



## Town of Antigonish Public Hearing Policy

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### Purpose

This Policy will ensure that Public Hearings are conducted in an orderly and proper fashion and ensure that the rights of citizens and applicants to present their views is maintained. Section 23 of the Municipal Government Act permits municipalities to make policies to regulate its own proceedings and preserving order at meetings of Council.

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1. In this Policy:
  1. "Council" means the Council of the Municipality;
  2. "Board" means the Utility And Review Board;
  3. "Municipality" means the Town of Antigonish;
  4. "Presiding Officer" means:
    1. the Mayor when present at a meeting of the Council;
    2. the Deputy Mayor when presiding at a meeting of the Council in the absence of the Mayor;  
or
    3. such other member as may be presiding at a meeting of the Council in the absence of the Mayor and Deputy Mayor.
  5. "Petition" includes a written or an electronic petition.
2. Council Public Hearings will be advertised to their start time, which will generally be set to commence at 6:00 p.m. Advertisements will only be placed for the first date of a Public Hearing.
3. Where Council Public Hearings are expected to draw a number of speakers larger than can be accommodated by the facilities at Town Hall, Council may consider holding the Public Hearing at an alternate suitable location.
4. Those interested in providing a written submission (including fax or email) pertaining to Public Hearings may do so by directing the submission to the Deputy Clerk's Office. To ensure distribution of submissions prior to the Public Hearing, submissions are to be received no later than two (2) business days before advertised Public Hearing date. All submissions will be distributed to Council.
5. At the Public Hearing, staff will present from the podium and provide an explanation of the matter being considered and the staff recommendation to Council. Following the staff presentation, members of Council may ask staff questions of clarification only.
6. After the staff presentation, the applicant (or designate) will be given 15 minutes to present their proposal, which will be done from the podium, after which they will respond to questions of clarification from members of Council.
7. After the applicant's presentation, the Presiding Officer shall permit individuals from the public an opportunity to speak. They will provide their name and community of residence. If the individual represents a group they should indicate this. After the last speaker from the public has spoken, the Presiding Officer will call three times for any others wishing to address Council.
8. Speakers addressing Council should do so from the podium and with proper decorum. Speakers' comments must be specifically related to the subject of the Public Hearing, directed to the Presiding Officer and limited to five minutes. Debates between by other speakers, staff or applicant

shall not be permitted.

9. The role of Council at a Public Hearing is to listen to the public. Members of Council shall not debate nor challenge the comments being offered by the speaker. Following a speaker's presentation, members of Council may ask questions of the speaker, seeking clarification of the points they have raised. Members of Council shall not enter into dialogue with the public during the Public Hearing.
10. In order to ensure that no member of the public feels discouraged, intimidated or otherwise prevented from making his or her views known, no applause or other expressions of emotion, inappropriate language, outbursts or criticisms aimed at individuals or groups will be condoned. No signs shall be displayed.
11. When the last speaker from the public has been heard, the Presiding Officer shall provide the applicant (if one) with an opportunity to briefly respond to points raised by speakers.
12. When the Public Hearing has been closed, staff will be provided an opportunity to briefly respond to points raised by the speakers. The staff will speak from the podium.
13. At the discretion of the Presiding Officer, Council may take a recess every hour.
14. At the close of the Public Hearing, Council may proceed to immediately consider the approval or disapproval of the matter under consideration and reach a decision. The Council decision will start with a motion from a member of Council (to refuse or approve the matter under consideration, or approve it in an amended form). The consideration of the motion is subject to the regular rules of procedure. No further public presentations will be heard. In some instances, particularly when Council members need more time to consider what they have heard, or require further information from staff, the Council may defer the debate and decision until a later date, usually at the next regular meeting.
15. Only members of Council present for the entire Public Hearing are permitted to vote.
16. The vote shall be taken in accordance with the Rules of Procedure. The decision will be determined in accordance with the appropriate section(s) of the Municipal Government Act.
17. Any member of Council who leaves the council chamber during the debate, including during any clarification by staff, the developer or members of the public, is not eligible to vote in respect of those matters considered quasi-judicial in nature including development agreement applications and any associated Regional Planning Strategy, Municipal Planning Strategy, Secondary Planning Strategy or Land Use By-law amendments, site-plan appeals, variance appeals, heritage registrations, and heritage de-registrations.
18. Following the close of the public presentation portion of the Public Hearing, members of Council shall not accept individual representations, whether oral or in writing, in respect of those matters considered quasi-judicial in nature such as development agreement applications, site-plan appeals, variance appeals, heritage registrations, heritage de-registrations and less than market value property sales.

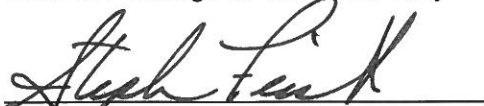
#### CAO's Annotation for Official Policy Book


Date of Notice to Council Members of Intent to Consider

February 20, 2012

Date of Passage of Current Policy

February 20, 2012

  
Chief Administrative Officer

  
Date