to consideration of the question – avoids the main motion if Council or Committee of Council thinks the motion should never have been made or is outside the its mandate;
- e) Division of a question – separate parts of a main motion into separate motions that can stand on their own for consideration.

12.4. The following are common but not all privilege motions:

- a) Raising a question of privilege – is an emergency motion which deals with the rights and privileges of members;
- b) Recess – provides a short break in the meeting;
- c) Fix the time to adjourn – sets a time to adjourn the meeting;
- d) Adjourn – closes the meeting.

12.5. All business before Council or Committee of Council for consideration will be made in the form of main motions which proposes specific action be taken.

12.6. All main motions will be provided to the Chair or Clerk in writing before being debated.

12.7. A motion must be seconded, and when requested read by the Chair or Clerk, before it is debated; except a motion raising a question of privilege or point of order.

12.8. Council or a Committee of Council may have informal discussions on a subject prior to making a main motion for consideration.

12.9. A motion may at any time after it is seconded and before the Council or Committee of Council has voted on it, be withdrawn or modified by the mover with consent of Council or Committee of Council.

12.10. When any main motion is being considered, the only motions in order will be:

- a) to amend;
- b) to refer;
- c) to postpone either definitely or indefinitely; or
- d) to limit or extend debate;
- e) the previous question.

12.11. Amendments will be put in the reverse order of which they are made. Only one amendment will be allowed at a time and one sub-amendment will be allowed to an amendment. Every amendment submitted will be decided on or withdrawn before the main question is put to a vote.

12.12. A motion to adjourn will always be in order except in the following cases:

- a) when a Council or Committee of Council member is in possession of the floor;
- b) when the “yeas” and “nays” are being called;
- c) while the Council or Committee of Council members are voting; or
- d) when the motion to adjourn was the last preceding motion.

12.13. The following motions will be decided without debate:

- a) a motion to reconsider;
- b) all motions as to priority of business or as the suspension of the order of the day;
- c) applications to speak more than the prescribed number of times;

- d) a motion to allow any person other than a Council member to address the Council;
- e) a motion to postpone definitely;
- f) a motion to lay on the table when claiming a privilege over another person; and
- g) a motion to adjourn.

12.14. Before putting the motion to a vote, the Chair will ask “Are you ready for the question” and if no member offers to speak on the motion or they make a motion for the Previous Question, the Chair will put the question, after which no member will be permitted to speak upon it.

12.15. The usual form of voting on any motion will be by the Chair calling for “yeas” and “nays”, and members indicating their choice by show of hands or, if provided, by electronic means; but any Council or Committee of Council member, before or after the vote can call for, a recorded vote with each members vote entered into the minutes.

12.16. No motion committing the Municipality to the expenditure of funds will be accepted by the Chair for the consideration of Council, unless there is unanimous consent of Council members present, except for matters arising from correspondence, Committee of Council or other reports, agenda items, notices of motions or other material circulated to Council members on or before the day before the meeting, and except for matters arising from a closed meeting.

12.17. A majority vote of those present will determine all questions arising in Council and a Committee of Council, except motions to approve a planning document and those requiring a two-thirds (2/3) vote.

12.18. The adoption of planning documents or amendment thereof by Council at Second Reading

requires a majority vote of number of Council members elected, regardless of number present to achieve quorum. Only those members present during a public hearing are permitted to vote on the matter at which a public hearing was held.

12.19. The following motions require a two-thirds vote:

- a) to suspend the rules;
- b) to limit or extend debate;
- c) to amend or rescind something previously adopted;
- d) to object to the consideration of the question; or
- e) to close nominations.

12.20. Subject to the Municipal Conflict of Interest Act, all Council or Committee of Council members present including the Chair will vote on a motion and may not abstain.

12.21. A member of Council or Committee of Council who fails or refuses to vote on a motion is deemed to have voted in the positive.

12.22. In the event of a tie in a vote on a motion, the motion is determined in the negative.

12.23. Any notice of motion given by a Council or Committee of Council member for a subsequent

meeting may, in the absence of the member giving such notice, be taken up by another member.

12.24. The following motions may bring a motion for consideration again:

- a) Take from the table – takes up the motion previously laid on the table;

- b) Rescind – takes back a motion or policy; for a by-law this is called a repeal, a notice to rescind must be given at a previous meeting;
- c) Amend something previously adopted – modifies a motion previously presented and adopted;
- d) Discharge a committee – takes a matter sent to a committee back before a report has been presented;
- e) Reconsider – allows reconsideration due to new information or situation so the true will of the members is acted on.

12.25. No motion can be reconsidered if the actions cannot be undone.

12.26. After any main motion has been decided, any Council or Committee of Council member who voted on the winning side may, after the decision has been announced from the Chair, but before adjournment of the meeting may give notice of an intention to move reconsideration at the next meeting. The giving of such a notice operates as a stay or suspension of the decision.

12.27. In the event that Council or a Committee of Council member fails to give notice of reconsideration at the same meeting, the member will give notice in writing to the Clerk least 14 days prior to the next meeting but not thereafter, of Notice of Motion to reconsider the motion of a previous meeting, stating the reasons therefore, and if the motion for reconsideration is seconded, the same will be put to a vote after debate (unless it is an undebatable motion) and if carried, the question for reconsideration will then be read and disposed of.

12.28. No discussion of the main question will be allowed during the motion for reconsideration.

12.29. The following matters are not eligible for reconsideration:

- a) a motion approving the first or second reading of a by-law enactment, amendment or repeal;
- b) a motion to decide on a matter which was the subject of a statutory hearing by Council;
- c) a motion which is or was considered by the Committee of the Whole or the Planning Advisory Committee in substantially the same form in which it is being or will be considered by Council, irrespective of whether Council has adopted or rejected or may adopt or reject, the recommendation;
- d) a matter which has already been reconsidered once;
- e) a vote to reconsider; and
- f) a motion to reconsider or rescind a motion approving the annual budget of the Municipality or a motion authorizing any legal proceedings.

12.30. Any rule concerning motions and voting may be suspended for a specific matter with a motion, passed by two-thirds (2/3) vote of Council or Committee of Council members present, stating the specific rule to suspend and the matter for which it is suspended.

12.31. A summary of the rules for common motions can be found in Appendix B