

**TOWN OF SAINT ANDREWS**  
**RULES OF OPERATION & PROCEDURE**  
**PLANNING ADVISORY COMMITTEE**

*REVISED AUGUST 17, 2022*

WHEREAS the Council of the Town of Saint Andrews, By-Law No. 21 – 02, dated April 6, 2021, created a Planning Advisory Committee for the Town of Saint Andrews, in accordance with Section 3 of the Community Planning Act (the “Act”) of New Brunswick.

AND WHEREAS Section 4 of the Act provides that an advisory committee may make rules for the conduct of its business.

THEREFORE, the Planning Advisory Committee for the Town of Saint Andrews (the “Committee”) adopts the following as its operating rules and procedures:

**MEETING PROCEDURE**

1. Regular meetings of the Committee shall be held on the third (3<sup>rd</sup>) Wednesday of each month, in a location to be determined, at 7:00 p.m., unless a different hour is indicated in the agenda circulated to Committee Members.
2. Planning Advisory Committee meetings are held in open public sessions and provide a respectful environment for all parties to have their views made. Town Staff, and Committee members will conduct themselves in a respectful and professional manner, at all times.
3. Applicants, their agents, and Members of the public
  - a. May not address the committee without its permission.
  - b. Shall maintain order and quiet.
  - c. Shall not interrupt or interfere with the proceedings.
4. Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while at the Committee Meeting and refuses to apologize or withdraw their remarks when so directed by the Chair or willfully obstructs the conduct of business and refuses to desist when called upon to do so by the Chair, may be ordered to leave the Committee Meeting. If they refuse to do so, the Chair will call a recess and direct Staff to contact the Royal Canadian Mounted Police to dispatch an officer for the purposes of providing security at the meeting. In the case of a web conference or teleconference, if a member of the public is directed to leave, their connection to the meeting will be terminated.

5. Remarks by the members shall be addressed through the Chair and not more than one member shall speak at any one time.
6. In addition to the Regular Meetings as described in Section 1:
  - a. If the Chair of the Committee determines that the number of agenda items will go beyond 9:00 p.m., he/she may call an additional meeting or meetings, and
  - b. If a written request for a Special Meeting is made to the Chair to transact such business as is set out in the request, the Chair may call an additional meeting to transact such business.
7. In the case of absence, death, resignation, or disqualification of the Chair, the Vice-Chair shall carry out the duties of the Chair.
8. If the Chair or Vice-Chair refuses or neglects to call a meeting when scheduled or requested, any three (3) members of the Committee may call such a meeting.
9. The Secretary to the Committee shall deliver notice, in writing, of all Regular or Special Meetings to all members of the Committee. Such notices shall specify the date, time, and place of meeting, and if a Special Meeting, shall set out the business to be considered.
10. The Secretary shall keep notes on the Planning Advisory Committee's proceedings and record all motions and include movers, seconders, and the disposition of each motion including the reasons provided by the Planning Advisory Committee for its decision.
11. The minutes will be made public after they are approved by a simple majority of the Planning Advisory Committee
12. The agenda, supporting documents from applicants to the Committee, and the staff report on matters to be considered at the meeting shall be delivered to Committee members not less than four (4) days prior to the date of the meeting. All such documents and reports shall be available for public perusal at least (2) days prior to the Committee meeting.
13. The agenda of each Regular or Special Meeting of the Committee shall be posted in the Town Office and online at least four (4) days prior to the Meeting.

14. The Committee designates the Regular Meeting in January of each year as the Annual Meeting of the Committee, at which, immediately preceding any regular business, the Committee shall:
  - a. Receive the Chair's Report on the year's activities.
  - b. Elect the Chair and Vice-Chair of the Committee for the coming year.
  - c. Review the Operating Rules & Procedures of the Committee, the provisions of the *Community Planning Act* relating to the operations of the Committee, and the Municipal Plan and Zoning By-Law of the Town.
15. All Regular and Special Meetings of the Committee shall be open to the public. The Committee may meet "in camera" during a Regular or Special Meeting to deal with legal, staff, or items subject to the Privacy Act upon a motion being carried from the Committee.
16. Except for matters of Administrative nature, and as provided in Section 12 below, no matter shall be placed on the agenda of a Regular Committee Meeting unless the Secretary has received any required application and supporting documentation:
  - a. At least fifteen (15) days prior to the meeting in the case of a matter not requiring a neighbourhood polling.
  - b. At least four (4) weeks prior to the meeting in the case of any matter that does require a neighbourhood polling.
17. Notwithstanding Section 10:
  - a. Items referred to the Committee by Council shall be received at the first regular meeting of the Committee after such referral.
  - b. Items may be placed on the agenda with the express permission of the Chair, after consultation with the Secretary, which permission shall not be granted unless the Chair is satisfied that, in the circumstances of the application, appropriate public notice can be issued.
18. A majority of the members of the Committee shall constitute a quorum for the transaction of business at all meetings of the Committee.
19. If within 15 minutes after the scheduled time for a meeting to start, a quorum is not present, the meeting shall stand adjourned to the next Wednesday night, or such other night as determined by the Chair when a quorum can be present.

20. Where a Regular or Special Meeting has been scheduled to occur via a web conference or teleconference function, every effort will be made to maintain the meeting process outlined. Flexibility will be required given the virtual environment.
21. Any web conference or teleconference meeting technology will be run by the Secretary subject to the direction of the Chair. The Chair will retain their role of running the meeting as outlined.
22. The public will be required to register in advance of any web conference or teleconference meeting to participate on an item or to observe the proceedings. Instructions to register will be included in the adjacent owner letter and be compiled by the Secretary.
23. If members of the Committee are unable to attend the Regular Meeting or Special Meeting, notice must be provided to the Secretary at minimum twenty-four (24) hours prior to the meeting.
24. A member of the Committee must be present to vote on any matter of business before the Committee.

#### **OFFICERS AND MEMBERS OF THE PLANNING ADVISORY COMMITTEE**

25. The Chair and Vice-Chair shall be elected by a show of hands. The Clerk of the Town of Saint Andrews shall act as the Secretary to the Committee.
26. The term of office of the Chairman and Vice-Chairman is one-year, but they are eligible for re-election or re-designation.
27. The Chair shall preside at all meetings. In the absence of the Chair, the Vice-Chair shall preside. In the absence of both the Chair and the Vice-Chair, the Committee members present at the meeting shall choose one of them to act as Chair for that meeting.
28. The Chair, Vice-Chair, or other members presiding at the meeting shall not vote on any question except in the case of an equal division of votes when the presiding officer shall have the deciding vote.
29. The Secretary shall record the minutes of the Committee, shall keep the records of the Committee, and shall carry out the duties relating to the position as directed by the Committee. In the absence of the Secretary, the Chair shall appoint a Secretary pro tempore.

30. The Planning Advisory Committee shall consist of not less than five (5) members and not more than nine (9) members. Persons appointed, by Council, to the Planning Advisory Committee may be members of the Council or servants of the Municipality, but the majority shall be other than such members or servants.
31. The terms of office of members of the Planning Advisory Committee are for two (2) or four (4) year terms. Members shall have staggered terms to ensure continuity on the committee. They may be appointed upon reapplication for consecutive terms for a total of six (6) years and may reapply after an absence of one year. In order to maintain long-standing, contributing members, an advisory committee may ask Council for an exemption to the one-year mandated absence.
32. A vacancy results in the Planning Advisory Committee (PAC) when
- I. Member resigns from the Committee.
  - II. A member dies.
  - III. A member is convicted of an indictable offense under part XVII of the Criminal Code, Chapter C-34 of the Revised Statutes of Canada, 1970.
  - IV. A member ceases to be a resident of the Municipality.
  - V. Except in the case of illness or by leave of the PAC, a member is:
    - i. Absent from the Municipality for more than three (3) months at one time, or
    - ii. Absent from three consecutive Regular Meetings of the PAC.

The Committee shall by motion declare the vacancy within two months from the date that the vacancy arises.

## **ORDER OF BUSINESS**

33. The order of business at all Regular Meetings of the Committee shall provide for:

- Recording of Attendance
- Approval of Agenda
- Declaration of Conflict of Interest
- Confirmation of Minutes
- Agenda Items:
  - Presentations/Delegations
  - Zoning Applications
  - Variance Applications
  - Sign Applications
- New Business
- Member Comments/Questions
- Closed Items

- Adjournment

34. The order of business for all Special Meetings of the Committee shall be as follows:

- Recording of Attendance
- Approval of Agenda
- Declaration of Conflict of Interest
- Agenda Items:
  - Special Business
- Adjournment

35. The procedure for reviewing an application at a meeting of the Committee shall be as follows:

- Introduction of the Subject
- Review of Staff Reports
- Questions of Staff
- Presentation by Applicant
- Questions of Applicant
- Presentations of Affected Parties/Members of the Public
- Questions to Public Presentations
- Motion of the Committee
- Debate by the Committee
- Vote of the Committee

36. The business of the Committee at each meeting shall be taken up in regular order as presented in the agenda, unless otherwise determined by the Chair, with the concurrence of the members present.

## **NOTICE**

37. Property owners within 100 m of a property which is subject to an application for a variance, terms and conditions, temporary use, or legally non-conforming, shall be notified and polled by mail, of the meeting time, date, location of the meeting, and nature of the application that will be considered prior to a Planning Advisory Committee Meeting.

The notice will indicate that their view can be made by letter or in person before the Planning Advisory Committee at the meeting. All letters received will be public documents and they must be signed either by hand or digitally. The Planning Advisory Committee will not accept any unsigned letters.

The notice will indicate that a staff report is available six (6) days prior to the Planning Advisory Committee Meeting.

An electronic copy of the notice will be made public on the Town of Saint Andrews website along with the Agenda at least six (6) days prior to the meeting date. Where an application before the Planning Advisory Committee is tabled to a later meeting date, a revised notice shall be made on the Town's website.

## **RECONSIDERATION OF APPLICATION**

38. Unless the Committee is of the opinion that there is valid new evidence or change in conditions, where an application has been refused by the Committee, no further application may be considered by the Committee for one year if such application:
- a. In the case of a variance, concerns the same property and seeks the same or substantially the same variance as in the previous application, or
  - b. In the case of a subdivision, concerns the same property and seeks the same or substantially the same subdivision as previously sought.

## **MISCELLANEOUS**

39. A special sub-committee maybe named at any time by the Chair on the adoption of a motion by the Committee specifying the matters to be dealt with by such sub-committee. The motion of the Committee shall specifically include terms of reference, duration, and the membership of the sub-committee, which is not limited to members of the Committee.
40. These Operating Rules and Procedures may be amended at any meeting of the Committee provided that a notice containing the proposed amendments has been filed at a regular meeting held at least one month prior to the meeting at which the amendment is to be considered. Such amendments shall come into effect upon the approval of a majority of the members present at the meeting at which the proposed amendments are presented.
41. In all cases not provided for herein or in the *Community Planning Actor* By-Laws of the Town of Saint Andrews, the rules of procedures set out in Bourinot's Rules of Order shall be followed so far as they may be applicable to the Committee.