

Town of Yarmouth
COMMITTEES OF COUNCIL POLICY

Effective: May 1th, 2008 – Amended: August 19th, 2021
TOY 7



- 1.0** This Policy is entitled “Policy on Committees of Council” and applies to committees in respect of which all of the voting members are Council Members.
- 2.0** Any power conferred by this Policy upon an employee of the Town of Yarmouth to authorize expenditures shall be exercised in a manner consistent with the By-Laws and Policies of the Town of Yarmouth.
- 3.0** Any power conferred by the Policy upon Council shall be exercised by resolution.
- 4.0** The following provisions shall apply to all Committees established by this Policy, except where the Policy specifically provides otherwise for any Committee;
 - a. Except to the extent that the Chair is otherwise determined by By-Law or Policy of Council, Council may appoint a person to serve as Chair of the Committee, after seeking the advice of the Nominating Committee, but if Council does not appoint a Chair, the Committee shall elect a Chair from one of its members. The chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this Policy, the Chair shall have the same powers and responsibilities at Committee meetings that are conferred upon the Chair at Council meetings pursuant to the Town’s By-Laws or Policies, with any necessary modifications for context.
 - b. Except to the extent that the Secretary is otherwise determined by By-Law or Policy of Council, the Chief Administrative Officer or his/her designate may appoint an employee of the Town to serve as Secretary, with a voice but no vote. If the Chief Administrative Officer or his/her designate does not appoint an employee to serve as Secretary, the Committee shall elect a Secretary from one of its members, in which event the Secretary shall be a full voting member of the Committee. The Secretary shall keep minutes of the Committee meetings.
 - c. The Committee shall meet at such time and place which it sets at a preceding meeting or at such other time and place as Council, the Committee’s Chair or a quorum of committee members may be set by providing notice of meeting to all Committee members at least 3 days in advance. The date, time and location of Committee meetings shall be posted by the Secretary by providing a copy to the Committee members and the press.
 - d. Subject to any resolution of Council, the resources which may be utilized by the Committee include:

- I. advice and support of the Chief Administrative Officer or his or her designate;
 - II. use of the Town's facilities and supplies for meetings, photocopying, postage and other administrative needs, through the Chief Administrative Officer;
 - III. use of external services reasonable necessary to discharge the Committee's mandate, through the Chief Administrative Officer;
 - IV. such other resources as may reasonably be required, through the Chief Administrative Officer.
- e. All meetings, minutes, and records of the Committee shall be open to the public except as expressly authorized by law.
 - f. A quorum of the Committee shall be the same as that which applies to Council pursuant to provincial legislation, with any necessary changes for context.
 - g. Subject to the other provisions of this Policy, the rules of procedure, conduct and debate that apply at Council meetings pursuant to the Town of Yarmouth's By-Laws or Policies, apply at Committee meetings with any necessary modifications for context, except that no notices of reconsideration shall be permitted at Committee meetings.
 - h. Committee members may prepare and submit a minority report or recommendation to Council if they do not concur in a report or recommendation of the majority.
 - i. In the event the committee fails to provide a report or recommendation to Council within any deadline set by Council, Council may proceed with a decision regarding a matter within the Committee's mandate without awaiting the Committee report or recommendation.
 - j. Committees of Council do not have the power to expend funds.
 - k. After the meeting is called to order, there shall be a land acknowledgement that reads, "I would like to acknowledge that we are on the unceded lands of the Mi'Kmaq" read aloud by the Chair.

5.0 Provisions Regarding the Committee of the Whole

Council hereby confirms the establishment of the Committee of the Whole as a standing committee of Council.

5.1 The mandate of the Committee of the Whole is:

- a. to discuss, consider, advise and make recommendations to Council concerning the affairs of the Town of Yarmouth that may come before Council, in advance of Council making decisions or taking action on such matters, except where Council determines that consideration by the Committee is unnecessary or inadvisable, and except that the following matters shall normally be dealt with by Council without having to be forwarded to the Committee of the Whole for its recommendations:
 - i. correspondence;
 - ii. reports and recommendations from other committees of Council;

- iii. planning matters;
 - iv. First and Second reading of By-Law enactments, amendments or repeals; and
 - v. matters which are the subject of statutory hearing by Council.
- b. to take action on such matters as are lawfully delegated to it by the Town of Yarmouth's By-laws and Policies, or by Council resolution including, but not restricted to:
 - i. hearing appeals from the exercise of licensing and permitting powers by staff;
 - ii. undertaking hearing and making decisions pursuant to dangerous and unsightly premises;
 - iii. receiving submissions or presentations from members of the public.
- c. to take such other steps not inconsistent with this policy that the committee reasonably deems necessary to carry out its mandate.

5.2 The Chair of the Committee of the Whole is the Mayor.

5.3 The Committee of the Whole consists of all Council Members, and membership on the Committee automatically extends to Council Members, without the necessity of formal appointment by Council, and automatically terminates upon the termination of a person's status as Council Member.

5.4 Regular meetings of the Committee of the Whole shall be held:

- a. at the Council Chambers of Town Hall, 400 Main St, Yarmouth;
- b. on the fourth Wednesday of every month, except there shall be no regular meeting in the month of December;
- c. commencing at 3:30pm..

5.5 Meetings of the Committee of the Whole may be rescheduled, relocated cancelled, and additional or special meetings scheduled subject to the provisions of Section 4.(c) of this Policy.

Clerk's Annotation for Official Policy Book

Date of Adoption: May 15th, 2008

Date of Notice to Council Members of Intent to Consider: March 31st, 2008

Date of Approval of Amended Policy: November 13th, 2008 (Committee of the Whole structure)

Date of Approval of Amended Policy: November 10th, 2016 (Section 5.4(c))

Date of Approval of Amended Policy: February 8th, 2018 (Section 5.4(b))

Date of Approval of Amended Policy: October 11th, 2018 (Section 5.4(c))

Date of Approval of Amended Policy: August 19th, 2021 (Section 4.0 (k))

I certify that this 'Committees of Council Policy' was adopted by Council as indicated above.

Town Clerk:

Date: