

**BY-LAW NO. HAM-2025-01**  
**A BY-LAW RESPECTING THE PROCEEDINGS OF HAMPTON**  
**COUNCIL AND COMMITTEE MEETINGS**

The Council of the town of Hampton, under authority vested in it by the *Local Governance Act*, S.N.B. 2017, c.18, amendments thereto and regulation adopted thereunder, hereby enacts as follows:

**1. TITLE**

This By-law may be cited as the Procedural By-law.

**2. DEFINITIONS**

In this By-law:

**Act** means the *Local Governance Act*, S.N.B. 2017, c.18, amendments there to and regulations adopted thereunder.

**Ad hoc Committee** means a committee established by Council, as the need arises, to carry out a specified task, at the completion of which it automatically ceases to exist.

**Administration** means the employees of the town of Hampton.

**Assistant Clerk** means the Assistant Clerk of the town of Hampton as appointed in accordance with the Act.

**Chief Administrative Officer (CAO)** means the person appointed to the position of chief administrative officer by Council under the provisions of the Act.

**Clerk** means the person appointed to the position of clerk by the Council under the provisions of the Act.

**Closed Session or Closed Meeting** means a meeting of Council not open to the public, so convened in accordance with the Act.

**Committee of Council** means a committee provided for or created by the town of Hampton whose sole reporting responsibility is to Council. It does not include Regional Commissions or Regional Committees.

**Council** means the Council of the town of Hampton.

**Councillor** means a Member of the Council other than the Mayor.

**Delivery or Delivered** means provision of documentation to Members by electronic mail or hand delivery to the residence or place of business of the Member.

**Deputy Mayor** means the Councillor so selected pursuant to this By-law and is a member of Council duly elected and continuing to hold office.

**Electronic Communications** means that members of Council may attend a Council meeting through electronic communications. This can include using a telephone with the use of a speaker, or other means of technology advances.

**Executive Committee** means a committee established to monitor and make recommendations on priority planning, protection and well-being of residents, governmental relations and the financial integrity of the town of Hampton.

**Ex-Officio** means by virtue of one's office.

**Majority Vote** means an affirmative vote of more than one-half of those Members of Council present who are not disqualified from voting.

**Majority Vote of the Whole Council** means an affirmative vote of more than one half of all the Members of Council who are not disqualified from voting.

**Mayor** means the Chief Elected Official of the town of Hampton.

**Member** means a member of Council, including the Mayor, duly elected and continuing to hold office, or where the context requires, a member of a Committee of Council appointed by Council.

**Minister** means the Minister of Local Government and includes anyone designated by the Minister or Cabinet to act on the Minister's behalf.

**Municipality** means the Corporation of the town of Hampton.

**Point of Information** means the procedural mechanism by which a member may rise to present or receive information of interest to Council.

**Point of Order** means any of the following:

- i. any breach of the Procedural By-law; or
- ii. any defect in the constitution of any meeting of the Council; or
- iii. the use of improper, offensive or abusive language; or
- iv. notice of the fact that the motion under discussion is not in order; or
- v. any other informality or irregularity in the proceedings of Council.

**Presiding Officer** means the Mayor, or in the absence of the Mayor, the Deputy Mayor, or in the absence of the Deputy Mayor any other member of Council chosen to preside at the meeting or where context requires, a member of a Committee of Council appointed as Chairperson, or in the absence of the Chairperson, the Vice-Chairperson, or in the absence of the Vice-Chairperson any other member of the Committee of Council chosen to preside over the meeting.

**Public Hearing** means a meeting of Council convened to hear matters pursuant to the Act or the *Community Planning Act*, S.N.B. 2017, C. 19

**Question of Privilege** means any of the following:

- i. any incorrect, defamatory or scandalous statements on the proceedings of the Council or on any Member or Municipal Staff; or
- ii. a pressing situation affecting a right or privilege of the Council or individual

Member thereof; or

- iii. introduction of confidential subject matter in the presence of guests or the public.

**Quorum** means a majority of the full number of members of Council or a Committee of Council.

**Regional Commission** means a commission, committee, or board whose members include other municipalities and/or organizations, which the Municipality is mandated to belong to or has entered into a formal agreement to create, and whose mandate is to provide a *regional* service.

**Regional Committee** means a committee or board whose members include other municipalities, organizations, or businesses which the Municipality has voluntarily joined.

**Special Meeting** means a special meeting called by the Mayor pursuant to the Act or this By-law, which includes an emergency meeting.

**Standing Committee** means a committee established by Council to perform a continuing function and remains in existence until dissolved by a majority vote of Council.

**Subcommittee** means a subset of members of a Committee of Council and additional community members as required that are organized for a specific purpose.

**Tie Vote** means an equal number of “yea” and “nay” votes of those Members present.

**Two-thirds Majority Vote of the Whole Council** means a two-thirds affirmative vote of all the Members of Council who are not disqualified from voting.

### 3. APPLICATION

The rules and regulations contained in this By-law:

- A) Shall be observed in all proceedings of the Council and shall be the rules for the order and dispatch of business in the Council and in the Committees of Council thereof.
- B) May be suspended by unanimous consent of the members present when such suspension is not contrary to any Provincial Act or Regulation.
- C) Shall apply to Council, employees of the town of Hampton, and members of the general public; and
- D) To the extent that a matter is not dealt with in the Act or this By-law, Council shall refer to *Robert's Rules of Order Newly Revised 12<sup>th</sup> Edition*.
- E) The precedence of the rules governing the procedures of Council is:
  - i. the Act,
  - ii. other provincial legislation,

- iii. this By-law; and
  - iv. *Robert's Rules of Order Newly Revised 12<sup>th</sup> Edition*
- F) In the absence of statutory obligation, any provision of this By-law may be temporarily altered or suspended by unanimous consent of all members present. A motion to temporarily alter or suspend this By-law is not debatable or amendable.
- G) Where Council makes this By-law applicable to a Committee of Council, it shall apply with all necessary modifications, and
- i. any reference to the Mayor shall be treated as a reference to the Chairperson of the Committee of Council;
  - ii. any reference to a Councillor or Member shall be treated as a reference to a member of the Committee of Council; and
  - iii. any reference to Council shall be treated as a reference to the Committee.
- H) In this By-law where the context requires, the singular shall be taken to also mean the plural.
- I) For the purposes of this By-law the duties of the Clerk, as set out herein and the Act shall be performed by the Assistant Clerk in the absence or inability of the Clerk to act.

#### **4. SEAL**

- A) The corporate seal of the town of Hampton which has inscribed thereon the word, HAMPTON and the seal appearing at the end of this By-law is adopted as its corporate seal.
- B) The corporate seal shall be at all times under the custody of the Clerk and shall be used by the Clerk in corporate matters as required under the *Local Governance Act*.

#### **5. CONFLICT OF INTEREST**

Sections 87 to 98 inclusive of the *Local Governance Act* of New Brunswick, including any amendments thereto, applies.

#### **6. VACANCIES IN COUNCIL**

When a Council seat becomes vacant, pursuant to Section 50 of the *Local Governance Act* of New Brunswick, the Clerk shall notify the Council of that vacancy at the next regular meeting of Council.

## 7. MEETINGS OF COUNCIL

### 7.1. First Meeting

- A) A newly elected Council shall hold its first regular meeting on the date prescribed by the *Local Governance Act* (Section 35). A new Council may not, at its first meeting, move on to other items on the agenda until after the taking of oaths of office and the signature of all the elected members, as well as after having completed the conflict-of-interest disclosure form. The clerk is responsible for administering oaths to newly elected officials.
- B) With the exception of the First Council, a newly elected Council:
- i. shall hold its first meeting in the Council Chambers at 7:00 P.M. on the fourth (4th) Monday in May following its election, unless the Clerk has fixed another date pursuant to Section 63 of the Act;
  - ii. shall transact no business at its first meeting until the oaths of office have been taken and subscribed to by all Members who present themselves for that purpose; and
  - iii. shall elect at their first meeting, and thereafter at any time when a vacancy occurs, a Deputy Mayor from among the Members.
    - a) All Members interested in having their name stand, shall inform the Clerk in writing a minimum of twenty-four (24) hours prior to the meeting.
    - b) If there is only one candidate the Mayor shall call for a motion to elect the Deputy Mayor.
    - c) When there is more than one candidate to be voted upon and before the voting occurs, each candidate, may address Council, for not more than five (5) minutes.
    - d) The Members shall vote by announcing their vote openly and individually, and the Clerk shall record it.
    - e) If, after any vote, the Clerk determines that a majority has voted for any one candidate, the Clerk shall announce the name of the Deputy Mayor so elected and Council shall pass a motion to appoint them as Deputy Mayor.
    - f) In the event of a tie or deadlock, the Mayor shall cast a vote.

### 7.2. Regular Meetings

- A) Subject to the Act, Council shall hold its Regular (Public) meetings in the Council Chambers located at the Hampton Town Office on the second (2nd) Tuesday of

each month, beginning at seven o'clock (7:00 p.m.) in the evening, unless otherwise determined by Council. When the day for a regular meeting of Council is a statutory holiday, the Council shall, unless otherwise determined by a resolution of Council, meet at the same hour on the next following day which is not a statutory holiday.

- B) All regular meetings are open to the public and no member of the public shall be excluded there from except for improper conduct.
- C) The agenda of said meeting shall be circulated to each Member not later than forty-eight (48) hours before the time fixed for each regular meeting.
- D) Public notice of regular meetings of Council shall be given by posting such notice on Hampton's official website, [www.hampton.ca](http://www.hampton.ca), not later than forty-eight (48) hours before the time fixed for each regular meeting. In the event that the official website is not available, public notice shall be given by posting such notice on the front door of the Town Hall.
- E) No item of business may be dealt with at a Council meeting after eleven o'clock (11:00 p.m.) unless a time extension is approved by a majority vote.

### **7.3. Special Meetings**

- A) Notwithstanding Subsection 7.2 (C), the Mayor, or the majority of members of Council upon written petition, may, at any time, call a Special (Public) Meeting of Council on twenty-four (24) hours notice to the Clerk and the Members of Council.
- B) Notice of any Special (Public) Meeting shall be delivered to the Members of Council by the Clerk, not later than twenty four (24) hours before the time fixed for the Special Meeting, setting out the time of the meeting and the business to be transacted thereat.
- C) Public notice of Special meetings of Council shall be given by posting such notice on Hampton's official website, [www.hampton.ca](http://www.hampton.ca), not later than twenty-four (24) hours before the time fixed for the Special meeting. In the event that the official website is not available, public notice shall be given by posting such notice on the front door of the Town Hall.
- D) Council may call an Emergency Meeting of Council should there be an urgent matter to discuss. When such a meeting is called, it shall be considered a Special (Public) Meeting, except that the time requirements for notice of Special Meetings shall not apply, and only the subject matter of the emergency shall be considered. The Clerk will make reasonable efforts to notify the public when an emergency meeting has been called.

- E) Except by unanimous consent of all the Members present, Council shall not at a special meeting consider any business except that specified in the notice of the meeting.
- F) All special meetings are open to the public and no member of the public shall be excluded there from except for improper conduct.

#### **7.4. Committee of the Whole Meetings**

- A) There shall be monthly meetings of the members of Council, to be known as the Committee of the Whole, held on the first Tuesday of every month, at a time determined by Council. In the event that Tuesday is a holiday, the meeting shall be held on the first business day immediately following the Tuesday. This meeting may be cancelled at the discretion of the Chair and/or the Clerk. Notice of cancellation of the meeting shall be delivered to Members and the Public not less than twenty-four (24) hours before the time fixed for the meeting.
- B) At their inaugural meeting, and thereafter annually at their first meeting of the year, a Chair and Vice Chair shall be elected from among the Members.
- C) The general rules of Regular meetings, outlined in Section 7.2 of this by-law, shall be observed during Committee of the Whole meetings.
- D) All motions considered during the Committee of the Whole meetings shall be motions to recommend and shall be forwarded to the next Regular or Special meeting of Council for consideration.

#### **7.5. Closed Sessions**

- A) When it appears that any matter may be more conveniently considered in Closed Session, Council may, by majority vote, resolve into Closed Session of Council.
- B) A Closed Session Council meeting shall normally precede Regular (Public) Meetings, on the second Tuesday of the month, or the Mayor may at any time summons a Closed Session meeting, or upon receipt by the Clerk of a petition by a majority of Councillors, the Clerk shall summon a Closed Session meeting for the purpose and at the time mentioned in the petition.
  - i. Notice of a Closed Session meeting shall be issued through the Clerk's office either verbally or in writing, via email, delivered to each Member of Council. The notice shall set out the time of the meeting and business to be transacted thereat.

- C) At a Closed Session meeting, except by unanimous vote of all the Members present, no business shall be considered except that specified in the notice of the meeting.
- D) A Closed Session meeting shall not be open to the public as discussions on only the following matters, in accordance with section 68(1) of the Act, and amendments thereto, may occur:
- i. information of which the confidentiality is protected by law,
  - ii. personal information as defined in the Right to Information and *Protection of Privacy Act*, SNB 2009, c R-10.6 and amendments thereto;
  - iii. information that could cause financial loss or gain to a person or the local government or could jeopardize negotiations leading to an agreement or contract,
  - iv. the proposed or pending acquisition or disposition of land,
  - v. information that could violate the confidentiality of information obtained from the Government of Canada or from the government of a province or territory,
  - vi. information concerning legal opinions or advice provided to the local government by its solicitor or privileged communications between solicitor and client in a matter of local government business,
  - vii. litigation or potential litigation affecting the local government or any corporation referred to in subsection 8(1) of the Act, the local government's agencies, boards or commissions including a matter before an administrative tribunal,
  - viii. the access to or security of buildings and other structures occupied or used by the local government or access to or security of systems of the local government, including computer or communication systems,
  - ix. information gathered by the police, including the Royal Canadian Mounted Police, in the course of investigating any illegal activity or suspected illegal activity, or the source of that information,
  - x. labour and employment matters, including the negotiation of collective agreements.
- E) Pursuant to Subsection 7.5(D), no decisions shall be made at the meeting except for decisions related to:
- i. procedural matters,
  - ii. directions to an officer of the Municipality, or

- iii. directions to a solicitor for the Municipality.
- F) All recommendations of a Closed Meeting which require the approval of Council shall be reported to a Regular or Special Public Meeting of Council.
- G) If a meeting is closed to the public pursuant to Subsection 7.5(D), a record shall be made containing only the following:
  - i. the type of matter under Subsection 7.5(D) that was discussed during the meeting; and
  - ii. the date of the meeting
- H) The record made under subsection 7.5(G) shall be available for examination by the public in the office of the clerk during regular office hours.
- I) Council members and staff shall refrain from discussing the matters considered during Closed Sessions, other than with other Council members or any administrator that was present at the meeting.

## 8. QUORUM

- A) If a quorum is present at the time fixed for the holding of the Council meeting, the Presiding Officer shall take the chair and call the meeting to order.
- B) If there is a quorum present at the time set for the commencement of the Council meeting, but the Mayor and Deputy Mayor are absent, the Clerk shall call the meeting to order and shall call for a Presiding Officer from the Members in attendance to be chosen by resolution.
- C) If no quorum is present fifteen (15) minutes after the time appointed for the Council meeting, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the date of the next meeting.
- D) If a Member knows in advance that they will be unable to attend a meeting, the Clerk should be so advised.
- E) Whenever a vote on a motion before Council cannot be taken because of loss of quorum resulting from:
  - i. The declaration of a conflict of interest; or
  - ii. A Member not being present for all or part of Public Hearing/Meeting then the motion shall be the first order of business to be proceeded with and disposed of at the next meeting of Council under the heading "Business Arising from Minutes".
- F) If Quorum is lost for any other reason than those aforementioned in section 8(E), the meeting is adjourned.

## 9. MEETING THROUGH ELECTRONIC COMMUNICATIONS

- A) A Member shall be permitted to attend a meeting using electronic communication, subject to the provisions of the Act and this By-law; if that location is able to support its use and it allows Members to hear and speak to each other and, in the case of a meeting that is open to the public, allows the public to hear the Member.
- B) Only a Member, who, at the time of the meeting is outside of the town of Hampton or is physically unable to attend the meeting may participate in the manner referred to in this Section (Section 9).
- C) Except for reasons of disability, a Member shall not participate in the manner referred to in this Section (Section 9), at more than 25% of the regular Council meetings held in a one-year period (from January 1st to December 31st of a calendar year) or at more than four (4) special Council meetings held in a one-year period (from January 1st to December 31st of a calendar year).
- D) A Member who intends to participate in a meeting in the manner referred to in this Section (Section 9) shall provide sufficient notice to the Clerk to ensure that the relevant materials may be sent to the Member and to ensure that the appropriate electronic means of communication are available and that the public notice referred to in section 9(G) is given.
- E) A Member who participates in a meeting closed to the public in the manner referred to in this Section (Section 9) shall, at the beginning of the meeting, declare that they are alone.
- F) A Member who participates in a meeting in the manner referred to in this Section (Section 9) shall be deemed to be present at the meeting for whatever period of time the connection via electronic communication remains active.
- G) The Presiding Officer shall announce to those in attendance at the meeting that a Member is attending the meeting by means of electronic communication.
- H) When a vote is called, Members attending the meeting by means of electronic communication shall be asked to state their vote only after all other Members present at the meeting have cast their votes.
- I) If a public hearing is to take place during a Council meeting or a Committee of Council meeting, use of an electronic means of communication is permitted only if notice of the meeting is given to the public that includes the following information:
  - i. a statement that the public may participate in the meeting by using an electronic means of communication if they are unable to attend the meeting in person as per the reasons outlined in section 9(B) above; and

- ii. instructions on how the public may make arrangements to participate in the meeting using an electronic means of communication if they are unable to attend the meeting in person as per the reasons outlined in section 9(B) above.

## **10. AGENDA**

- A) The agenda for each regular Council meeting shall be prepared by the Clerk or designate, setting out the time of the meeting and the business to be transacted thereat. All reasonable efforts shall be made to ensure that the agenda is submitted, together with copies of all pertinent reports, attachments, minutes to be approved and other information, to each Member at least three (3) calendar days prior to the meeting.
- B) The Clerk shall have prepared and printed for the use of the Members at the regular meeting of Council an agenda under the following headings:
  - i. Closed Session
  - ii. Call to Order
  - iii. Moment of Reflection
  - iv. Approval of Agenda
  - v. Disclosure of Conflict of Interest
  - vi. Delegations/Public Presentations/Public Hearings
  - vii. Adoption of Minutes
  - viii. Business Arising From Minutes
  - ix. Reading of By-laws
  - x. Correspondence
  - xi. Approval of Accounts
  - xii. Reports from Committees
  - xiii. Approval of Reports
  - xiv. New Business
  - xv. Outstanding Issues
  - xvi. Adjournment
- C) No matter shall be placed on the Agenda for consideration at any regular Council meeting unless the request for consideration of the matter is received by the Clerk,

in writing, before 12:00 p.m. (noon) on the Friday preceding the day on which the meeting is to be held.

- i. Every communication, including a petition, application or tender designed to be presented to the Council, shall be legibly written, printed or typed and shall not contain any obscene or improper matter or language and shall be signed by at least one person, and include their name and address and be filed with the Clerk prior to 12:00 p.m. (noon) of the Friday preceding the day on which the meeting is to be held. If these criteria are not met, the Clerk shall not place the communication on the agenda. Notwithstanding the foregoing, if the Clerk can verify the name and address of the sender, and in the case of an email, the identity of the sender, then the communication may be placed on the agenda.

D) Notwithstanding Subsection 10(B), any business may be introduced and dealt with at a regular meeting with the approval of a majority vote.

E) If during discussion on an agenda item of business, a related item of business not on the agenda is raised by a Member or Administration, it may be dealt with in one of the following ways:

- i. An actionable motion may only be approved with the unanimous approval of all Members present at the meeting; or
- ii. Direction may be given to the CAO to bring the item forward at a future meeting. The CAO may require that Council formally approve the request, if it is believed the request will require a significant amount of administrative time and resource.

F) The business of the Council shall in all cases be taken up in the order in which it stands upon the agenda unless otherwise decided by majority vote.

G) The Clerk shall have prepared and printed for the use of the Members at the Committee of the Whole meeting an agenda under the following headings

- i. Call to Order
- ii. Moment of Reflection
- iii. Approval of Agenda
- iv. Disclosure of Conflict of Interest
- v. Correspondence
- vi. Presentations
- vii. Departmental Reports
- viii. Other Business

ix. Adjournment

**11. PROCEDURE FOR REGULAR AND SPECIAL MEETINGS**

- A) The Mayor shall be the Presiding Officer over all meetings, or if the Mayor is absent, the Deputy Mayor, or if the Deputy Mayor is also absent, the Clerk will then request the members present to select a Councillor to act as Presiding Officer for Council, which shall be elected by a majority vote of those present. *Local Governance Act, 74(1)(f)*
- B) If the Presiding Officer is other than the Mayor or Deputy Mayor, they shall preside until the arrival of the Mayor or Deputy Mayor (as the case may be), at which time the chair shall be turned over to them, and the time and arrival so noted in the minutes.
- C) A Presiding Officer, whether the Deputy Mayor, or elected by Council to act in the absence of the Mayor and the Deputy Mayor, shall have the same authority, subject to *Local Governance Act, 48(4-5)*, while presiding at a Council meeting, both Open and Closed, as the Mayor would have if present and occupying the chair.
- D) Except as otherwise provided, no member shall speak without recognition of the Presiding Officer.
- E) Unless otherwise stated in other sections of this By-law, all motions shall require a seconder.
- F) After a motion is presented by the Presiding Officer, it shall be deemed to be in possession of Council but may be withdrawn by both the mover and seconder at any time before a vote is taken or amendment made.
- G) Where the Presiding Officer is of the opinion that a motion is contrary to the rules and privileges of Council, they shall so advise Council and cite, without argument or comment, the rule or authority applicable thereto.
- H) These motions are listed in order of precedence. If a motion is pending, and one of a lower rank is offered, it is not in order and should not be allowed.
  - i. Incidental Motions - These motions have no order of precedence within this group, but must be decided before debate can continue:
    - (a) Point of Order Raised by a Member when it is thought there is a deviation from the agenda or the rules of order. When a Member is called to order from the chair, the Member shall cease speaking immediately. Notwithstanding Subsection 14(A), a Point of Order does not require a seconder, is not amendable and normally is not debatable, and is decided by the Presiding Officer. It is debatable only if the Presiding Officer is unsure of the answer and opens the floor to debate;

- (b) Suspend the Rules - A motion to temporarily set aside the provisions of this By-law. It is not amendable, but is debatable and requires a two-thirds (2/3) majority vote of the Whole Council;
  - (c) Appeal the Decision of the Presiding Officer - Questions the Presiding Officer's ruling on a specific issue and asks Council to decide. It is not amendable nor debatable;
  - (d) Division of Council - Call for a vote to be retaken by a show of hands if a Member disagrees with the Presiding Officer's statement or results. Notwithstanding Subsection 14(A), it does not require a seconder, is not amendable nor debatable;
  - (e) Division of a Question - Dividing of a question into parts so that each may be considered individually. Parts must be such that they can stand alone. It is not amendable nor debatable;
- ii. Fix the Time to Which to Adjourn - This motion is used to extend the time of adjournment past eleven o'clock (11:00 p.m.)
  - iii. Adjourn - Motion to close the meeting immediately. It requires a seconder, and it is not amendable nor debatable.
  - iv. Recess or Resolve into Closed Session - Motion to take a short break, or to resolve into Closed Session, after which business resumes from where it was left off. It is amendable, but not debatable. If a recess is provided for in the adopted Agenda, no motion is required.
  - v. Raise a Question of Privilege - Can be privilege of the Council or of an individual Member. Notwithstanding Subsection 14(A), it does not require a seconder, is not amendable nor debatable, and is decided by the Presiding Officer.
  - vi. Table - Used to delay further consideration of a motion to a time, after an event, or until more information is obtained, and a reason for tabling must always be stated in the motion. It is neither amendable nor debatable. The item may be placed back on the Agenda by the Clerk once the reason for the motion has been satisfied.
  - vii. Move the Previous Question - To close debate and vote immediately. It is not amendable nor debatable and requires a two thirds (2/3) majority vote of the whole Council.
  - viii. Limit Debate or Extend Limits of Debate - To give more or less time in debate than allowed by this By-law. It is not amendable nor debatable and requires a two-thirds (2/3) majority vote of the whole Council.

- ix. Refer - Used to postpone debate for purposes of referring an item to staff, a committee or other persons or organizations for further information or study and/or a recommendation. It is amendable and debatable only as to the desirability of referring.
- x. Amend - Applied to main motion or previous amendment. Must not change the intent of the pending motion, but to make it more acceptable. It is debatable if applied to a debatable motion;
- xi. Postpone Indefinitely - Used if Council prefers to not express an opinion on the main motion, effectively killing the main motion if adopted. It is not amendable, but is debatable and opens the main motion to debate at the same time;
- xii. Main Motion - Used to introduce new business. It is debatable and amendable. Some types of main motions are:
  - (a) Receive and File - Council acknowledges receipt of a report or other correspondence and files it. No further action need be taken by Council on the item;
  - (b) Adopt, Accept or Approve- Council accepts, adopts or approves of the report or action being suggested.
- I) Once a motion is made and seconded, the mover shall have the privilege of speaking first, and have the privilege of closing the debate.
- J) A member of Council may, at any time, rise on point of order, point of privilege or a point of information. All debate shall cease and the “point” shall be clearly stated by the member and if applicable, ruled upon by the Chairperson.
- K) A member of Council may, at any time during the debate, request that the question, motion or matter under discussion be clarified or restated.
- L) Before calling the vote on a motion that, if passed, would result in a requirement for action to be completed by a specific date or within a specific amount of time, the Presiding Officer shall consult with the CAO regarding the practicality of the date specified in the motion.
- M) The outcome of any Council business being addressed at a Regular or Special meeting of Council may not be transmitted electronically via telephone, e-mail or other means until the meeting has been adjourned.

## **12. BY-LAWS**

- A) The provision for enactment of all By-laws shall be as set out in Section 10 of the Act, and/or other applicable Acts of the Province of New Brunswick.

- B) Where a By-law is presented at a meeting for enactment, the Clerk shall cause the number and short title of the By-law to appear on the agenda.
- C) Every By-law, when introduced, shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any Act or Regulation of the Province of New Brunswick and shall be complete except for the number and date thereof.
- D) Every proposed By-law shall have three (3) separate and distinct readings. Subject to the Act, only the title must be read at each reading.
- E) When a By-law is introduced for reading, the following applies:
  - i. Council may debate the substance of the By-law.
  - ii. Council may propose and consider amendments to the By-law.
  - iii. Council may refer by motion the By-law to Administration for further information or a Committee of Council for further review prior to additional readings of the By-law.
- F) Unless all Members present at a meeting declare by resolution that an emergency exists, not more than two of the three readings by title may take place at one meeting of Council.
- G) A By-law shall be passed when a majority of the Members present vote in favour of third reading, provided that any applicable Provincial statute does not require a greater majority.
- H) When a By-law has been given three readings and is signed in accordance with the Act, it is considered an enactment of the town of Hampton and is effective immediately, unless the By-law or an applicable Provincial statute provides otherwise.
- I) The previous readings of the proposed By-law are rescinded if the proposed By-law is defeated on second or third reading.
- J) After passage, a By-law shall be signed by the Mayor or Mayor's designate and by the Clerk or Assistant Clerk and shall be impressed with corporate seal of the town of Hampton. Original copies of the By-laws and amendments are kept in the Office of the Clerk.
- K) Clerical, typographical and grammatical errors in By-laws may be corrected by the Clerk.
- L) The Clerk is permitted to consolidate one (1) or more By-laws as deemed convenient and in doing so, must incorporate all amendments to the By-law into one (1) By-law and omit a provision that has been repealed or that has expired.

M) A copy of any By-law, resolution or record certified by the Clerk as true copy of the original is prima facie proof of the By-law, resolution or record.

### **13. LIMITS OF DEBATE**

- A) A Member at any time during a debate, but not so as to interrupt a Member when speaking, may request that the motion under discussion be read by the Clerk.
- B) No Member shall speak more than once on the same motion without permission of the Presiding Officer except in explanation of the material part of their speech which may have been misconceived and when so speaking they shall not introduce any new matter.
- C) No Member, without permission of Council, shall speak to the same motion or in reply for a longer period than fifteen (15) minutes.
- D) When the Presiding Officer wishes to participate in the debate at a Council meeting, they shall call on the Deputy Mayor if present or, if not present, a Councillor to preside until they are finished speaking.

### **14. ORDER AND PRIVILEGE**

- A) No Member shall:
  - i. speak disrespectfully of the reigning Sovereign or of any of the Royal Family or of the Governor-General or person administering the Government of Canada or of the Lieutenant-Governor or of a person administering the government of the Province of New Brunswick;
  - ii. use offensive words against the Council, any Member thereof, or any staff member or advisor;
  - iii. speak beside the question or motion in debate;
  - iv. reflect upon any vote of the Council except for the purpose of moving that the vote be rescinded;
  - v. refuse to obey this By-law;
  - vi. disobey the decision of the Presiding Officer on questions of order or practice.
- B) Where a Member refuses to obey the rules of Council or disobeys the decision of the Presiding Officer on a question of order or practice, the Presiding Officer shall order them to leave their seat for that meeting and they shall be required to leave provided that where the Member apologizes, they may, on a majority vote, forthwith resume their seat.
- C) The Presiding Officer shall preserve order and decorum at the Council meetings and decide all questions of privilege and points of order, subject to an appeal to

Council upon motion, which motion may be made at any time in accordance with the provisions of Section 14 of this By-law.

- D) When the Presiding Officer or a Member is speaking or putting a motion, no Member shall leave their seat or make any noise or disturbance or interrupt them except to raise a point of order or question of privilege.
- E) All remarks, comments and questions shall be addressed through the Presiding Officer.

#### **15. ADMITTING MEMBERS OF THE PUBLIC BEFORE COUNCIL**

- A) Members of the public shall be entitled to address Council on matters of municipal jurisdiction, unless otherwise mandated by legislation. Any person or delegation wishing to address Council shall request to do so in writing, legibly written, printed or typed and shall not use any obscene or improper language and such request shall be signed by at least one person, and include their name and address and be filed with the Clerk prior to 12:00 p.m. (noon) of the Friday preceding the day on which the meeting is to be held. The request to speak shall include information as to the subject matter to be discussed and all supporting documentation intended to be provided to Council. If these criteria are not met, the Clerk shall not place the request on the agenda.
  - i. Persons being heard by Council shall be limited in speaking to not more than ten (10) minutes except that when two (2) or more persons appear on the same subject they shall be limited to two (2) speakers, each limited to speaking not more than ten (10) minutes.
- B) Notwithstanding Sections 18 Council, by majority vote, may allow or deny anyone to address the Council for whatever time period stipulated in the motion.
- C) In the case of an emergency, as determined by the Clerk, a delegation wishing to address Council may be heard by Council or in closed session or at a special meeting of Council by appointment with written submission to be given to the Clerk by 12:00 p.m. (noon) on the business day prior to the meeting for which the appointment is requested. Requests to be heard by Council or in closed session or at a special meeting of Council received after this time shall be presented to Council at the time of consideration of the adoption of the agenda and/or may be referred to the next regular meeting.
- D) The time limit for all presentations before Council shall be a maximum of ten (10) minutes or such longer time as Council may permit by two-thirds (2/3) majority vote of Members present.
- E) Members of administration, or external consultants/service providers on behalf of the town of Hampton, may make presentations to Council during the

Presentations portion of a Council meeting. Such presentations shall not be limited to any amount of time.

- F) Council will not entertain submissions from the public on issues that:
  - i. May be considered in a Closed meeting of Council under section 68(1) of the Act;
  - ii. Are before the Planning Advisory Committee, the Assessment and Planning Appeal Tribunal, or the courts; or
  - iii. Require a statutory Public Hearing.
- G) A response to each presenter's comments/concerns may be provided through one or more of the following:
  - i. Immediate response, provided directly at the Council meeting by either Member or Administration if the matter does not require further research; or
  - ii. A motion to refer the matter to Administration or a Committee of Council for review and recommendation at a subsequent time, depending on the significance of the issue and the time required to adequately research the matter.
- H) No person in the audience at a meeting of Council shall engage in conduct that disrupts the orderly conduct of any meeting of Council including, but not limited to, the utterance of loud, threatening or abusive language, whistling, clapping, stamping of feet, repeated waving of arms or other disruptive acts.
- I) No signs, placards or banners shall be permitted in the Council Chamber or Committee meeting room.
- J) When, in the opinion of the Presiding Officer, a member of the public is guilty of improper conduct at a Council meeting, the Presiding Officer may require that person to leave the meeting forthwith.

## **16. PUBLIC HEARINGS**

- A) If a Member did not attend a public hearing where statutory procedures for the adoption of such motion and/or By-law required a public hearing, the Member is precluded from taking part in the debate and must vacate their seat during debate on the motion.
- B) Generally, unless provided for in other legislation, the procedure to be followed in Public Hearings is:
  - i. The Clerk reads the agenda item and advises if objections or other correspondence have been received.

- ii. Administration (Planning, Engineering and Development Department) provides a presentation explaining the application, administration report, overview of objections and recommendation.
- iii. Presentation by the applicant/developer to add any further explanation or information in support of the application.
- iv. Members of the public wishing to speak in favour of the application are called forward to speak.
- v. Members of the public wishing to speak against the application are called forward to speak.
- vi. The applicant/developer is given an opportunity to respond to the proponents/objectors and respond to noted concerns.
- vii. Members of Council may pose questions of the applicant/developer, proponents or objectors, but shall not enter into a debate.
- viii. The Mayor asks if there is anyone else who wishes to speak on the agenda item. Every person wishing to speak to the item is given the opportunity to do so.
- ix. When all presentations have been completed, the Mayor shall declare the public hearing is closed (adjourned).
- x. Council debate and decision on the agenda matter.

## 17. VOTING

- A) Unless otherwise stated in this By-law or required by Provincial Legislation, all motions of Council shall require a majority vote to be adopted.
- B) After a motion is put to the meeting by the Presiding Officer, no Member shall speak to the motion or make any other motion until after the result of the vote has been declared and the decision of the Presiding Officer, as to whether the motion has been put, is conclusive.
- C) When a motion is put, every Member present at the meeting, excluding the Mayor, shall vote thereon unless the Member:
  - i. did not attend a public hearing where statutory procedures for the adoption of such motion and/or By-law required a public hearing; or
  - ii. has declared a conflict of interest under Section 5.
- D) The Mayor shall vote in event of a tie.
- E) When the Presiding Officer is other than the Mayor, they shall vote.

- F) Where a Member refuses to vote and is not excused by reasons outlined in Subsection 17(C), the Clerk shall record them as a “yea” vote.
- G) Each Member present shall announce their vote openly and individually by saying “yea” or “nay” and by raising their hand when called for.
- H) When required by law or upon a division of Council upon any motion, or whenever any Member calls for the “yeas” and “nays”, the Clerk shall enter in the minutes the names of the Members who vote for and those who vote against the motion.
- I) No Member is permitted to explain their vote during the voting process.
- J) Any Member of Council shall have the right to have the reasons for their vote entered only into the body of the minutes. Such record of the reasons shall not be attached to the motion.

## **18. RECONSIDERATION**

No By-law, question, motion or matter that has been disposed of by a vote shall be introduced for reconsideration prior to the expiration of three (3) months from the disposal thereof without a two-thirds (2/3) majority vote of the whole Council.

## **19. MINUTES**

- A) The Clerk or designate shall record the minutes of all regular and special meetings of Council and of Closed Sessions of Council.
- B) The Clerk shall record in the minutes:
  - i. the place, date and time of meeting.
  - ii. the names of the Presiding Officer or officers and record of the attendance of the Members, staff and advisors.
  - iii. the reading, if requested, correction and adoption of the minutes of prior meetings.
  - iv. all other proceedings of the meeting without note or comment.
- C) If a Member arrives late, leaves before the meeting is adjourned, or is absent or temporarily absent from the meeting, it shall be recorded in the minutes.
- D) Minutes of the preceding regular or special meetings shall be approved by majority vote, or amended and approved, at the next regular meeting.
- E) Minutes shall not be read at the meeting unless a Member so requests, in which case the Clerk shall read the minutes before the Council deals with the business before it, in the order as set out in Subsection 10(B).

- F) The official minutes of all Council meetings, including regular meetings, special meetings and closed meetings, will include the signatures of the Presiding Officer and the Clerk or designate.

**20. APPOINTMENT AND ORGANIZATION OF COMMITTEES OF COUNCIL**

- A) Council shall appoint, by motion, members to all Committees of Council as set out in Schedule “A”.
- B) There are four primary types of Committees of Council in the town of Hampton:
  - i. Ad Hoc Committees
  - ii. Executive Committees
  - iii. Standing Committees
  - iv. Subcommittees
- C) All committees make recommendations to Council for final decision unless otherwise mandated by legislation or set out specifically in this By-law or another By-law of the town of Hampton.
- D) A majority of committee members must be present at any meeting of a committee to constitute a quorum. If no quorum is present fifteen (15) minutes after the time scheduled for the commencement of a meeting of the committee, the Clerk or designate shall record the names of the members present and the meeting shall stand adjourned until the date of the next meeting.
- E) Committees of Council shall submit to Council minutes of all meetings of the particular committee within thirty (30) days of a meeting and shall continue to forward such minutes until directed by Council to do otherwise.
- F) Committee meetings may be open or closed to the public in accordance with the terms of Sections 67 and 68 of the Act.
- G) Any member absent from three (3) consecutive regular meetings without leave of absence from the Committee of Council or without reason satisfactory to the Committee shall forthwith cease to be a member of the committee and the committee shall advise Council of the vacancy.
- H) All members of Committees of Council must enter into a standard confidentiality agreement with the town of Hampton, attached as Schedule “C”.

**Ad Hoc Committees**

- I) Council may establish ad hoc committees that exist until they have reported finally to the Council, at which time they shall be functus officio.

- J) The respective composition and mandate of the ad hoc committees will be established by resolution of Council.

### **Executive Committees**

- K) Council may establish Executive Committees to manage specific priorities of the Municipality relating to Human Resources and labour relations, the financial integrity of the Municipality and the protection and well-being of residents. The Executive Committees hereby established by Council and their respective composition and mandates are set out in Schedule "A". Council may add to or delete from the Executive Committees listed in Schedule "A" by resolution, unless said committee, its composition and mandate are established by legislation.
- L) Council may modify the mandates of each or any of the committees listed in Schedule "A" by resolution and the Clerk shall forthwith notify the Chairperson of the committee in writing.

### **Standing Committees**

- M) Council may establish standing committees to advise Council on the business of the Municipality. The standing committees hereby established by Council and their respective composition and mandates are set out in Schedule "A". Council may add to or delete from the standing committees listed in Schedule "A" by resolution, unless said committee, its composition and mandate are established by legislation.
- N) Council may modify the mandates of each or any of the committees listed in Schedule "A" by resolution and the Clerk shall forthwith notify the Chairperson of the committee in writing.
- O) Standing Committee members must be residents, landowners or business- owners operating out of a fixed address within the town of Hampton unless otherwise provided for by agreement or legislation.
- P) Appointments to standing committees of persons who are not Members of Council shall be for a three-year term or such other term as may be determined by Council unless otherwise provided for by agreement or legislation. Individuals may be re-appointed for a second three-year term.
- Q) Council shall designate appointments to Standing Committees so that, as nearly as possible, the terms of office of one-third of its members expire on the first day of January in each year.
- R) Notwithstanding the forgoing, members of Committees of Council, Regional Commissions and Committees, serve at the pleasure of Council and may be removed at any time by a majority vote.

- S) The general duties of all Standing Committees of Council, in addition to any specific duties as may be set out in the constituting resolution, are as follows:
- i. to report only to Council from time to time and wherever desired by Council and as often as the interests of the town of Hampton may require on all matters connected with the duties imposed on the committee and to recommend such action by Council in respect thereto as they deem necessary, with a minimum of four (4) meetings per year. The Committees will break during the months of June, July and December, unless there is urgent business that must be addressed;
  - ii. to consider and report on any and all matters referred to them by Council;
  - iii. every report shall be signed by the Chairperson and/or Clerk or designate and may be signed by any or all other members of the committee;
  - iv. to adhere in the transaction of all business to the rules prescribed by By-laws;
  - v. to present to Council, on or before the last day of November in each and every year, for the information of Council and of the citizens generally as well as for the guidance of the committees of the following year, a general report (which may be part of regular report of the committee) of the state of the various matters referred to them or under their control during the year, the work or business done through or by each committee, and the expenditures made under their authority or supervision, stating the number of meetings held by each committee during the year, the number of meetings at which a quorum was present and the number of times each Member was absent, and containing suggestions regarding future action of the succeeding committees;
  - vi. each Committee of Council shall hold an annual meeting in January of each year at which time a Chairperson and a Vice-Chairperson shall be elected from among its members to serve a one year term. In addition, all newly appointed Committees shall, at their first meeting, following the appointment, elect a Chairperson and a Vice-Chairperson to serve until their annual meeting aforementioned or until the committee is dissolved.

### **Subcommittees**

- T) Council may establish subcommittees of Committees of Council as required for a specific purpose.
- U) The respective mandate of the subcommittee will be established by resolution of Council.

- V) The composition of the subcommittee must include a minimum of one voting member and one non-voting staff member of the original committee of Council to which the subcommittee reports to be appointed by resolution of Council. The remaining subcommittee members may be appointed by the original Committee of Council to which the subcommittee reports to.
- W) Subcommittee members must be residents, landowners or business-owners operating out of a fixed address within the town of Hampton unless otherwise provided for by agreement or legislation.
- X) All subcommittees make recommendations to their respective Standing Committees. The Standing Committees shall then make recommendation to Council for final decision unless otherwise mandated by legislation or set out specifically in this By-law or another By-law of the town of Hampton.

### **Council Representation on Committees**

- Y) The Mayor is an Ex-Officio member of all Committees of Council and may attend the meetings of any Committee of Council. They may take part in any discussion or debate in the committee and may vote.
- Z) At the first regular meeting of Council following the quadrennial election and periodically as deemed appropriate, Council representatives to the executive committees and standing committees as set out in Schedule “A” shall be appointed by the Mayor.
- AA) At the first regular meeting of Council following the quadrennial election, Council representatives to joint boards, regional committees and commissions as set out in Schedule “B”, shall be appointed by the Mayor. Council may add or delete from the joint boards, regional committees and regional commissions listed in Schedule “B” by resolution, unless said board, committee or commission, its composition and mandate are established by legislation.
- BB) All other appointment of committee members, including members of regional committees and regional commissions, shall be by resolution of Council. The committee seeking membership may recommend to Council prospective committee members for approval by Council.

## **21. REPEAL**

By-law No. HAM-2024-01, being *A By-law Respecting the Proceedings of Hampton Council and Committee Meetings*, enacted on March 12, 2024, and all amendments thereto, is hereby repealed.

**22. VALIDITY**

The invalidity of any section, clause, sentence or provision of this By-law shall not affect the validity of any other section, clause or provision of this By-law which can be given effect without such parts.

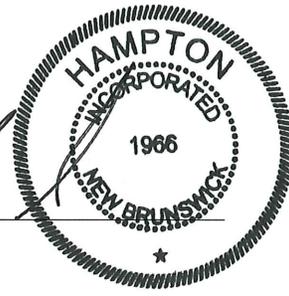
First Reading: April 8, 2025

Second Reading: April 8, 2025

Third Reading and Enacted: May 13, 2025

  
Robert Doucet  
Mayor

  
Richard Malone  
Clerk



## **SCHEDULE “A”**

A-1 The following Executive Committees of Council are hereby established to provide advice to Council on matters related to their mandate:

- i. Human Resources Committee
- ii. Finance Committee
- iii. Health Care Committee
- iv. Protective Services Committee - Policing
- v. Protective Services Committee - Fire-Rescue / EMO

### Executive Committees Required by Statute

- vi. Hampton Emergency Measures Organization Committee (HEMO)
- vii. Joint Health and Safety Committee

A-2 The following Standing Committees of Council are hereby established to provide advice to Council on matters related to their mandate:

- i. Public Works and Utilities Advisory Committee
- ii. Parks and Recreation Advisory Committee
- iii. Environment Advisory Committee
- iv. Economic Development and Tourism Advisory Committee
- v. Age-Friendly Community Advisory Committee

### Committees Required by Statute

- vi. Planning Advisory Committee

A-3 At the first regular meeting of Council following the quadrennial election and periodically as they shall deem appropriate, Council representatives to the following executive committees shall be appointed by the Mayor:

- |  |  |
|--|--|
| i. Human Resources Committee                 | Mayor + One (1) Council Representative |
| ii. Finance Committee                        | Mayor + All Members of Council         |
| iii. Health Care Committee                   | Mayor                                  |
| iv. Protective Services Committee - Policing | Mayor + One (1) Council Representative |

- v. Protective Services Committee - Fire-Rescue / EMO One (1) Council Representative

Executive Committees Required by Statute

- vi. Hampton Emergency Measures Organization Committee One (1) Council Representative
- vii. Joint Health and Safety Committee One (1) Council Representative

A-4 At the first regular meeting of Council following the quadrennial election and periodically as they shall deem appropriate, Council representatives to the following standing committees shall be appointed by the Mayor:

- i. Public Works and Utilities Advisory Committee One (1) Council Representative
- ii. Parks and Recreation Advisory Committee One (1) Council Representative
- iii. Environment Advisory Committee One (1) Council Representative
- iv. Economic Development and Tourism Advisory Committee One (1) Council Representative
- v. Age-Friendly Community Advisory Committee One (1) Council Representative

Committees Required by Statute

- vi. Planning Advisory Committee One (1) Council Representative, As per By-law No. HAM-2023-05, *A By-Law to Establish a Planning Advisory Committee and amendments thereto.*

A-5 Council shall appoint the following Non-Council members, Non-Staff members to the Executive Committees as follows:

- i. Human Resources Committee None
- ii. Finance Committee None
- iii. Health Care Committee Six (6) members, with a minimum of one (1) member being a health care professional

- iv. Protective Services Committee - Policing Two (2) members, being the District Commander (District 3) and Operations NCO – Hampton
- v. Protective Services Committee - Fire-Rescue / EMO Two (2) Volunteer Fire Chiefs, Two (2) Volunteer Deputy Fire Chiefs, being members of Hampton Fire-Rescue and Nauwigewauk Fire-Rescue Departments, and by invitation non-voting members of regional and/or mutual-aid services.

Executive Committees Required by Statute

- vi. Hampton Emergency Measures Organization Committee Membership appointed by the committee as per the *Municipal Emergency Response Plan* for the town of Hampton and amendments thereto.
- vii. Joint Health and Safety Committee None

A-6 Council shall appoint the following Non-Council members, Non-Staff members to the Standing Committee, as follows:

- i. Public Works and Utilities Advisory Committee Eight (8) Members
- ii. Parks and Recreation Advisory Committee Eight (8) Members, one member being a teacher or administrator from a Hampton school, one (1) member being a high school student
- iii. Environment Advisory Committee Eight (8) Members, one (1) member being a high school student
- iv. Economic Development and Tourism Advisory Committee Eight (8) Members
- v. Age-Friendly Community Advisory Committee Eight (8) Members

Committees Required by Statute

- vi. Planning Advisory Committee As per By-law No. HAM-2023-05, *A By-Law to Establish a Planning Advisory Committees*

## EXECUTIVE COMMITTEE MANDATES

A-7 The following are the mandates of the Executive Committees established under Section A-1

i. Human Resources Committee

This Committee is responsible for:

- a) Establishing policy on personnel related matters
- b) Establishing parameters for salary adjustments
- c) Recommending the appointment of municipal officers under the Act in consultation with the CAO

This Committee will meet at least quarterly or at the call of the Chairperson. Staff support will include the CAO and the Director of Human Resources (or designates) and additional staff support as required.

ii. Finance Committee

This Committee is responsible for advising Council on matters related to:

- a) Preparation and adoption of the annual operating and capital budgets
- b) Month to month status of Town finances
- c) Acceptance of annual audit and engagement of auditors

This Committee will meet at the call of the Chairperson. Staff support will include the CAO and the Director of Finance (Treasurer) or designates, and additional staff support as required.

iii. Health Care Committee

This Committee is responsible for advising Council on matters relating to:

- a) Enhancement of the provision of primary care services;
- b) To act as liaison between the Town and the health service providers and other persons/organizations as required; and to
- c) Advise Council on health care matters requiring municipal attention.

This Committee will meet at the call of the Chairperson. Staff support will include the CAO (or designate) and additional staff support as required.

iv. Protective Services Committee - Policing

This Committee is responsible for advising Council on matters relating to:

- a) To act as liaison between the Town and the RCMP within the municipality; and to
- b) Advise Council on policing matters requiring municipal attention.

This Committee will meet at the call of the Mayor. Staff support will include the CAO and Director of Finance (or designates), and additional staff support as required.

v. Protective Services Committee - Fire-Rescue / EMO

As per By-law HAM-2024-06 *A By-law of the town of Hampton respecting the establishment of the Hampton Fire-Rescue and Nauwigewauk Fire-Rescue Departments and the Prevention and extinguishment of fires* and amendments thereto.

This committee will meet at the call of the Chairperson. The committee shall have one (1) voting staff member being the Hampton EMO Coordinator. Staff support will include CAO (or designate), and additional staff support as required.

Executive Committees Required by Statute

vi. Hampton Emergency Measures Organization Committee

The responsibilities of this committee are set out in the *Municipal Emergency Response Plan, Municipality of Hampton* and amendments thereto and in accordance with the *Emergency Measures Act, RSNB 2011, c.147* and amendments thereto.

This committee will meet at the call of the Municipal Emergency Measures Coordinator. Staff support will include a minimum of one (1) representative of each of the following Municipal Services: Communications, Public Works, Fire-Rescue, Administration.

vii. Joint Health and Safety Committee

This Committee is responsible for:

- a) Promoting health and safety in the workplace;
- b) Addressing concerns brought forth to the Committee by an employer or employee;
- c) Conduct monthly reviews of workplace inspections;
- d) Conducting periodic reviews of reports of accidents/incident investigations;

- e) Committee members serve as a liaison between the Committee and Managers or Employees;

This Committee will meet monthly or at the call of the Chairpersons. Two (2) Co-Chairpersons, one (1) representing the employer and one (1) representing employees. The committee shall consist of equal representation from both the employer and the Employees, As per the *Occupational Health and Safety Act*, Chapter O-0.2 and amendments thereto. Every effort shall be made to represent all departments within the Town Staff structure. The members' term of service is a minimum of twelve (12) months with no more than two (2) members resigning at any given time.

## STANDING COMMITTEE MANDATES

- A-8 The following are the mandates of the Standing Committees established under Section A-2

### Standing Committees Statement

Council has established a number of standing committees to assist in carrying out the work of the Town. For these committees to function effectively it is necessary to set out the responsibilities and authority of each Committee and indicate its statutory and reporting functions. The purpose of the Committees is not to participate in the administration of day-to-day operations but rather to assist Council in determining policy and priorities and/or by making decisions in areas specifically delegated by Council. The business of a particular committee shall be limited to issues within its mandate.

The Committees may meet with interest groups or individuals to gather information. The Committees report only to Council and reports from Committees shall not be released to other parties by Committee members. Media liaison shall be directed to the Mayor.

The CAO may attend all Committee meetings as deemed appropriate.

- i. Public Works and Utilities Advisory Committee

This Committee is responsible for advising Council on matters related to:

- a) The service level or standards for:
  - Streets and sidewalk maintenance
  - Drainage systems
  - Public parking areas
  - Street signage
  - Traffic control devices
  - Garbage collection and recycling

- Municipal vehicles
  - Water and sewer utility service levels
  - Improvements/expansions to the water utility system
  - Improvements/expansions to the sewage treatment system
  - Utility rates and charges
  - Review and make recommendations to Council regarding proposed utilities connections for new subdivision developments.
- b) Capital and major maintenance projects priorities related to municipal operations.
- c) Advise the Director of Public Works and Utilities on long term strategic planning and policy development for the Public Works and Utilities Department.
- d) Review and make recommendations to Council regarding proposed streets, sidewalks and drainage systems for new subdivision developments.

This Committee will meet at least quarterly or at the call of the Chairperson. Staff support will include the Director of Public Works & Utilities (or designate), and additional staff support as required.

ii. Parks and Recreation Advisory Committee

This Committee is responsible for advising Council on matters related to:

- a) The preparation of a recreation master plan including long term strategic planning and policy development for the departments.
- b) Selection of ongoing recreation programs.
- c) Identification of parks and facilities needs and capital expenditures related to recreation.
- d) Parks and playgrounds.
- e) Make recommendations to Council for special recognition of outstanding recreational achievement by an individual or group.
- f) Recommend Land for Public Purposes or Cash in Lieu to Council in new subdivision developments.
- g) The promotion of healthy living and lifestyle choices.

This Committee will meet at least quarterly or at the call of the Chairperson. Staff support will include the Director of Recreation and Director of Parks & Facilities (or designates), and additional staff support as required.

iii. Environment Advisory Committee

This Committee is responsible for advising Council on matters related to:

- a) Review and make recommendations to Council regarding proposed new subdivision developments.
- b) Recommendations of long-term strategic planning and policy development regarding environmental issues such as air, soil, water, light and noise pollution.

This Committee will meet at least quarterly or at the call of the Chairperson. Staff support will include the Director of Planning, Engineering and Development (or designate), and additional staff support as required.

iv. Economic Development and Tourism Advisory Committee

This Committee is responsible for advising Council on matters related to:

- a) Work with the Town to attract, develop, retain, and expand businesses in the Hampton area; encourage the creation of productive employment opportunities; and support the preservation and growth of a commercial and residential municipal tax base to support the Town's current and future financial requirements.
- b) Will advise staff on long term economic development and tourism planning and policy.
- c) Recommend priorities for the annual budget priorities to staff.
- d) Provide advice or recommendation, when requested by Council, on any business proposals or economic development issues or activities or proposals from other community organizations or committees that may have a bearing on the interests of the committee.
- e) Work in conjunction with the Hampton Area Chamber of Commerce in those cases where the interests of the respective committees are aligned.

This Committee will meet at least quarterly or at the call of the Chairperson. Staff support will include the Director of Economic Development & Tourism (or designate), and additional staff support as required.

v. Age-Friendly Community Advisory Committee

- a) To serve as the age-friendly champion for the community by implementing the vision created by the age-friendly steering committee;
- b) To develop a coordinated approach between local government, citizens, service providers, and community organizations;
- c) To educate the community to view policies, projects and programs with an age-friendly lens;
- d) Participate in engagement opportunities;
- e) Prioritize, promote, and encourage implementation of the action plan;
- f) Evaluate the expected outcomes to ensure the action plan and associated recommendations are being met;
- g) To monitor changes and provide future recommendations to age-friendliness, with consideration of the impact on people of all generations and abilities; and
- h) Review and provide input on draft documents;

This Committee will meet at least quarterly or at the call of the Chairperson upon recommendation from staff. Staff support will include the Recreation Director (or designate), and additional staff support as required.

#### Committees Required by Statute

##### vi. Planning Advisory Committee

The responsibilities of this committee are set out in By-law # HAM-2023-05: *A By-law to Establish a Planning Advisory Committee* and in accordance with the *Community Planning Act*, R.S.N.B. (1973), Chapter C-12 and amendments thereto.

This Committee will meet monthly or at the call of the Chairperson. Staff Support will include the Director of Planning, Engineering & Development (or designate), and additional staff support as required.

**SCHEDULE “B”**

Hampton Area Chamber of Commerce  
Hampton Seniors Resource Centre  
Fundy Regional Service Commission  
The Hampton John Peters Humphrey Foundation

**SCHEDULE “C”**



**Hampton Committee of Council**

**Member Confidentiality Agreement**

I have been invited to serve as a member of a Committee of Council for the town of Hampton. I recognize that confidentiality is vital to the free and candid discussions necessary for effective decisions regarding Hampton. I agree to respect and maintain the confidentiality of all discussions, deliberations, records, minutes, and other information generated in connection with these activities. I agree to make no voluntary disclosures of such information.

I understand that to make informed decisions I am provided with a committee package prior to the committee meetings. The package may include, but not be limited to minutes not yet approved by Council, background information and memos from staff. I understand that the information included in the committee packages are for my information only and should any of these documents be public, they will be available for distribution upon request from the town office and not provided by myself to any third party.

I understand that as a member of a Committee of Council I may be privy to confidential material information that I would not otherwise have access to. I understand that I may not take advantage of this information for personal gain at the expense of Hampton or third-party involved seeking a ruling from a Committee of Council.

Furthermore, my participation on a Committee of Council is based on my belief that confidentiality will be similarly preserved by every other member of the Committee. I understand that the Committee and Hampton Town Council are entitled to undertake such action as is deemed appropriate to ensure that this confidentiality is maintained. This includes action necessitated by any breach or threatened breach of this agreement.

**DATED AT HAMPTON, NB, THIS \_\_\_\_\_ Day of \_\_\_\_\_ 20\_\_\_\_\_**

\_\_\_\_\_  
Appointed Committee of Council

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness – Print Name

\_\_\_\_\_  
Committee Member Signature

\_\_\_\_\_  
Committee Member – Print Name