

**THE CORPORATION OF THE TOWNSHIP OF TUDOR AND CASHEL
PROCEDURAL BY-LAW NO. 2023-01**

BEING A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL, THE CONDUCT OF ITS MEMBERS, THE CALLING OF MEETINGS AND GIVING NOTICE TO AND CONSULTING WITH THE PUBLIC.

THE purpose of this by-law, under the *Municipal Act, 2001*, is to ensure the manner in which the Township is accountable to the public for its actions and that its actions are transparent to the public.

WHEREAS Section 238(2) of the *Municipal Act, 2001*, provides that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS Section 238(2.1) of the *Municipal Act, 2001* provides that the procedure by-law shall provide for public notice of meetings;

AND WHEREAS Section 223.2 of the *Municipal Act, 2001*, as amended, authorizes the municipality to establish codes of conduct for members of the council of the municipality and of local boards of the municipality;

AND WHEREAS By-law No. 2020-0016 and amendments thereto are hereby rescinded and that any By-law or resolutions inconsistent with the provisions of this By-law are hereby repealed;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TUDOR AND CASHEL HEREBY ENACTS AS FOLLOWS:

1. **THAT** the Procedural By-Law of Council attached hereto as Schedule "A" is hereby approved and adopted;
2. **THAT** the Mayor and Clerk be and are hereby authorized to sign this By-Law and affix the corporate seal thereto;
3. **THAT** this By-law shall become effective upon the date of passing thereof.

Where any By-law passed prior to this, conflicts with this By-law, the terms of this By-law shall prevail.

PASSED THIS 10th DAY OF JANUARY, 2023.

SEAL

MAYOR: DAVID HEDERSON

CLERK: NANCY CARROL

**THE CORPORATION OF THE TOWNSHIP OF TUDOR AND CASHEL
PROCEDURAL BY-LAW NO. 2023-01**



The Corporation of the Township of Tudor and Cashel

THE PROCEDURAL BY-LAW OF COUNCIL

**SCHEDULE "A" to BY-LAW NO. 2023-01
EFFECTIVE DATE: JANUARY 10, 2023**

**THE CORPORATION OF THE TOWNSHIP OF TUDOR AND CASHEL
PROCEDURAL BY-LAW NO. 2023-01**

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1 SHORT TITLE

1.1 Citation

This By-Law may be referred to as “THE PROCEDURAL BY-LAW”.

2 INTERPRETATION

2.1 Abstention

“Abstention” means a refusal to vote either for or against a proposal resulting in a negative vote.

2.2 Act

“Act” means the *Ontario Municipal Act, 2001*, as amended from time to time.

2.3 Acting Mayor

"Acting Mayor" is the member appointed by resolution to stand in for and replace the Head of Council in the absence of both the Mayor and Deputy Mayor.

2.4 Adjourn

“Adjourn” in an unqualified manner, means that the adjournment is effective immediately.

2.5 Ad Hoc Committee

“Ad Hoc Committee” means a committee appointed by Council from time to time, to act on a temporary or singular issue and shall be discontinued by Council when their recommendations upon the specified initiative or matter have been provided, and dealt with by Members of Council and further recommendations are no longer required.

2.6 Advisory Committee

“Advisory Committee” means a committee appointed by Council to act in an advisory capacity to Council on operational and strategic issues during the full term of Council.

2.7 Agenda

"Agenda" means a document issued in accordance with this By-Law that sets out the items of business and order of proceedings for any Meeting.

2.8 Chair

“Chair” means the person presiding at a Meeting, whether it is the Head of Council or any other Member who is actually presiding at the time that the meeting is being held.

2.9 Clerk

“Clerk” means the Clerk of the Corporation of the Township of Tudor and Cashel as authorized by the *Municipal Act* and appointed by By-law, or a designate, so designated in writing.

2.10 Closed Session

“Closed Session” means any Meeting or portion of a Meeting not open to the public in accordance with the *Municipal Act*.

2.11 Committee

“Committee” means any advisory or other committee, subcommittee or similar entity that is established by Council, reports to Council, and the membership of which is appointed by Council.

2.12 Committee of the Whole

“Committee of the Whole” means a working committee made up of all of the Members of Council to allow for detailed consideration to be given to a matter and greater means to discuss the matter.

2.13 Corporation

"Corporation" means the Corporation of the Township of Tudor and Cashel.

2.14 Council

“Council” means Elected Members of the Council of the Corporation of the Township of Tudor and Cashel whom were elected by registered voters or who have been appointed by virtue of a vacancy.

2.15 Debate

“Debate” means a discussion to put forth reasons for or against, in which a difference of opinion may be expressed.

2.16 Delegation

"Delegation" means a person or group making a verbal presentation to Council.

2.17 Deputy Mayor

“Deputy Mayor” means the member of Council elected at-large to act in the place of the head of council when the head of council is absent or refuses to act or the office is vacant.

2.18 Emergency Meeting

"Emergency Meeting" means a Meeting of the Council called without Notice to address circumstances of emergency.

2.19 Electronic Participation

“Electronic Participation” means the participation of a member of Council through video/electronic conferencing means (such as Zoom or Facetime) when the member cannot otherwise be present at the meeting location.

2.20 Head of Council

"Head of Council" means the Mayor or, as applicable, the Deputy Mayor, or the Acting Mayor.

2.21 Local Board

"Local Board" means a municipal service board, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board and a conservation authority.

2.22 Meeting

"Meeting" means any regular Council, special Council, committee, or other meeting of a Council, of a local board or of a committee of either of them where a quorum of members is present and members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

2.23 Members

"Members" means a Member of the Council of the Corporation of the Township of Tudor and Cashel and includes the Head of Council. Where the term is used in reference to a Committee, it refers to only those members of the Committee itself. Where the term is used in reference to an Ad Hoc Committee made up of persons who are not Members of the Council, the term also includes those persons.

2.24 Motion

"Motion" means a proposed resolution brought forward for adoption by Council, or a proposed recommendation to the Council brought forward from a Committee meeting for adoption by Council.

2.25 Notice

"Notice" means an announcement in writing provided to Members and to the public that advises the recipient of the time and place of a Meeting.

2.26 Petition

"Petition" means a form stating the reason for the petition and signed by each of the Members who concur with the Petition, an e-mail from each member stating they are in agreement with the Petition, or a combination of both.

2.27 Presentation

"Presentation" means:

a) a ceremonial presentation to or from the Township of Tudor and Cashel;

b) a presentation made by Township staff and/or by consultants retained by the Township or by another level of government; and

c) a presentation that in the opinion of the Mayor or Clerk is most beneficial for all involved if heard at a Council Meeting instead of a Committee Meeting.

2.28 Point of Information

“Point of Information” means a request from a Member through the Chair, for information relevant to the business at hand, but not related to parliamentary procedure.

2.29 Point of Order

“Point of Order” means a matter that a Member considers to be a departure from or contravention of the rules, procedures or generally accepted practices of Council.

2.30 Public Meeting

"Public Meeting " means any public meeting that Council or staff believes is in the best interest of the ratepayers of the Township but is not a requirement pursuant to provincial legislation. Committee of the Whole is authorized to hold Public Meetings on behalf of the whole Council.

2.31 Question of Privilege

“Question of Privilege” means a concern of a member about the honour, dignity, character, rights or professionalism of the Mayor, Members of Council, or members of staff.

2.32 Recorded Vote

“Recorded Vote” means the making of a written record when requested by Council of the names and the vote of each Member who votes on a formal question posed during a council meeting.

2.33 Recording Secretary

"Recording Secretary" means the Clerk or person designated by the Clerk to attend at, and take minutes at any Council or Committee Meeting.

2.34 Standing Committee

“Standing Committee” means a committee appointed by Council that has a continuing existence from one term of Council to another.

2.35 Statutory Public Meeting

"Statutory Public Meeting" means any public meeting that is required pursuant to provincial legislation (Municipal Act, Planning Act etc.). Committee of the Whole is authorized to hold Statutory Public Meetings on behalf of the whole Council or in place of the whole Council or other Committee in accordance with the Public Meeting Policy.

2.36 Seal

“Seal” means the authenticating seal of Corporation of the Township of Tudor and Cashel.

2.37 Time

“Time” means the time as defined under the *Time Act*.

3 GENERAL PROVISIONS

3.1 Observation

The rules and regulations contained in this By-law shall be observed in all Meetings, as applicable, and shall be the rules and regulations for the order and dispatch of business before Council and, as applicable, in every Committee and Board Meeting.

3.2 Suspension of Rules

The rules and regulations contained in this By-law shall be observed in all proceedings of the Council and Committees and shall be the rules and regulations for the order and dispatch of business of all Council meetings and in Committees. The rules and regulations contained herein may be suspended by a two-thirds (2/3) vote of Members present and voting in any case for which provision is not made herein and shall not be debatable or amendable.

3.3 Two-thirds Vote Calculation

The Calculation of two-thirds (2/3) vote shall be rounded upwards to the next highest (full) number. In a 5-member council a two-thirds vote would require four (4) members.

3.4 Parliamentary Authority

The governing legislation, the Procedural By-law, or any standing or special rules of order adopted by the Corporation of the Township of Tudor and Cashel shall govern the procedures of the Council. Where inconsistencies exist, the current edition of “[Robert’s Rules of Order](#), latest Edition” shall be the parliamentary authority that governs the proceedings of the Corporation of the Township of Tudor and Cashel.

3.5 Severability

If any provision or provisions of this By-law shall be held to be invalid, illegal, un-enforceable or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

3.6 Gender

Whenever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.

3.7 Notional Agreement

References to items in the plural include the singular, as applicable.

4 MEETINGS

4.1 Inaugural Meeting of Council

The Inaugural Meeting of the Council, following a regular election, shall be considered the Council's first meeting and shall be held no later than the second Tuesday of December in an election year, beginning at the time and location determined by the Mayor-Elect in accordance to the *Municipal Act, S.230*.

a) Inaugural Agenda

The Mayor-Elect and the Clerk shall be responsible for the content of the Agenda of the Inaugural Meeting and the arrangements for the Inaugural Proceedings.

4.2 Regular Public Meetings of Council

Regular public meetings shall be held in accordance with the schedule of meetings of Council as prepared by the Clerk and adopted by Council and published no later than December 31st in the year prior. The schedule may be adjusted from time to time at the discretion of the Clerk and the Head of Council in accordance with the necessary notice provisions.

4.3 Special Meetings of Council

a) Special Meetings of Council – Call of the Mayor

In addition to Regular meetings, the Mayor may at any time summon a Special meeting of Council by giving direction to the Clerk stating the date, time and purpose of the Special meeting, in accordance with Section 4.3c.

b) Special Meetings of Council – By Petition

Upon receipt of the petition of the majority of the Members, the Clerk shall summon a Special meeting for the purpose and at the date and time mentioned in the petition, and in accordance with Section 4.3c.

c) Notice of Special Meetings of Council

The Clerk shall give all Members and the Public notice of a Special meeting of Council at least forty-eight (48) hours before the time appointed for such meeting. Notice may be given by delivering a notice electronically (or by telephone to Member(s)).

d) Notice of Nature of Business

The written or verbal notice shall indicate the nature of the business to be considered, date, time and place of the Special meeting.

e) No Other Business

No business other than that indicated in the written or verbal notice shall be considered at the Special meeting.

4.4 Emergency meeting – written notice not required

Notwithstanding any other provision of this By-law, an Emergency meeting may be called by the Head of Council, without written notice, to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk or their designate to notify all Members about the meeting as soon as possible and in the most expedient manner available. An Emergency Meeting may only be called by the Head of Council to deal with an emergency or extraordinary situation.

4.5 Emergency meeting – under Section 236 of the Act.

In accordance with Section 236 of the Municipal Act, 2001, an Emergency Meeting of Council may be called by the Mayor or their designate under the Emergency Management and Civil Protection Act, at any time, and at any location as may be convenient.

4.6 Location – Council Meeting

All Council meetings shall be held within the Council Chambers unless otherwise stated in the notice of the meeting.

4.7 Public Meetings

Meetings of the Council and its standing committees and boards, shall be open to the public with the exception of those meetings as provided within Sections 4.9 and 4.10; and as provided for under *Section 239 (2, 3 and 3.1) of the Municipal Act of Ontario*.

4.8 Record of Public Meetings

All Meetings shall be recorded without note or comment on all resolutions, decisions and other proceedings and kept for archival purposes by the Clerk. All minutes of public meetings shall be made available to the Public.

4.9 Closed Meetings

A meeting or part of a meeting of the Council or its standing committees may be closed to the public if the subject matter being considered is provided for under Section 239 of the *Municipal Act of Ontario*.¹ Closed Meetings, shall commence at a time prescribed by the Municipal Clerk upon consultation with the Mayor.

4.10 Resolution to Enter a Closed Meeting

Prior to holding a meeting, which is closed to the public, Council or the Committee shall pass a resolution stating the purpose of the holding of the closed meeting and including the general nature of the matter to be considered at the closed meeting.²

¹ Part VI – Practices and Procedures *Ontario Municipal Act*

² Sec.239(4) *Ontario Municipal Act*

4.11 Closed Meetings – Taking of a Vote

Votes may only be taken during Closed Session where the vote is for a procedural matter, including the receiving of information, or for giving directions or instructions to officers, employees or agents of the municipality, local board or persons retained by or under contract with the municipality.

4.12 Closed Meetings - Release of Information

The Clerk should make public any matters of closed session as soon as it is appropriate to do so. When possible, the conditions under which a report would be made public should be included on the in-camera report. When made public, a cover letter should be provided that includes the date(s) discussed in closed session, the date(s) discussed in open session, any decisions made, and the release of information date.

4.13 Confidential Matters

Members are to ensure that confidential matters disclosed to them during meetings closed to the public, are kept confidential. Any Member, who contravenes the confidentiality clause, may be subject to penalties in accordance with the adopted “Code of Conduct” policy.

4.14 Electronic Meetings ³

a) Any Member, who participates through electronic means, shall be counted in determining whether or not a quorum of Members is present.

b) Any Member may participate through electronic means when the meeting is closed to the public, upon declaring to the Clerk that the Member is alone and no other person(s) can hear or view the meeting.

c) Electronic Participation is permitted for meetings of local boards provided the Board passes a resolution to permit the participation, which details the reason for the electronic participation and the participation is consistent with the rules of this By-Law.

d) A member participating electronically may act as Chair of the meeting.

e) A member participating electronically may vote, provided they were present (electronically) for the entirety of the discussion surrounding the resolution on the table. The Chair shall request the member’s vote disposition verbally.

f) The Chair shall ensure that Members participating electronically are given the same opportunity to speak to each question as they would have been given if participating in person.

g) Any Member wishing to participate electronically in a meeting that has otherwise been called as an “in person” meeting shall send notice to the Clerk as far in advance as

³ Sec. 238(3.1) *Ontario Municipal Act*

possible prior to the start time of the meeting to provide staff an opportunity to make necessary arrangements for the technological needs of electronic participation.

h) The Township may use telephone conference calling, or other technology to facilitate electronic participation. The Township shall pay the cost of the conference calling or technology option. Video conferencing shall be the preferred method of electronic participation but the Township reserves the right to allow electronic participation by any means provided that there are audio capabilities for the participants which can be integrated into the Township's live streaming capabilities.

i) In the event of technical failure during the meeting, Council may take a recess of not more than ten (10) minutes to allow staff to reinstate the electronic participation. If one (1) or two (2) member(s) can no longer participate by electronic means, it will not affect the validity of the meeting or decisions made. If quorum is no longer achieved due to technical difficulties, the meeting shall be deemed automatically adjourned after twenty (20) minutes of the technical failure. A subsequent meeting to deal with those items not dealt with shall be scheduled as soon as possible thereafter. Notice of the disruption shall be noted in the minutes of the meeting.

j) The Clerk shall make arrangements for all Regular meetings of Council to be broadcast electronically for public viewing, and shall make arrangements for all Special meetings of Council and Committee meetings to be broadcast if one or more members is participating electronically.

4.15 Meetings – Termination Hour

No item of business other than the Confirmation By-law shall be considered at a meeting of Council more than four hours after the meeting is called to order.

4.16 Meetings – Continuation – Suspend the Rules

Should Council wish to extend the meeting of Council beyond four hours, and they wish to continue the ongoing meeting until additional items listed on the Agenda have been dealt with, a Motion to *Suspend the Rules of Order (Sec. 3.2)* of this By-law shall be introduced and a two-thirds (2/3's) vote of the Members present and voting shall be required.

5 ROLES

5.1 Council

It is the role of Council to:⁴

- a) Represent the public and consider the well-being and interest of the municipality;
- b) Develop and evaluate the policies and programs of the municipality;
- c) Determine which services the municipality provides;
- d) Ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;

⁴ Sec. 224 Ontario Municipal Act

- e) Ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- f) Maintain the financial integrity of the municipality; and
- g) Carry out the duties of council under the *Ontario Municipal Act* or any other act.

5.2 Individual Authority – not provided

No individual Council Member may direct any Member of staff to perform such duties that have not been authorized by resolution of Council.

5.3 Established Policies – Members – respect

Members of Council shall respect and adhere to the policies set by the Council and under no circumstances take it upon themselves individually to circumvent established policies.

5.4 Council – liaison with Administration

Council Members will liaise with Administration in accordance with the Council Staff Relations Policy

5.5 Information – by Staff – Members of Council

Council Members may request information from Administration or express operational concerns or complaints through the Municipal Clerk or Committee Chair.

5.6 Head of Council

It is the role of the Head of Council to:⁵

- a) Act as Chief Executive Officer (CEO) of the municipality;
- b) Preside over Council Meetings so that business can be carried out efficiently and effectively;
- c) Provide leadership to Council;
- d) Provide information and recommendations to Council with respect to the role of Council as described in section 5.1(d) and (e) above;
- e) Represent the municipality at official functions;
- f) Carry out the duties of the Head of Council under this or any other Act;
- g) Uphold and promote the purposes of the municipality;
- h) Promote public involvement in the municipality's activities;
- i) Act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- j) Participate in and foster activities that enhance the economic social and environmental Well-being of the municipality and residents.

5.7 Clerk

It is the role of the Clerk to:⁶

⁵ Sec. 225 & 226 *Ontario Municipal Act*

⁶ Sec. 228 *Ontario Municipal Act*

- a) Record, without note or comment, all resolutions, decisions and other proceedings of the Council;
- b) Record the name and vote of every Member voting on any matter or question, if required by any Member present at a vote;
- c) Keep the originals or copies of all By-Laws and of all minutes of the proceedings of the Council;
- d) Perform other duties required under the *Ontario Municipal Act*, the *Municipal Elections Act*, and any other Act and;
- e) Perform such duties as are assigned by the municipality.

5.8 Delegation of Clerk Role

The Clerk may delegate in writing to any person, other than a Member of Council, any of the Clerk's powers and duties under this and any other Act. Despite the delegation, the Clerk may continue to exercise the delegated powers and duties.

5.9 Municipal Officers and Administration ⁷

It is the role of Municipal Administration to:

- a) Implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions.
- b) Undertake research and provide advice to Council on the policies and programs of the municipality; and
- c) Carry out other duties required under this or any Act and other duties assigned by the municipality.

6 DUTIES

6.1 MEMBERS

a) Preparation of Members for Meetings

Members shall come prepared to every meeting by having read all the material supplied, including agendas and staff reports, to facilitate discussion and the determination of action at the meeting. Whenever possible, the Members shall make inquiries in advance of the meeting regarding materials supplied, in Accordance with Sections 5.4 and 5.5.

b) Reports - Requests

All requests for substantive reports shall be by resolution, and shall identify the appropriate Staff to complete the report and the objectives of the report.

⁷ Sec. 227 *Ontario Municipal Act*

- c) **Interference – directed to administration⁸**
No Member shall have the authority to direct or interfere with the performance of any work by employees or officers of the municipality.

6.2 MAYOR AND COMMITTEE CHAIR(S)

- a) **Open Meeting – call to order**
The Mayor or Chair shall call each meeting to order, take roll call, and preside over the conduct of meetings, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting.
- b) **Speakers – recognized**
The Mayor or Chair shall recognize any Member who wishes to speak and determines the order of the speakers.
- c) **Motions – received – submitted – results announced**
The Mayor or Chair shall receive and submit in the proper manner, all motions presented by the Members and to put to vote all questions, which are duly moved, and to announce the result.
- d) **Council - Mayor Participating - Introduction of a motion and debate**
The Mayor may speak and/or vote on any question during a meeting of Council, but if they wish to make a motion, they shall first leave the Chair by designating the Deputy/Acting Mayor to Chair the meeting. Should the Deputy/Acting Mayor be absent, by designating another Member to act in their stead until such time as the motion(s) and any amending motion to the main question have been decided upon and after which they shall resume the Chair.
- e) **Committee – Participating - Introduction of a motion and debate**
The Committee Chair may speak and/or vote on any question and may make a motion during a meeting of Committee.
- f) **Decorum – order – enforced**
It shall be the duty of the Mayor or Chair to enforce on all occasions the observance of order and decorum among the Members.
- g) **By-laws – resolutions – minutes - authentication**
It shall be the duty of the Mayor or Chair to authenticate, by their signature, when necessary, all By-laws, resolutions and minutes approved by the Council.

⁸ By-Law No. _____ Council & Staff Communication Policy

h) **Authentication – refusal by Chair**

In the event that the Chair refuses or is unable to authenticate any document as identified in section 6.2.g, the Deputy/Acting Chair shall have the authority to sign on their behalf.

7 CONDUCT DURING MEETINGS

7.1 Respect for Sovereign and Other Levels of Government

No Member shall speak disrespectfully of the reigning Sovereign or of any of the Royal Family or of the Governor General, the Lieutenant Governor or any Provincial representative or any Members of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.

7.2 Members of Council – Municipal Administration

No Member shall speak disrespectfully nor shall they use offensive words in or against Members of the Council or any Member thereof including Municipal Employees.

7.3 Criticism of Decisions of Council

No Member shall criticize any decision of the Council except for the purpose of moving that the question be reconsidered, in accordance with the Code of Conduct and Ethics for Elected Officials (By-Law 2019-06, or subsequent iterations of the same).

7.4 Breach of Rules

Members shall refrain from harmful conduct to the Municipality. No Member shall breach the rules of the Council, or a decision of the Chair or of the Council as a whole on questions of order or practice, or upon the interpretation of the rules of Council; and in the case where a Member persists in any such breach after having been called to order by the Chair, the Chair may order that such Member leave their seat for the duration of the meeting of the Council; but if the Member retracts or withdraws the breach, they shall be permitted to retake their seat.

7.5 Meeting Disorder

It shall be the duty of the Chair to adjourn the meeting without the question being put or to suspend or recess the sitting for a time to be named if considered necessary because of grave disorder arising in the meeting.

7.6 Power to Expel⁹

The Mayor or Chair may expel any person for improper conduct at a meeting.

⁹ Sec.241(2) *Ontario Municipal Act*

7.7 Dress Code

All Members, participating in person or through electronic means, shall wear attire respectful of the office held, as deemed by Council, during all Regular, Special and In-Camera meetings of Council.

7.8 Scent Free Environment

During the conduct of any meeting, the use of scented products shall be avoided by Members, Administration or the public.

7.9 Use of Technology and Cell Phones

Members, Administration and the public shall ensure that all devices are turned off or are silenced during meetings. Members and Administration shall restrict their use of devices to the needs of the meeting.

7.10 Code of Ethic – Confidentiality

a) Reporting out of Closed Meetings

Upon completion of any Closed Meetings, the decision with respect to any of the enumerated items listed in Section 4.9; and direction to Administration in accordance therewith, shall then be reported publicly by Council, through the Clerk, to the extent that the public interest permits and in accordance with Sections 4.9 to 4.13.

b) Member Response to Closed Enquiries

The response of Members to enquiries about any matter dealt with during a Closed Meeting, prior to it being reported publicly, shall be *“This matter is still under advisement,” “no comment”*, or words to that effect.

c) Obligation – Confidentiality

It is the obligation of each Member to keep information confidential and this obligation continues even after the Member ceases to be a Member.

8 RULES OF DEBATE

8.1 Chair Shall Preserve Order

The Mayor/Chair shall preserve order and decorum and decide questions of order subject to an appeal to the Council/Committee by any Member.

8.2 Speaking Order

The mover of the motion should be offered the opportunity to speak on the motion first with the member of Council that seconded the motion granted the opportunity to follow.

8.3 Addressing the Chair

Any Member, prior to speaking on any motion, shall indicate their desire to speak by a raised hand and shall not speak until recognized by the Chair.

8.4 Decorum While Voting

When the Chair calls for the vote on a motion, each Member shall occupy their seat and shall remain there until the Chair has declared the result of the vote and shall not make any noise or disturbance.

8.5 Question on a Motion Under Debate

A Member may concisely ask a question through the Chair only for the purpose of obtaining information relating to the motion under debate.

8.6 Moving a Motion to Permit Debate

All motions shall be seconded before it is debated and voted on.

8.7 Speaking – Interruption

When a Member is speaking, no Member shall interrupt the speaker except to raise a question of privilege, appeal from the decision of the Chair or raise a point of order.

8.8 Point of Order – Inform Members

It shall be the duty of the Chair to inform the Members on any point of order.

8.9 Speaking – subject of debate

No Member shall speak on any subject other than the subject that is currently being debated.

8.10 Speaking – Motion Read

Any Member may request a motion under debate be read at any time during the debate but not so as to interrupt a Member while speaking.

8.11 Speaking – duration – time limit

No Member of Council shall speak to the same point in a motion for longer than three (3) minutes. With the leave of the Chair, a supplementary two (2) minutes may be granted. No Member shall speak to the same question or in reply without permission of Council.

8.12 Debate – By-laws

Any By-law may be debated and is subject to amendments or referred for future consideration and re-introduced in the same manner or in an amended matter at a future meeting within a quarterly time period.

9 ORDER OF BUSINESS – AGENDA

9.1 Council Agenda – Content

The Business of the Council shall in all cases, be taken up in the following order, once the Chair has brought the meeting to order, unless otherwise decided by a vote of two-thirds of the Members present and voting.

- a) Call to Order
- b) Roll Call
- c) Opening Ceremonies (Regular Meetings of Council only)
- d) Disclosure of Interest
- e) Approval of Agenda
- f) Adoption of Minutes
- g) Business Arising from Minutes
- h) Approval of Accounts Paid
- i) Presentations/Delegations
- j) Correspondence for Council Information and/or Decision
- k) Adoption of Staff Reports, Minutes of Committees and Local Boards
- l) Old Business
- m) By-Law Readings
- n) New Business/Possible Action
- o) Business arising from Notice of Motions
- p) Notice of Motion
- q) Closed Session (if necessary)
- r) Confirming By-Law
- s) Next Meeting
- t) Adjournment

9.2 Committee Agenda – Content

The Business of the Committee shall in all cases, be taken up in the following order, once the Chair has brought the meeting to order, unless otherwise decided by a vote of two-thirds of the Members present and voting.

- a) Call to Order
- b) Roll Call
- c) Disclosure of Interest
- d) Approval of Agenda
- e) Adoption of Minutes
- f) Business Arising from Minutes
- g) Presentations/Delegations
- h) Other Business
- i) New Business
- j) Next Meeting
- k) Adjournment

9.3 Opening Ceremonies - Council

The Opening Ceremonies shall include the following:

- a) Request to ensure all devices are turned off or in silent mode
- b) Land Acknowledgement
- c) Comments from the Mayor

9.4 Delivery of Agenda

The agenda of a regular meeting shall be delivered by electronic transmission to each Member by the Clerk's Office no less than three business days preceding the scheduled Public Meeting. The agenda will also be available to the public by electronic format after it has been delivered to Members.

9.5 Items to be Included – Deadline for Delivery to Clerk

Unless otherwise noted in this By-law, items to be considered for inclusion on the agenda for a Meeting must be received by the Clerk and Mayor no less than seven business days prior to the Meeting.

9.6 Matters not under Council jurisdiction

Any matter not considered to be a matter under the Council's jurisdiction, after consultation with the Mayor and the Clerk, shall not be accepted.

10 QUORUM

10.1 Call to Order – quorum present

As soon after the hour fixed for holding the meeting, as there is a quorum present, the Chair shall call the Members to order.

10.2 Quorum

A majority of the Members elected or appointed (in the case of Committee) (50% +1) shall constitute a quorum.

10.3 Quorum – not present – time limit

If there should be no quorum present within fifteen (15) minutes after the time fixed for holding the meeting, the Chair shall call the roll and the Clerk shall take down the names of the Members present.

10.4 Permitted motion – no quorum

Should there be no quorum at a duly called meeting, one of the following three motions can be legally called:

- a) **Motion to Adjourn**
By calling this motion, all matters listed on the Agenda shall be brought forward at the next regularly scheduled meeting.
- b) **Motion to Recess**
The Chair may call for a recess and request that the Members missing be called to inquire as to their attendance.
- c) **Motion to Set the time to which to re-adjourn the meeting**
The Chair may request to re-set the meeting to another date and time set before the next regular meeting to deal with matters listed on the Agenda.

There can be no other motion that would advance the business of the Municipality or Committee legally permitted.

10.5 Mayor – Absence from Council Meeting

In the case of the Mayor not attending within fifteen (15) minutes after the hour fixed for holding the meeting of the Council, and provided that a quorum is present, the Deputy/Acting Mayor shall take the Chair and call the Members to Order; and they shall preside until the arrival of the Mayor. In the absence of the Deputy Mayor, and if a quorum is present, the Clerk shall call the Members to order. A Chairperson shall be chosen from the Members present who shall preside over the meeting until the arrival of the Mayor or Deputy/Acting Mayor.

10.6 Chair – Absence from Committee Meeting

In the case of the Chair not attending within fifteen (15) minutes after the hour fixed for holding the meeting, and provided that a quorum is present, the Clerk shall call the Members to order. A Chairperson shall be chosen from the Members present who shall preside over the meeting until the arrival of the Chair.

10.7 Quorum – Municipal Conflict of Interest – remedy for lack

Where the number of Members who, by reason of the provisions of the *Municipal Conflict of Interest Act*, are disabled from participating in a meeting is such that at that meeting the remaining Members are not of sufficient number to constitute a quorum, then despite any other general or Special Act, the remaining number of Members shall be deemed to constitute a quorum, provided that such a number is not less than two (2).¹⁰

11 MINUTES

11.1 Minutes to be Recorded by Clerk

The Clerk shall prepare and cause the minutes to be taken of each meeting of Council and which shall include:

- a) The place, date and time of the meeting;
- b) The name of the presiding officer or officers and the record of the attendance of the Members;

¹⁰ Sec.7(1) *Municipal Conflict of Interest Act*

- c) Members who enter after the commencement of a meeting or leave prior to adjournment, the time shall be so noted in the minutes;
- d) To record, without note or comment, all resolutions, decisions and other proceedings of the Council;
- e) To record all publicly declared conflict of interests made by Members and ensure that the Member has provided, in writing the reasons why the Member has recused itself from discussion or vote on the declared matter, when the subject matter is brought up for debate;
- f) If requested by any Members present at a vote, to record the name and vote of every Member voting on any matter or question.

11.2 Closed Meeting Minutes

Minutes of Closed meetings shall be added to the next regularly called closed meeting for adoption. The contents of the minutes shall not be disclosed beyond the Members.

11.3 Confirmation of Minutes

Once the minutes have been adopted, they shall be signed by the Mayor/Chair and the Clerk and sealed by the Corporate Seal.

11.4 Electronic Recording

Meetings shall be recorded and posted as per the Recording Policy (By-law 2021-42)

12 PRESENTATIONS/DELEGATIONS/DEPUTATIONS

12.1 Request to Appear

Individuals wishing to make a delegation to Council or Committee that fall under the Council or Committee's mandate shall be heard at the meeting, with those delegations having submitted their request and all accompanying documentation in the form prescribed by the Clerk to the Clerk by 12:00 noon on the Wednesday preceding the Meeting.

12.2 Presentation defined

A request for a presentation at a meeting may be made by an individual, group or organization for matters that fall under the Council of Committee's mandate. Should the request for presentation be made but there is a request for Council to take action, the request shall be made under "Delegations."

12.3 Delegations and Presentations – time limit

The time allowed for a presentations or delegation shall be limited to a maximum of ten (10) minutes, unless requested and approved in advance by the Clerk and the Chair.

- a) **Number of Presentations and/or Delegations – meetings**
On any given scheduled meeting agenda, there shall be a maximum of four (4) combined presentation(s) and/or delegation(s) permitted to speak for a maximum time allotment of 40 minutes – divided amongst the presenters at the discretion of the Clerk and Chair.

- b) **Time Schedule – questions**
Members shall be permitted a question period for clarity on each presentation and/or delegation of a maximum five (5) minutes. Any decisions to be considered should be listed as a business item for Council or Committee deliberation.

12.4 Previously Presented Delegation

Any delegation that has previously appeared before Council regarding the same matter will not be permitted to address Council within six (6) months of the initial visit, unless in the opinion of the Clerk and Head of Council, there is new information that is pertinent to the matter.

12.5 Delegation Deemed Inappropriate for Council

When it is deemed inappropriate by the Clerk and Chair that a delegation address Council, the Clerk shall so notify the delegation with a supporting explanation.

12.6 Delegation - Statements Unsubstantiated

Whenever a delegation offers comments or statements that are deemed to be erroneous and unsubstantiated, any Member or Township Official, may be recognized by the Chair on a “Point of Order” whereby the Members of Council or Township Official so recognized by the Chair may bring necessary corrections or clarifications to the comments or statement said by the delegation.

13 BY-LAWS

13.1 Description listed on Agenda

All By-laws, together with a brief description, shall be listed on the agenda for the meeting at which they are to be read.

13.2 Form of By-Law and Relevant Act

Every By-law when introduced shall be in typewritten form and shall comply with the provisions of any relevant Act.

13.3 Readings Prior to Passing

Every By-law caption shall be read once prior to it being passed and endorsed by the Council.

13.4 By-Law Explained Upon Request

Any Member of Council may request that the purpose and effect of any particular By-law be explained, and the Clerk or any other Township Official having knowledge thereof may provide such explanation.

13.5 By-Law Debate and Amendment

A By-law (with the exception of the Confirming By-law) may be debated or amended before final adoption by Council.

13.6 By-Law Passed

Every By-law passed by the Council shall be numbered consecutively on an annual basis and dated, and shall be sealed with the Seal of the Municipal Corporation and signed by the Mayor and Clerk and shall be kept by the Clerk in the Clerk's office or any other place appointed for that purpose.

13.7 Confirmatory By-Law¹¹

At the conclusion of all regular meetings of the Council and prior to adjournment, a By-law shall be brought forward to confirm the actions of the Council at the meeting in respect of each motion, resolution and other action taken that consolidates and includes the provisions of any By-law previously passed by the Council. This By-law authorizes the execution of agreements and other documents and the proceedings of Council. A Confirmatory By-law when introduced shall be taken as read and finally adopted without debate.

14 INFORMATION/CORRESPONDENCE

14.1 Items to be Included

All items to be considered for the Information/Correspondence portion of the Council Agenda shall be determined by the Mayor and the Clerk. Inclusions into the Information/Correspondence portion may be, but not limited to, petitions, proclamations, flag raising, items for information, etc. All items listed under the Information/Correspondence portion shall contain routine matters which are not controversial in nature and which do not need further discussion or decision.

14.2 Information/Correspondence Items – One Motion

All Items listed under the Information/Correspondence, shall be preceded by an explanatory note indicating as follows: *“all matters listed on the Information/Correspondence portion are considered to be routine and will be received by one motion. There will be no separate discussion on these matters.”*

14.3 Request to Separate Information/ Correspondence Items

Should a Member of Council wish to debate any matter included in the Information/Correspondence portion, the Member shall ask immediately upon the Mayor

¹¹ Sec.248 Municipal Code – Ontario Municipal Act

(Chair) bringing forward the resolution to decide the Information/Correspondence Items, at which time the Member shall request that the item be considered by separate resolution.

15 RESOLUTIONS

15.1 Number of Resolutions

All resolutions presented to the Council shall be consecutively numbered, on an annual basis.

16 NOTICE OF MOTION

16.1 Notice of Motion – Debated Separately

Every matter listed under Notices of Motion shall be dealt with individually.

16.2 Notice of Motion – introduced – requirements

A Member may introduce a notice of motion at a meeting regarding a matter that would not otherwise be considered by Council at such meeting, by delivering a written copy of the motion [as per agenda requirements], signed by the mover to the Clerk.

16.3 Notice – received by Clerk – included to Agenda

Notices of Motion, which have been included to the printed portion of an Agenda and introduced at a public meeting of Council shall not be debated and shall be recorded on the next regular meeting of Council under the heading “Notices of Motion,” with the notation of “Second Reading.”

16.4 Consideration – disposal – deferred to other meeting – mover absent

A notice of motion shall not be considered or otherwise disposed of by the Council unless the mover of the motion is in attendance at the Second Reading. If not in attendance, it shall be deferred to the next regular meeting of Council.

16.5 Seconded – by any Members

A Notice of Motion may be debated at Second Reading, after being Moved and Seconded.

17 REPORTS/COMMUNICATION

17.1 Written – legible – signed

Every administrative report to be presented at a Meeting shall be prepared electronically and completely with an identifiable recommendation.

17.2 Deadline – material submitted to Clerk

Every report, which deals with a matter on the Agenda, shall be delivered to the Clerk no later than 12:00 PM on the day prior to the Agenda publication date in order to be included to the final Agenda.

18 DISCLOSURE OF INTEREST

18.1 Disclosing – Members responsibility ¹²

All Members shall govern themselves at any meeting in accordance with the current legislation respecting any disclosure of interest they may have in accordance to the “[Conflict of Interest Act](#).” It is further the responsibility of all Members to identify and publicly disclose any interest.

18.2 Disclosing – no influencing

The Members shall disclose the interest including the general nature thereof, prior to any consideration of the matter and shall not take part (with the exceptions as noted under Sec.5.2 (1) of the “[Conflict of Interest Act](#)”) in the discussion of, or vote on any question in respect of the matter and shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

18.3 Members – leave of meeting – In Camera

Where the meeting is not open to the public, the Member shall immediately leave the meeting or the part of the meeting during which the matter is under consideration.

18.4 Members – absent from meeting

Where a Member is absent from a meeting, which includes a matter on which they have an interest, the Member shall disclose this interest at the next public meeting they attend.

18.5 Declaration – recorded – minutes

The declaration of interest shall be provided in a written statement to the Clerk or the Recording Secretary and shall be recorded in the minutes or report of the meeting and where the meeting was opened to the public, the general nature of such declaration.

18.6 Declaration – record – meeting closed to the public

Where the declaration of interest is made on a matter that is not open to the public, the Member shall provide in a written statement to the Clerk or the Secretary of Committee or local board (as the case may be), declare the interest, but not the general nature of that interest and shall be recorded in the minutes of the next meeting that is open to the public.

18.7 Maintaining Registry

A Registry shall be kept by the Clerk on every written statement made by Members of the general nature of the declared interest, and the Registry shall be available for public inspection.

¹² *Municipal Conflict of Interest Act*

19 COMMITTEES

19.1 Appointment – Chair

The Mayor shall appoint the Chair (and Co-Chair if desired).

Ad Hoc Committee

19.2 Appoint – Ad Hoc Committee

Council may at any time, appoint an Advisory or Ad Hoc Committee to enquire into and report on any matter specific to one subject matter and that is not of a continuous nature.

19.3 Reports – Ad Hoc Committees of Council

Members appointed by the Council to sit on an Advisory or Ad Hoc Committee shall file their final report to the Members of the Council for debate and final resolution.

19.4 Ad Hoc Committee Mandate

Each Committee shall be given a clear mandate and well-defined terms of reference which will include among other things, the composition, reporting relationship, resources available to the Committee and, if required, a defined time frame.

19.5 Discharging of Ad Hoc Committee

Once the Committee has filed its report with the Council and Members have dealt with the matter referred to the Advisory or Ad Hoc Committee, on presentation of its final report to the Members of Council, it automatically ceases to exist.

Standing Committees

19.6 Composition – all Members

A Standing Committee shall have Council representation appointed by By-law of Council.

19.7 Names – limited

The following Committees shall be known as the Standing Committees of Council:

- a) Committee of the Whole
- b) Finance and Planning Committee
- c) Public Works Committee
- d) Community and Communications Committee

19.8 Committee of the Whole - meeting

Committee of Whole Meetings shall be held at the call of the Mayor in accordance with the provisions of this By-law to discuss in a less formal setting matters that are under consideration, after which the matter is referred to Council at a Regular public meeting for action.

19.9 Meetings – Notice of Delivery

It shall be the duty of the Clerk and Chair of the Committee to ensure that the minutes of their last regular meeting together with an agenda containing reports to be considered is made available to each Member a minimum of three business days preceding the day of the holding of any called meeting (for example, on Thursday for a meeting on Tuesday).

20 GENERAL RULES - ALL COMMITTEES

20.1 Committees - Defined

Committees of Council shall be defined as meeting all of the following criteria:

- a) Committee must be appointed by Council in accordance with its Procedural By-Law;
- b) Committee shall report to and/or be responsible to Council as a governing body; and
- c) Committee must be part of the Township's budget with finances subject to the Townships policies (i.e. not an outside body with its own bank account, purchasing policies etc.).

20.2 Committee Appointments of Members of Council

Members of Council shall be selected to sit on various Boards and Committees by the Head of Council and appointed by By-law. Appointments shall be reviewed annually. Appointments may be changed at the will of the Head of Council and as approved by By-Law.

20.3 Appointment – Committees

Ad Hoc Committees of Council may be appointed by the Council or by the Mayor with approval of Council, at any time of the year as deemed necessary for consideration to a special matter(s). Upon the appointment of a Committee, Administration will be directed to prepare the draft term of reference necessary for the Committee to understand its mandate and begin its work.

20.4 Lay Appointments – Committees

Appointments to any Committee of non-Council Members, shall be made following these criteria:

- a) Public notice soliciting individual applications from citizens of the community shall be conducted;
- b) All applications shall then be presented by the Clerk to the Mayor and Chair of the Committee, who shall make recommendations to Council during a meeting closed to the public (In-Camera) for endorsement;
- c) Following approval by Members of Council, a By-law detailing the appointments shall be presented at a public meeting for final approval.

20.5 Lay Appointments – Regulations

- a) No Lay appointees shall be appointed to the Committee of the Whole.
- b) No Committee is required to appoint lay appointees.

20.6 Mayor – Ex-officio

The Mayor shall be an ex-officio Member of all Council Standing Committees, and may participate in any discussion on questions before the Committee but cannot vote unless quorum cannot otherwise be achieved.

20.7 Majority – Quorum

A majority (50% +1) of all Members of a Committee shall constitute a quorum.

20.8 Members – may attend – no vote

Members of the Council may attend and participate in the discussion or debate at any Committee Meeting, but shall not be disruptive, allowed to vote, or be counted in the formation of a quorum unless they are Members appointed by Council to that Committee.

20.9 Members – not attending – removal

Should any Member neglect or refuse to attend the properly summoned meetings of their Committee, the Chairperson shall report such neglect or refusal to the Council who may remove the said Member of their place; or should any Committee neglect or refuse to give due attention to all business or matters before them, the Council may, by resolution discharge such Committee and appoint another in its stead.

20.10 Committee matters – referred to Council

No order or authority to do any matter or thing shall be recognized as emanating from any Committee, and all Committee matters shall be referred to the Council and approved before becoming effective.

20.11 Other Business – Committee Meetings

The heading “Other Business” may be included on Committee meeting agendas only. The recording secretary shall keep a listing of items in other business during each meeting. New items of a project nature should be discussed in advance and included on the agenda in order to provide time for staff to prepare a report if necessary. Every effort should be made by Committee members to provide a list of “Other Business” items to staff prior to the meeting.

The heading can be used:

- a) to address an issue previously addressed but not included in the current minutes or agenda;
- b) to raise a question about a previously unaddressed item with the following conditions:

Committee members shall acknowledge that staff can provide a quick answer if they possess the knowledge of the item in question, but may require additional time or information to answer the inquiry, in which case it would be brought back to the next meeting.

21 PERSONAL RECORDING DEVICES

21.1 Council Meetings

The use of video or audio recording equipment or devices by the public or press during a Council meeting is generally permitted for personal use only and may not be used for public broadcast or circulation without written approval of the Clerk.

21.2 Committee Meetings

The use of audio recording equipment or devices by the public or press during a Committee meeting is generally permitted for personal use only provided notice of the intention to record the meeting is given to the Clerk and Chair prior to the Call to Order and may not be used for public broadcast or circulation without written approval of the Clerk.

21.3 Disruption of Meetings

If in the opinion of the Chair or the majority of Members present, the use of such equipment or devices is disruptive to the conduct of the meeting and the business of the Corporation, recording privileges can be withdrawn from any offending user by the Chair for the remainder of the meeting or for a period of time specified through a resolution of Council.

22 VOTING

22.1 Chair need not vote

The Chair shall vote as any other Member when the vote is to be recorded. In all other cases, the Chair, is only required to vote whenever their vote will affect the result – that is, they may vote either to break or to cause a tie; or, in the case of a two-thirds vote requirement, they may vote either to cause or to block the attainment of the necessary two-thirds vote.

22.2 All questions – exception – disqualified

Every Member present at a meeting, with the exception to Section 22.1, when a question is put, shall vote thereon unless disqualified to vote on the question, in accordance with Section 18.2.

22.3 Failure to vote – deemed negative¹³

Failure to vote by a Member present at the meeting at the time of the vote and who is not disqualified to vote in accordance with Section 22.2 shall be deemed to be a negative vote.

22.4 Motion – simple majority – required exception

The vote required to pass a motion shall be a majority (50% +1) except as otherwise provided in this By-law or by Statute or by *Robert's Rules of Order, latest Edition*.

¹³ *Municipal Conflict of Interest Act*

22.5 Equal – motion deemed negative

In the case of an equal division of votes on a motion, the motion shall be deemed to have been decided in the negative and defeated for want of a majority.

22.6 Show of hands

The manner of determining the desire of the Council on a motion shall be by show of hands. Should a show of hands be inconclusive in the manner of determining the desire of the Council on a motion, the Chair may ask the Members of Council to announce verbally their vote when called out.

22.7 Recorded Vote – Council Meetings

Where a vote is taken for any purpose and a Member requests immediately prior or immediately subsequent to the taking of the vote that the vote be recorded, each Member present, except a Member who is disqualified from voting, beginning with the Member who made the request, shall announce their vote openly, and the vote shall continue in a counter-clockwise manner until all Members have announced their vote. Any failure to vote by a Member who is not disqualified shall be deemed to be a negative vote, and the Clerk shall record each vote.

22.8 Division – Separate Vote – each proposal

At the request of a Member of Council, a motion containing distinct proposals that can be acted upon individually may be divided, and a separate vote shall be taken upon each individual proposal.

22.9 When Separation of a Motion not Permitted

When a request is made to vote on a motion containing several parts, where the parts are not able to stand alone if voted on, the motion shall not be separated unless a motion approved by a majority of the Members, present and voting, has been introduced.

22.10 Members not in their seat – deemed absent

A Member not in their seat when the question is called by the Chair is not entitled to vote on that question and in the case of a recorded vote, shall be recorded as absent.

22.11 Chair stating the question

Immediately preceding the taking of the vote, the Chair shall state the question in the form introduced.

22.12 Announcing – results

The Chair shall announce the result of every vote, by stating “motion carried,” or “motion defeated.”

23 PARLIAMENTARY PROCESS – MOTIONS

Motion to Appeal

23.1 Appeal – Decision by Chair – final

Unless a Member immediately appeals the Chair’s decision, the decision of the Chair shall be final.

23.2 Appeal made at time of ruling – point of order

A motion to appeal from the decision of the Chair shall be made only at the time the ruling is made by the Chair and shall require a second, followed by a vote.

23.3 Non-debatable – amendable – reconsidered

A motion to appeal the decision of the Chair shall not be debated or amended.

Question of Privilege

23.4 Integrity – Members – Council in question

Where a Member considers that the integrity of Members of Council as a whole has been called into question, the Member may, as a matter of privilege, rise at any time, with the consent of the Chair, no debate being allowed, for the purpose of drawing the attention of the Council to the question.

23.5 Motion to receive disposition – treated as main motion

A motion resulting from a question of privilege shall receive disposition by the Council forthwith, and following such disposition, the motion so interrupted shall be immediately considered at the point where it was suspended.

Request for Information

23.6 Request information

Where a Member is uncertain of a particular issue being discussed, the Member may ask the presiding officer to clarify or if the Chair is unsure of the answer, may direct their question to another Member. All requests for information shall be on the business pending or on parliamentary situation.

Withdrawal of Motion

23.7 Withdrawal of Motion

A request to withdraw a motion shall only be made by the mover and seconder of the motion, and must be made before the Chair states the question. Should the Chair state the question for debate, the assembly must agree by majority vote to withdraw the motion.

23.8 In order – anytime during debate

A request to withdraw a motion shall be in order anytime during debate, however it shall require the consent of a majority of the Council in attendance.

23.9 Objection – by Member – entertained – main motion

If a Member objects to the withdrawal of the motion, a motion to maintain the question may be entertained and become a main question.

23.10 No objection – withdrawal – without seconder – vote

If no Member objects to the withdrawal of the motion, the motion shall be considered withdrawn without the necessity of a vote.

Point of Order

23.11 Rules of Procedure – breached

A point of order may be called by a Member to bring attention to any breach of the rules of Procedure.

23.12 Members – rise – point stated

When a Member rises on a point of order, the Chair shall recognize the Member and request that the point of order be stated. The Chair shall rule on the Point of Order.

23.13 Language – improper – offensive

A point of order may be called by a Member to bring attention to the use of improper offensive or abusive language.

23.14 Discussion – not valid – outside proposed motion

A point of order may be called by a Member to bring notice of the fact that the matter under discussion is not within the scope of the proposed motion.

23.15 Proceedings – other – informality – irregularity

A point of order may be called by a Member to bring attention to any other informality or irregularity in the proceedings of the Council.

23.16 Decision – announced – prior to recommencement

No further business shall be conducted until the Chair has decided and stated the point of order, thereafter a Member shall only address the Chair for the purpose of appealing the Chair's decision to the Council.

23.17 Decision of Chair Final – no appeal

If no Member appeals, the decision of the Chair shall be final.

23.18 Appeal – Members right – Chair reply – decision final

If a Member appeals to the Council, the Member shall have the right to state a case. A seconder is requested, and if found, the Chair shall have the right to reply and place the question before the Council who shall decide the question without debate, and its decision shall be final. In an appeal from the decision of the Chair, a tie vote sustains the Chair's decision.

Close Debate – Put the Question

23.19 Non-debatable – amendable

A motion to close debate or “put the question” shall not be debatable or amendable, and shall require a two-third vote.

23.20 Resolved – affirmative – original motion put – no debate

When a motion to close debate or “put the question” is in the affirmative, the original motion shall be put forward for a vote without debate or amendment (majority vote carries the vote on main question).

Refer or Commit

23.21 Debatable – amendable – reconsideration – permitted

A motion to *Refer* or *Commit* a matter shall be debatable and amendable, but debate shall be restricted on the merits of the referral or to commit.

Motions in General

23.22 Motion – deemed – possession of the Council

After the Chair reads a motion, it shall be deemed to be in possession of the Members, but may be withdrawn at any time before decision or amendment, with permission of a majority of Members.

23.23 Motion – outside jurisdiction of Council

A motion in respect of a matter, which is beyond the jurisdiction of Council, shall not be in order.

23.24 Disposition of a Motion

A motion properly before the Members for decision must receive disposition before any other motion that is not relevant to the main motion is introduced.

Motion to Amend

23.25 Debatable – amend – permitted

A motion to amend shall be debatable, unless the motion to which it adheres to, is undebatable.

23.26 Written – when requested by Chair

A motion to amend shall be presented in writing when requested by the Chair.

23.27 Relevant to main motion

A motion to amend **shall** be germane to the main motion, meaning closely related to or having bearing on the subject of the motion to be amended.

23.28 Contrary to main motion – not in order

A motion to amend shall not be in order if it is contrary to the main motion.

23.29 Amended – once only

Only one secondary amendment shall be allowed to a *primary* amendment (*better known as an amendment to an amendment*).

23.30 Council disposition – before amendment – motion

The motion to amend (secondary amendment) shall receive disposition of the Council before a previous amendment is voted on – identified as the primary amendment to a main motion.

Motion for Reconsideration

23.31 Reconsideration – majority of Council – same meeting

- a) Any matter decided upon by the Council may be reconsidered at the same meeting that it was originally dealt with, by majority vote of Members present and voting.
- b) Any Members voting on the prevailing side of the original vote, or one who did not vote may introduce a motion for reconsideration.
- c) There shall be no discussion on the main question permitted until the motion for reconsideration is adopted.

23.32 Motion to reconsider adopted

- a) If a motion to reconsider has been adopted, it temporarily nullifies the previous decision and places the meeting back at the point prior to taking the vote on the original motion as adopted.
- b) If a motion to reconsider has been adopted at a meeting, then consideration of the original main motion (as adopted) shall become the next order of business.
- c) The main motion originally voted on is once again pending; procedurally, it is considered a newly made motion.

23.33 Reconsideration – only once

No motion or report shall be reconsidered more than once at any meeting.

Motion to Amend Something Previously Adopted or Rescind

23.34 Amend Something Previously Adopted or Rescind

a) A motion to reconsider any matter already disposed of by the current Council at a previously held meeting shall require a motion to Amend Something Previously Adopted or a motion to Rescind.

b) Any Member may introduce a motion to Amend Something Previously Adopted or to Rescind a decision previously adopted by the Council.

c) A motion to Amend Something Previously Adopted or to Rescind, if introduced at a meeting where notice was not previously provided, shall require a vote of 2/3's of the Members present and voting.

d) When Notice has been provided to Members, at a previous meeting to a motion to Amend Something Previously Adopted or to Rescind, the motion to Amend Something Previously Adopted or to Rescind when introduced at the following meeting, shall only require a majority vote of the Members present and voting.

e) The motions to motion Amend Something Previously Adopted or to Rescind may be introduced by any Member, after which the main originally voted on is once again pending; procedurally, it is considered a newly made motion

Motion to Adjourn

23.35 In Order – exception

A motion to adjourn shall always be in order, except to when a matter is being debated.

23.36 Negative – until proceedings completed

A motion to adjourn, when resolved in the negative, shall not be re-introduced again until after the Council has completed some intermediate proceedings.

23.37 Members speaking – voting prohibited

A motion to adjourn shall not be in order when a Member is speaking or during the verification of a vote on any matter.

23.38 Non-debatable

An unqualified motion to adjourn shall not be debatable or amendable.

23.39 Motion to Adjourn – not required

A motion to adjourn is not required at the end of a meeting, when all business has been dealt with and disposed. The Chair can simply state: "all business has been dealt with; this meeting is now adjourned".

Motion to Recess

23.40 Length of time – specified

A motion to *Recess* made, that a recess begin immediately when other business is before the assembly, shall specify the length of time of the recess, shall not be debatable and shall only be amendable with respect to the length of the recess.

23.41 Future time – treated as a main motion

A motion to recess made for a time later in the meeting, shall have no privilege and shall be treated as a main motion, meaning that the motion is both debatable and amendable.

24 RESIGNATION/MEMBERS/VACANCIES

24.1 Resignation – file in writing – Clerk

A Member of Council may resign from office by providing a written notice, filed with the Clerk of the Corporation within which they were elected, subject to provisions under Section 260 of the *Ontario Municipal Act*.

24.2 Filling Vacancy

If a vacancy occurs in the office of a Member of Council, the Council shall, subject to section 263 of the *Ontario Municipal Act*, fill the vacancy in accordance with By-law 2021-35 for the filling of council vacancies.

24.3 Appointments to vacancies

Subject to Section 263 of the *Ontario Municipal Act*, where a vacancy occurs amongst a seat of the Mayor and/or Councillor, the Council at a special meeting called for that purpose, shall select the manner in which they wish to fill the vacancy in accordance with By-law 2021-35 for the filling of council vacancies.

24.4 Members – not attending – removal

The office of any Member of Council of the municipality becomes vacant if the Member is absent from the meetings of Council for three (3) successive months, without being authorized to do so by a resolution of Council.¹⁴

25 REPEAL

25.1 By-laws – previous

By-Law No. 2020-16 and all adhering amendments are hereby repealed.

¹⁴ Sec. 259 (1c) *Ontario Municipal Act*

