

THE CORPORATION OF THE TOWNSHIP OF CONMEE

BY-LAW NUMBER 1474

Being a by-law to repeal and replace By-law 1200, as amended, to govern the scheduling, location and proceedings of Meetings.

Recitals:

1. The *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires municipalities in Ontario to pass by-laws to govern the proceedings of their Meetings.
2. By-law Number 1200 was passed in this regard on March 27, 2020. Several amendments have occurred since the by-law was enacted.
3. Council considers it appropriate to make some additional amendments, modernize the language, and to consolidate all of the amendments.
4. The rules and regulations contained in this By-law shall be observed at all Meetings of Council and Committees, as applicable.
5. In any circumstances which are not covered by the provisions of this By-law, the procedure to be followed shall be, as near as may be, that written in "Roberts Rules of Order".

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF CONMEE ENACTS AS FOLLOWS:

Part One: Definitions and Interpretation Rules

1.01 Definitions:

Where the words defined in the lettered paragraphs of this Section appear in the text of this By-law with their initial letters capitalized, it is intended that they are interpreted as defined. Where a word appears in the text of this by-law without its initial letter capitalized, it is intended that it is to be interpreted as ordinarily defined in the English language.

- (a) "Act" means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended from time to time.
- (b) "Acting Mayor" means a Member appointed, by by-law, to act from time to time in the place of the Mayor when the Mayor is not available. "Deputy Mayor" has the same meaning.
- (c) "Administration" means the staff and/or contracted individuals working for or with the Corporation.

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- (d) "Assembly" means the group of persons attending a Meeting, whether it is the Council, a Committee, or another group assembled for a purpose.
- (e) "By-law" means this by-law, as amended from time to time, including its recitals and schedules, which form integral parts of it, unless it is followed by a number. Where the word "by-law" is capitalized and followed by a number, the reference is to the Corporation's by-law that possesses that number.
- (f) "Chair" means a Member of Council or Committee who functions as the chair at a Meeting. The Chair at a Council Meeting is most often the Mayor or the Deputy Mayor, however, other Members may be appointed Chair by the Assembly in accordance with the Rules of Proceeding.
- (g) "Chief Administrative Officer" means the person appointed by Council, if any, to fill that role, as specified in the Act.
- (h) "Clerk" means the person appointed by Council to fulfill the role of a municipal clerk as required by the Act.
- (i) "Closed Meeting" means a Meeting from which members of the general public are prohibited from attending.
- (j) "Committee" means a committee, created by Council, made up of persons that include one or more Members. External organizations with their own financial means and policies are not "Committees" for the purposes of this By-law.
- (k) "Committee of the Whole" means a Committee comprised of all of the Members of Council. The intention of a Meeting of the "Committee of the Whole" is to consider matters and make decisions which are not binding until ratified by Council.
- (l) "Community Centre" means the large public assembly hall located at the Municipal Administration Complex.
- (m) "Conmee" means the geographic area under the jurisdiction of the Corporation.
- (n) "Corporation" means The Corporation of the Township of Conmee.
- (o) "Council" means the Council of the Corporation, elected in accordance with the *Municipal Elections Act, 1996* (S.O. 1996, c. 32, Sched., as amended from time to time).
- (p) "Council Chambers" means the room or rooms within the Municipal Administration Complex designated as the "Council Chambers" by the Corporation.
- (q) "Debate" means a discussion at a Meeting related to a matter before the Assembly,

where Members put forward positions in favour of, or against, that matter.

- (r) A "Deputation" means a formal appointment to address an Assembly for the purposes of requesting that the Assembly take some form of action or make a decision regarding a matter.
- (s) "Deputant" means a person addressing an Assembly.
- (t) "Deputy Mayor" means a Member appointed, by by-law, to act from time to time in the place of the Mayor when the Mayor is not available. "Deputy Mayor" has the same meaning.
- (u) "Mayor" means the Member elected to that position at the most recent municipal election. The Mayor is the "Mayor" in accordance with the Act.
- (v) "Meeting" means a meeting of Council or a Committee, whether occurring as part of a regular schedule, or whether called as a "special" meeting. In any case, a Meeting must have a scheduled start time and agenda, and must be attended by a properly appointed person to act as Clerk for the Council Meeting or Secretary for the Committee Meeting, as appropriate. Where a Quorum of Members is present, and those present discuss or otherwise deal with a matter in any way that materially advances the business or decision-making of the Council or Committee, a "Meeting" is constituted.
- (w) "Member" means any elected member of the Council, including the Mayor.
- (x) "Municipal Administration Complex" means the building municipally known as 19 Holland Road West.
- (y) A "Notice of Motion" is a written notice, provided by a Member at a Regular Council Meeting, that they intend to bring a Motion at a future (named) Council Meeting.
- (z) "Other Applicable Law" means statutes or regulations passed by senior orders of government which apply to the Corporation.
- (aa) A "Point of Order" is raised when a Member believes that the Rules of Proceeding are not being appropriately followed. The Point of Order is raised to allow for discussion and conclusion on the issue.
- (bb) A "Point of Privilege" is a matter which need not relate to business under discussion, but relates to a matter of immediate and over-riding importance. A Point of Privilege, may be raised personally, for example, when a Member believes that they is being mis-quoted by another speaker on a topic, for the purpose of correction. A Point of Privilege may be raised on behalf of the Assembly, for example, if there is excessive noise and Members cannot hear what is being said or presented. The Point of Privilege is raised for the purpose of remedying that circumstance.

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- (cc) A "Presentation" is an address to the Assembly for the purpose of providing information. Examples include: the presentation of audited financial statements, a presentation by a new organization to introduce its services; an update from an agency or organization on its work; presentation of awards; etc.
- (dd) "Quorum" means a number of persons which is more than one-half of the number of persons in the composition of the Assembly. For example, when a Committee is made up of seven persons, a Quorum of the Committee is four or more of those persons. The Council being made up of five persons, a Quorum of the Council is three or more of those persons.
- (ee) "Recorded Vote" means the making of a written record of the names and the vote of each Member voting on a formal question.
- (ff) A "Regular Council Meeting" is a Meeting of the Council held at regular intervals on dates and times as prescribed in this By-law.
- (gg) "Rules of Proceeding" mean the rules set out in this By-law, together with, as applicable, legislation or regulation from upper orders of government. As set out in Section 2.02 and Recital 5 of this By-law, where resort is necessary to Robert's Rules of Order, those rules are included in the definition of "Rules of Proceeding".
- (hh) "Seal" means the authenticating seal of the Corporation.
- (ii) "Secretary" means a person assigned to be the records-keeper and minute-taker for any Committee.
- (jj) A "Special Council Meeting" means a Meeting of the Council that is held on a date and time other than those prescribed in this By-law for Regular Council Meetings.
- (kk) "Special Purpose Committee" means a Committee appointed by Council to act on a temporary or singular issue. A Special Purpose Committee is discontinued when its recommendations upon the matter have been provided to Council and no further work is required.
- (ll) "Standing Committee" means a Committee appointed by Council with continuing business and ongoing existence from one term of Council to another.
- (mm) "Town Hall Segment" means an informal portion of the Meeting, governed by Part Three Point Twenty Eight of this By-law, in which members of the public may address the Assembly on matters of interest in accordance with the rules set out in this By-law.
- (nn) "Vice Chair", where appointed, means a Member of a Committee appointed to stand in the place of that Committee's Chair when the Chair is absent.

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- (oo) "Virtual Meeting" means a meeting called and held in full or in part via electronic means (including: audio teleconference, video teleconference, or via means of the internet), and with or without in-person attendance.

1.02 **Interpretation of "Includes":**

The words "include", "including" and "included" do not limit in any way the words or phrases that precede or follow them.

1.03 **Gender/Plural:**

This By-law is to be read with gender neutrality, and with the number required by the context. "They" is used in place of "he" or "she" and may not necessarily denote more than one person.

1.04 **Headings:**

The captions, article and section names and numbers appearing in this By-law are for convenience of reference only and have no effect on its interpretation.

Part Two: General Provisions

2.01 **Suspension of the Rules of Proceeding:**

Any procedure required by this By-law may be suspended by the Assembly by the passing of a resolution by a majority of Members present.

2.02 **Parliamentary Authority:**

The Rules of Proceeding shall govern the procedures for Council and Committee Meetings. Where a procedural matter is not addressed within the Rules of Proceeding, the current edition of "Robert's Rules of Order" shall be the parliamentary authority for that matter.

2.03 **Schedule:**

Schedules to this By-law are integral parts of it.

2.04 **Severability:**

Should a court or tribunal of competent jurisdiction hold any provision of this By-law to be invalid or unenforceable, the remaining provisions of this By-law shall not be impacted or impaired in any way.

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2.05 **Repeal:**

By-law 1200, as amended, is repealed.

2.06 **Effective Date:**

This By-law takes effect on the date it is passed.

Part Three: Council Meetings

3.01 **Inaugural Meeting:**

In accordance with the Municipal Elections Act, 1996, Council Members assume their terms of office on November 15th in the year of the municipal election. The Inaugural Meeting of Council is held to allow the Members to take their oaths of office and formally assume their duties.

The Inaugural Meeting of Council is held on the third Thursday in November of an election year, beginning at 6:00 p.m. at the Council Chambers.

3.02 **Agenda for Inaugural Meeting:**

The Mayor-elect and the Clerk shall be responsible for the content of the agenda for the Inaugural Meeting, and for making the arrangements for the Inaugural proceedings.

3.03 **Notice for Inaugural Meeting:**

Separate notice is not required for the holding of the Inaugural Council Meeting. Publication of the agenda, and the date/time of the Meeting on the Corporation's website is sufficient.

3.04 **Schedule for Regular Council Meetings:**

Regular Meetings of the Council are held on the second and fourth Tuesdays of each month, commencing at 6:00 p.m. Where a Regular Meeting falls on a statutory or civic holiday, the Meeting will occur at the same time and place on the day next following that is not a statutory or civic holiday.

3.05 **Agenda & Agenda Package for Regular Council Meetings:**

- a) The Clerk shall prepare an agenda in advance of any Meeting of Council.
- b) In developing the agenda, the Clerk shall place on it any items of business that have arisen in Council requiring Council's attention, and any items of business

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that the Mayor has requested be placed on the agenda. The agenda package shall include supporting material, such as reports on matters requiring Council's attention, correspondence from outside organizations, etc.

- c) Members of Council may request of the Clerk that matters be placed on the agenda for discussion, however, no individual Member of Council may require the Clerk to research or develop a report for the agenda. The development of reports that involve significant research and/or preparation time by administrative staff require a resolution of Council. (This does not prevent the Clerk from developing and presenting any report on a matter requires Council's attention.)
- d) Agendas for regular Council Meetings are to be prepared and available to Members after close of business on the Friday prior to the Meeting. The Council may, from time to time, establish rules for the methods by which any agenda is to be delivered. Special rules may be established for the delivery of agendas relating to Closed Meetings in order to preserve confidentiality.
- e) The Chair may review a draft agenda with the Clerk prior to its finalization, and may remove from the agenda any items of correspondence or requests for Deputation that have been placed in the draft agenda by the Clerk. Where an item is removed from the agenda, the Clerk shall advise the author of the correspondence, or the person or organization requesting a Deputation, of the reason that the item will not be placed before the Assembly. Copies of the correspondence in this regard shall be distributed to the Members invited to the meeting for which the draft agenda was prepared.
- f) The agenda for a Council Meeting shall be prepared under the following headings, in the order presented, as follows:
 - 1. Call to order
 - 2. Approval of agenda
 - 3. Declarations of Pecuniary Interest
 - 4. Town Hall Segment
 - 5. Deputations and/or Presentations
 - 6. Minutes of prior (open/public) Meeting(s)
 - 7. Disbursement Lists(s)
 - 8. Reports from Municipal Officers
 - 9. New Business
 - 10. By-Laws
 - 11. Correspondence
 - 12. Upcoming Meeting Dates
 - 13. Closed Session (when required, including for the purpose of approving the Minutes of prior Closed Meetings)
Rise from Closed Session (when required)
 - 14. Business Arising from Closed Session (when required)

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- 15. Confirming By-Law
- 16. Adjournment

g) The above-noted headings may be omitted, and the numbering re-structured, where there are no reports or business matters falling within that heading scheduled to be placed before the Assembly at the Meeting for which the agenda was prepared.

h) The Clerk will post the Meeting agenda (without the accompanying package) when same has been completed and distributed to Members.

3.06 **Notice for Regular Council Meetings:**

Separate notice is not required for the holding of Regular Council Meetings unless they are moved to a location alternative to the Municipal Administration Complex. Publication of the agenda, and the Meeting schedule on the Corporation's website is sufficient.

Where the Regular Meeting will be held elsewhere than the Municipal Administration Complex, the Clerk shall provide notice to the public of the change in location as follows:

- a) Notice published on the Corporation's web page;
- b) Notice posted on the door of the Municipal Administration Complex (provided it is possible to reach the door); and
- c) Notice published to the Corporation's social media accounts.

Notice of a change in the location of the Regular Council Meeting shall be published as soon as practicable after the change is deemed to be necessary.

3.07 **Location for Regular Council Meetings:**

Regular Meetings of the Council are held in Council Chambers.

Where more space is required to allow for public attendance, the Meeting may be held in the Community Centre.

Where emergency circumstances prevent access to the Municipal Administration Complex, a Regular Meeting may be held at an alternate location which is accessible by all Members and by the general public. Depending on the circumstances, the location may be outside of Conmee.

3.08 **Special Council Meetings:**

Special Council Meetings may be scheduled in three different ways:

- a) Special Council Meetings may be scheduled by resolution of Council passed at

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a Regular Meeting.

- b) The Mayor may at any time, summon a Special Council Meeting of Council. In order to do so, the Mayor shall provide a minimum of forty-eight (48) hours' notice to the Clerk, who shall give the Members of Council as much notice of the special Meeting as possible, but in any event, no less than twenty-four (24) hours' notice.
- c) A majority of Members of Council may, at any time, summon a Special Council Meeting of Council by petition. Upon receipt of a petition from a majority of the Members of Council, the Clerk shall call, for the purpose, and at the time mentioned in the petition, a Special Council Meeting. A minimum of forty-eight (48) hours' notice of any Special Council Meeting shall be provided to the Members by the Clerk.

3.09 **Agenda for Special Council Meetings:**

The Clerk shall prepare the agenda for the Special Council Meeting without following the format set out in paragraph 3.05(f). The agenda shall be prepared in accordance with the purpose for which the Meeting was scheduled.

The only business to be dealt with at a Special Council Meeting is that which is stated in the notice of the Special Council Meeting and in the agenda for the Meeting.

3.10 **Notice for Special Council Meetings:**

For the purposes of paragraphs 3.08(a) and 3.08(b), notice to Members is sufficient if sent by electronic mail to the last known electronic mail address in the Clerk's records.

Notice of Special Council Meetings shall be provided to the general public through publication on the website, by posting at the Municipal Administration Complex, and by any other manner deemed suitable by the Clerk in the circumstances.

Notice shall specify the nature of the business to be considered, along with the date, time and place for the Special Council Meeting.

3.11 **Location for Special Council Meetings:**

All Special Council Meetings shall be held at the location of the last Regular Meeting, unless an alternative location is specified in the notice of the Meeting.

3.12 **Emergency or Time-Sensitive Council Meetings:**

In any case where there is an immediate threat or perceived immediate threat to any person's life or property within Conmee, or where there is an immediate threat or perceived immediate threat to any of the Corporation's properties and/or road ways, the

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Mayor or the Clerk may call an emergency Council Meeting, by whatever means available, to be held in a location that is most convenient to the situation. Where it has been invoked, the Corporation's Emergency Measures By-law takes precedence over this By-law.

In circumstances where it is necessary to deal with an extraordinary and time sensitive issue, the Mayor may call a time-sensitive, emergency Meeting to be convened as soon as reasonably possible, without strictly following the Rules of Proceeding. The Clerk shall attempt to notify the Members of the time and place of the Meeting as soon as possible and in the most expedient manner available.

3.13 **Joint Meetings with Others:**

From time to time, Council may determine that a joint meeting with another order of government, a First Nation Band Council, another municipal council, or combinations of these groups where joint decision-making or information-sharing is required or considered efficient.

Those who will be attending the joint Meeting will determine, in advance of the Meeting, who will act as Chair and who will act as Clerk for the Meeting, and whose procedural rules will govern the joint Meeting.

Where separate decision-making is required by the individual attendees during the joint Meeting, the joint Meeting may recess, upon resolution of the attendees eligible to vote in their organizations, to allow for separate meetings for the attendees, and the joint Meeting will resume at the conclusion of those meetings, if required.

3.14 **Public Access to Meetings:**

Except as provided in Section 3.15, or in accordance with Other Applicable Law, all Meetings are open to the public.

3.15 **Closed Meetings or Closed Sessions within Open Meetings:**

A Meeting or part of a Meeting may be closed to the public in order to discuss any matter for which the Act allows a Meeting to be closed to the public. Schedule "A" to this By-law is the list of permitted topics to be discussed in a Closed Meeting as of the date of passage of this By-law. Where Schedule "A" conflicts with the Act, the Act prevails.

3.16 **Closed Meeting Procedures:**

Prior to holding a Meeting (or part of a Meeting) closed to the public, the Assembly shall pass a resolution clearly stating that the Meeting is to be closed, including the legislative authority for closing the Meeting. The resolution shall provide sufficient detail to demonstrate that the resolution is being passed with appropriate authority.

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Where a Meeting is closed to the public, no member of the public may attend, unless the person's attendance is essential for the business at hand. For example, if the Meeting is an educational meeting as authorized under the Act, the persons providing the education or training to the Members will necessarily be in attendance to provide that education or training. If the purpose of the meeting is to receive legal advice, legal counsel will need to attend to provide it.

No Meeting shall be closed to the public during the taking of a vote, except for the provision of procedural instructions or direction to the Clerk.

3.17 **Attendance:**

The Corporation's preference is that all Members attending Meetings must do so in person, however, attendance virtually, through electronic means at any Meeting, with the exception of the Inaugural Meeting, will be permitted in accordance with this Section.

Where at least one member is attending by electronic means, the Meeting is a "Virtual Meeting" as defined in this By-law. There is no limit to the number of Members who may attend virtually.

3.18 **Virtual Meetings:**

All of these Rules of Proceeding apply to persons attending Virtual Meetings, with appropriate adjustments.

Where technology allows, any or all Members may participate in a Meeting virtually. The Clerk shall arrange for the appropriate connections for Members wishing to participate virtually.

All members attending and present during a Virtual Meeting shall be counted for purposes of Quorum at the commencement, and at any point in time during the Meeting, and shall be entitled to vote through a vote recorded by the Clerk as if they were attending the Meeting in person. If the technology fails during the Meeting, such that one or more connections are lost, the attendee will be noted as being absent until such time as they can re-connect. Care must be taken by the Clerk not to lose Quorum due to failure of technology. Section 3.23 of this By-law applies in such circumstances.

Where technology allows, a virtual attendee shall use the system to indicate to the Chair that they wish to speak, that they are moving or seconding a motion, or that they are voting on a question.

Where there is no such technology (for example, participation by teleconference only), the Member attending the Meeting by electronic means shall indicate verbally, during a break in conversation or debate of the members present in person, that they wish to

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address the Assembly. The Chair shall record the request and call upon that Member in accordance with their turn as noted by the Chair. At their discretion, the Chair may establish a procedure to call upon each Member attending by electronic means during each debate on each question, to be certain that all who wish to participate have had an opportunity to do so. Where technology does not provide for a show of hands, voting by those attending virtually must be audible.

3.19 **Notice for Virtual Meetings:**

The public notice of a Virtual Meeting shall include sufficient information as to provide the public with a means to electronically access the open session of such Virtual Meeting.

3.20 **Educational Meetings:**

Meetings to provide Members with information, instruction or education, including an "orientation meeting" for newly elected Members, may be scheduled by the Clerk, at the request of the Chair or by their own volition. These are relatively informal Meetings that do not require strict adherence to the Rules of Proceeding.

An agenda shall be prepared and circulated in advance of the Meeting, including any material to be reviewed by attendees prior to the Meeting.

3.21 **Duty to Prepare for Meetings:**

Members shall come prepared to every Meeting where their participation is required. Preparation includes: reading all material provided, including agendas and reports from Administration or others, to facilitate discussion and the determination of action at the Meeting. Whenever possible, Members shall make inquiries to Administration regarding materials supplied in advance of the Meeting.

3.22 **Absence of Chair:**

In a circumstance where, at the time that a Council Meeting is to commence and the Mayor is not present, and does not attend within fifteen (15) minutes after the time appointed for the Meeting, the Deputy Mayor shall call the Members to order. The Deputy Mayor shall preside over the Meeting and shall have all of the rights, powers and authority of the Mayor.

In circumstances where both the Mayor and the Deputy Mayor are absent at the time that a Council Meeting is to commence, and neither attends within fifteen (15) minutes after the time appointed for the Meeting, the Clerk shall call the Members to order. The Members shall appoint from amongst themselves a Chair who shall preside over the Meeting and shall have all of the rights, powers and authority of the Mayor.

3.23 **Absence of Quorum:**

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In a circumstance where, at the time that a Council Meeting is to commence, a Quorum of Members is not present, the Assembly shall wait fifteen (15) minutes for the arrival of latecomers. If, after the passage of fifteen (15) minutes, a Quorum of Members is not present, the Assembly shall either recess or adjourn.

Members present may determine to recess for a further fifteen (15) minutes in order to contact absentee Members to see whether or not Quorum can be achieved. After the recess, and it has been determined that Quorum will not be achievable, the Meeting shall adjourn.

The Clerk shall prepare minutes to indicate those who were present and to record the lack of Quorum. All business on the agenda for that Meeting will be deferred to the next Regular Meeting of Council, or to a Special Council Meeting called for the purpose of replacing the Meeting which failed.

Should Quorum be lost at any point during the Meeting, the Meeting shall stand in recess until such time as Quorum is regained. Should the recess be more than fifteen (15) minutes, the Meeting will be deemed to be at an end, and all matters on the agenda which had not been reached shall be deferred to the next Regular Meeting of Council, or to a Special Council Meeting called for the purpose of replacing the Meeting which ended early.

Quorum cannot be lost due to cessation of participation by Members in accordance with Other Applicable Law unless there is only one Member remaining to debate and determine a matter. In such circumstances, the matter will be deferred to a future Meeting or as otherwise determined in accordance with Other Applicable Law.

3.24 **Cancellation or Postponement of Meeting:**

The Chair, in consultation with the Clerk, may cancel or postpone a Meeting in the following circumstances:

- a) where it becomes clear that a Quorum will not be achieved at the date and time set for the Meeting;
- b) where there are no substantive matters of business to discuss at the Meeting;
- c) when so directed by Council resolution; or
- d) in circumstances of emergency.

The Clerk will give notice of the cancellation or postponement of the Meeting as soon as possible by providing notice to Members electronically, by posting a notice on the entrance to the Municipal Administration Complex, and by posting notices on the Corporation's website and social media accounts. Where the Meeting involved a Presentation and/or one or more Deputations, every reasonable effort will be made to contact the Deputant to advise of the change.

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3.25 **Call to Order:**

As soon after the hour fixed for the holding of the Meeting as a Quorum is present, the Chair shall take their chair and call the Meeting to order. If Quorum is present but the Chair is absent, the Deputy Mayor (or Vice Chair of Committee) shall call the Meeting to order. If both are absent, the Clerk (or Secretary of Committee) shall call the meeting to order and the Assembly shall select a Meeting Chair from among Members present.

3.26 **Amending the agenda:**

The Chair shall, as one of the preliminary matters before the Assembly, call for a resolution to either approve the agenda or to amend the agenda.

The agenda may be amended by changing the order of proceeding, by adding information relating to any item of business on the agenda, or by adding, where appropriate, new business to the agenda.

As one of the purposes of the agenda is to provide notice to members of the public of the business which will be conducted at the Meeting, no item of new business shall be added to the agenda unless it is of an urgent nature. Alternatively, an item of new business may be added for discussion purposes, but no decision will be made on that item until a subsequent Meeting, for which the item will be listed on the agenda.

3.27 **Progression of the Meeting:**

The business of the Assembly shall be taken up in the order in which it stands upon the agenda, as amended.

Any items listed in the agenda which have not been disposed of by Council at such time as the Meeting is adjourned shall be placed on the agenda for the next scheduled Meeting of the Assembly.

The Chair shall, after calling the Assembly to order:

- a) following the agenda, deal with business items one at a time;
- b) Recognize any Member who wishes to speak, and determine the order of the speakers;
- c) receive motions presented by Members relating to the matters on the agenda;
- d) put to a vote all questions which are moved and seconded, or which necessarily arise in the course of proceedings, and announce the result of the vote;
- e) decline to put to vote any motions which infringe on the Rules of Proceeding;

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- f) inform the Assembly, when necessary, on any of the Rules of Proceeding, or on any Points of Order or Points of Privilege raised;
- g) retain order in the Assembly, restraining the Members, or others present, within the Rules of Proceeding where appropriate, including expelling persons who persist in disorder after having been appropriately warned;
- h) in circumstances of grave disorder which cannot be remedied, adjourn the Meeting without question and direct the Clerk to seek appropriate assistance from the police; and
- i) adjourn the Meeting when business has been concluded or when the curfew has been reached without passage of an extending resolution.

No motion to adjourn is required when the business before the Assembly has been concluded.

Curfew for Council Meetings is 10:00 p.m. After 10:00 p.m., no further business may be conducted unless Council passes a resolution to extend the hour. Any matters remaining on the agenda shall be placed on the agenda for the next available Council Meeting.

3.28 **Town Hall Segment:**

3.28.1 **Registration:** Persons wishing to address Council during the Town Hall Segment will be requested to provide their names to the Clerk prior to the commencement of the Meeting. Persons may participate virtually.

3.28.2 **Call to Order:** When Item 4 of the Meeting agenda, being the Town Hall Segment of the Meeting, is reached, the time shall be noted, and the Chair shall call the Town Hall Segment of the Meeting to order. As no business may be advanced during the Town Hall Segment of the Meeting, it can occur in the absence of Quorum, if desired. The Chair will invite those who have registered to address Council, one at a time, in the order in which their names were received. If no one has registered but there are persons in attendance, the Chair may simply ask members of the audience to address the Assembly by show of hands, or other appropriate method

3.28.3 **Duration:** Subject to Section 3.28.5, the Town Hall Segment is limited in duration to a maximum of fifteen (15) minutes.

3.28.4 **Rules:**

- a) Any person may address Council during the Town Hall Segment of the Meeting.
- b) Subject to Sections 3.28.6 and 3.28.7, the rules set out in this By-law apply to the Town Hall Segment of the Meeting. In addition, the rules the lettered paragraphs of this Section also apply.
- c) No person may speak more than five (5) minutes, or more than once. Each subject matter has a limit of ten (10) minutes.

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- d) Only one person may speak at a time. Any person attempting to interrupt, "shout over", or otherwise disrupt another person who is addressing Council will be sanctioned as set out in Section 6.09 of this By-law.
- e) Persons speaking at the Town Hall Segment of the Meeting may not address matters that are already on the agenda. Those persons may speak as Deputants to the Meeting in accordance with Part Eight of this By-law.
- f) Council Members may ask questions of those persons who are speaking.
- g) No portion of any Town Hall Segment of the Meeting shall be closed to any member of the public at any time.
- h) No resolutions may be moved or debated during the Town Hall Segment of the Meeting. No decisions will be made on consensus. Any matters raised which require a decision of Council must be placed on the agenda for a future Council Meeting.
- i) Except in the case of emergency or urgency, no matters raised at the Town Hall Segment of the Meeting may be added to the agenda for the Council Meeting scheduled on the same evening.

3.28.5 Extending the Hour: When fifteen (15) minutes have passed, any Member of Council may move a motion to extend the hour of the Town Hall Segment of the Meeting by a stated number of minutes. If the motion is seconded and passed, the Town Hall Segment of the Meeting can resume.

Only one motion to extend the hour of the Town Hall Segment of the Meeting is permitted.

If any of the following occur:

- (a) no motion to extend the hour of the Town Hall Segment of the Meeting is moved or seconded;
- (b) a motion to extend the hour of the Town Hall Segment of the Meeting fails to pass; or
- (c) the time limit set out in the resolution to extend the hour of the Town Hall Segment of the Meeting is reached;

regardless of whether or not everyone who wished to speak has spoken, the Town Hall Segment of the Meeting will conclude, and the Chair will move on to Item 5 of the agenda for the Council Meeting.

Any persons who had not had an opportunity to address the Assembly at the Town Hall Segment of the Meeting will receive priority to speak to the Assembly at the next Town Hall Segment of a future Council Meeting. Alternatively, Council may determine to schedule a Special public meeting to allow more discussion on a particular topic of interest to the community.

3.28.6 Meeting Rules: Sections 3.23 and 3.27 do not apply to the Town Hall Segment of the Meeting.

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3.28.7 Deputation Rules: Sections 8.03, 8.05, 8.07 and 8.08 do not apply to the Town Hall Segment of the Meeting.

3.29 Tasks Subsequent to the Meeting:

The Chair shall, after the Meeting has concluded:

- a) authenticate all by-laws, resolutions and minutes of the Council, taking care to see that they are in conformity with the laws and by-laws applicable in Conmee; and
- b) represent and support the Council, declaring its will, and implicitly obeying its decisions in all things.

Part Four: Composition of Council or Committee

4.01 Removal from Office:

The office of any Member 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 the Council.

The office of any Member becomes vacant if a court or tribunal of competent jurisdiction makes a ruling declaring the Member's seat vacant.

4.02 Resignation:

A Member may resign from office by providing a written notice, filed with the Clerk, subject to Other Applicable Law (for example, Subsection 260(2) of the Act).

4.03 Other:

A Member's seat becomes vacant if the Member passes away, or if the Member becomes ineligible to hold office in accordance with the Act.

4.04 Filling Vacancies:

Subject to the Act, Council shall fill a vacant seat by either:

- a) appointing a person who has consented to accept the office if appointed; or
- b) a holding a by-election to fill the vacancy.

Vacancies that occur within ninety (90) days of the date of a municipal election need not be filled.

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Part Five: Committee Meetings

5.01 General and Specific Rules:

The Committee procedural rules set out in this By-law are general in nature. If a by-law creating a Committee contains rules that conflict with these general rules, then the specific rules in the Committee's by-law over-ride the general rules in this By-law. If the by-law creating the Committee is silent with respect to a matter covered by the general rules in this By-law, then the rules in this By-law apply to that matter.

5.02 Rules for Meetings:

Committee proceedings are intended to be less formal than those at Council Meetings. That having been said, a Committee Meeting is a business meeting and must be conducted accordingly, with appropriate decorum. Committees may adopt the Rules of Proceeding set out in Part 3 of this By-law for Council Meetings, with the appropriate changes to make the Rules of Proceeding applicable to the Committee Meeting if they choose to. Wherever they consider it necessary, the Chair of the Committee may require the Committee to abide by Rules of Proceeding contained in this By-law for the purposes of Council Meetings, with the appropriate changes to make the Rules of Proceeding applicable to the Committee Meeting. Even where the Committee has not expressly adopted the Rules of Proceeding in Part 3 of this By-law, Committee Chairs may resort to them, as required, to maintain order at their Meetings.

5.03 Meetings of Committee of the Whole:

Council may meet as Committee of the Whole at any time for the purposes of considering any items of business which may require or benefit from a less formal Meeting procedure, or a period of time to reflect upon decisions prior to ratifying them through resolution of Council.

Committee of the Whole meetings will be scheduled, as required, by resolution of Council

5.04 Agenda for Meeting of Committee of the Whole:

The Clerk shall prepare the Committee of the Whole Meeting agenda in advance of the Meeting.

5.05 Notice for Meeting of the Committee of the Whole:

Notice for Meetings of the Committee of the Whole shall be prepared and sent to Members, together with the agenda package, no later than three business days before

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the date of the Meeting.

Notice of the Meeting shall be posted for the general public on the Corporation's website and social media, and elsewhere as determined appropriate by the Clerk, no later than three business days before the date of the Meeting.

5.06 Location for Meeting of the Committee of the Whole:

Council shall, when passing the resolution to establish the date and time of a Meeting of Committee of the Whole, include in the resolution the location for the Meeting.

5.07 Other Committees:

Standing Committees and Special Purpose Committees are created by Council to advance certain business or to address certain issues or concerns. They are made up of at least one Member of Council (who functions as the information liaison to the Council from the Committee) and members of the general public with skills or interests commensurate with the appointment.

Each Committee created by Council has its mandate or its terms of reference set out in the by-law that created the Committee. The Chair is responsible for keeping the Committee's work and recommendations to Council within the jurisdiction of the terms of reference. Any Committee may recommend to Council changes to its mandate or its terms of reference at any time.

Special Purpose Committees will be discharged upon completion of their mandate.

5.08 Composition of Committees:

Appointments of Members to Standing Committees are undertaken at the Inaugural Meeting. At least one Member of Council shall sit on each Standing Committee. Appointments may include an alternate Member, who will act in stead of the regular Member in circumstances where the regular Member is unable to attend.

Appointments of Members to Special Purpose Committees are undertaken from time to time as those Committees are struck. At least one Member of Council shall sit on each Special Purpose Committee.

The Mayor is an ex officio Member of all Standing and Special Purpose Committees. They have the right to notice of all of the Meetings of the Committees, and they have the right, but not the obligation, to attend. As an ex officio Member, the Mayor may vote on all questions before the Committee, but their presence is not counted for the purpose of determining Quorum.

Council shall determine, as required, its method to solicit interested members of the public wishing to sit as members of Committees.

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All appointments of members to Committees will be undertaken by Council through passage of a by-law.

At the first Meeting of each Standing Committee taking place after a new term of Council commences, or at the first meeting of a Special Purpose Committee after its creation, the members shall choose from among themselves a Chair, a Vice-Chair and a Secretary.

5.09 **Meetings of Committees:**

Committees may establish for themselves a schedule of regularly recurring Meetings. Alternatively, or in addition, Committee Meetings occur at the call of the Chair or the Vice Chair.

Committees must meet with sufficient frequency to properly carry out their mandates.

Committee Meetings are public. Anyone present who has not been appointed to the Committee, however, has no standing to vote. Non-Members present may not address the Committee unless recognized by the Chair.

5.10 **Agenda:**

The Secretary to a Committee shall prepare an agenda in advance of any Meeting of the Committee unless the Committee has determined for itself that an agenda is not required.

The Chair may review a draft agenda with the Committee Secretary, as appropriate, prior to its finalization, and may remove from the agenda any items of correspondence or requests to address the Committee that have been placed in the draft agenda by the Secretary.

Where an item is removed from the agenda, the Secretary, as applicable, shall advise the author of the correspondence, or the person or organization requesting to address the Committee, of the reason that the item will not be placed before the Committee. Copies of the correspondence in this regard shall be distributed to the Committee members for which the draft agenda was prepared.

5.11 **Notice:**

No notice is required to Committee Members for regular and recurring Committee Meetings.

No special Meeting of a Committee shall be held without providing at least one week's prior notice to its members, unless all members of the Committee agree, in advance, to less than one week's prior notice.

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The Secretary of each Committee shall advise the Clerk of the date, time and place of every Committee Meeting, and the Clerk shall post notice of the Meeting on the Corporation's website and social media.

5.12 Committee Jurisdiction:

The Committee's authority to make decisions is restricted to the authorities set out in its terms of reference, and to decisions relating to the operation of the Committee and its Meetings. Otherwise, the Committee's authority is restricted to making recommendations to the Council for final decision.

5.13 Removal/Replacement of Members:

Should a Member of Committee fail to attend properly summoned Meetings of the Committee, the Chair (or, as appropriate, the Vice Chair) shall report this information to the Council, who may remove the member from their Committee seat. In circumstances where the entire Committee is refusing or neglecting its duties, the Council may discharge all Members and appoint a new Committee.

Part Six: Conduct During Meetings

6.01 Application of Conduct Rules:

The rules set out in this Part Six of the Rules of Proceeding apply to all persons at a Meeting, whether they be Members, Administration, or members of the general public.

6.02 Electronic Devices:

All electronic devices must be set to "silent" or "vibrate" so as not to interrupt the Meeting. Should a person in attendance wish to respond to a call, text or other telecommunication, they must step outside of the Council Chambers, or leave the Meeting, to do so. Speaking aloud on a device or texting on a device is not permitted in Council Chambers during the course of a Meeting.

The Chair may make exceptions to this rule for persons who require notification from outside the Meeting relating to a circumstance of necessity. Examples include: a request for information relevant to the Meeting, or personal family medical circumstances. The ruling of the Chair in this regard is final.

6.03 Recordings:

No person may record the proceedings of a Meeting in any manner (apart from taking personal notes) without the prior permission of the Assembly.

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6.04 **Language; Dress Code:**

No person shall, at any time during a Meeting, use disrespectful, foul or offensive, un-parliamentary, insulting or slanderous words against any other person or any order of government. Dress code for Meetings is business casual.

6.05 **Improper Conduct:**

No person shall, at any time during a Meeting, demonstrate improper conduct. Improper conduct is any behavior which detracts from the orderly progression of the business at hand in any Meeting. Improper conduct includes:

- speaking out of turn;
- addressing the Assembly without being recognized by the Chair;
- arguing (as opposed to debating) or shouting;
- creating noise in order to disrupt the Meeting;
- making gestures in order to disrupt the Meeting;
- waving signs or placards;
- failing to follow the directions or sanctions of the Chair;
- foul or offensive language; and/or
- disrespect or name-calling.

6.06 **Potentially Dangerous Items:**

No person shall bring into the Council Chambers (or other Meeting location) an item which is a weapon or which could be used as a weapon. The Chair will request the bearer to remove the item immediately.

6.07 **Chair's Rulings to be Respected:**

All persons in attendance at a Meeting shall observe and obey the directions of the Chair.

6.08 **Sanctions against Members:**

Should any Member of Council persist in disobedience after having been called to order by the Chair, the Chair may, immediately, require that Member to leave their seat for the balance of the Meeting. The question requires no seconder and no vote.

If the offending Member apologizes, they may, at the call of the Chair, be permitted to retake their seat.

6.09 **Sanctions against Others:**

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Where a person other than a Member disregards any one or more of the rules set out in this By-law, the Chair shall advise the person of their error, remind him or her of the rules, and request that they adhere to the rules.

If the person repeatedly ignores the rules, the Chair may ask the person to leave the premises. Where a person refuses to leave the premises, they may be escorted from the building.

Council may, at its discretion, prohibit one or more persons from being eligible to request Deputations or Presentations for a period of time.

Council may, at its discretion, issue a notice under the *Trespass to Property Act*, R.S.O. 1990, c. T.21, as amended, to any person prohibiting their attendance to any place or places that Council considers appropriate. A copy of all such notices shall be provided to the police for enforcement purposes.

Part Seven: Motions, Rules of Debate, and Voting

7.01 General Rules Governing Motions:

- a) The Chair may request that any motion be put in writing.
- b) Once a motion is moved and seconded, it belongs to the Assembly, and must be dealt with, unless the Assembly determines (by majority vote) that the motion be withdrawn. No other motion which is not relevant to the motion on the floor may be made until the motion has been voted upon.
- c) Motions printed in the agenda package, or otherwise forwarded in writing, need not be read aloud, however, any Member may request that the Chair read the motion, in full, in order to facilitate clear understanding.
- d) Where motions are made verbally, the Clerk shall confirm the wording of the motion with the mover prior to the seconder being named.
- e) A motion which contains more than one element may be divided prior to taking the vote, such that each portion of the motion, or some portions of the motion, is voted upon individually. This enables a Member who agrees with some of the elements of the motion, but not all of them, to vote accordingly. Any Member can ask to have a question divided at any time prior to the vote being taken on the question. Questions are divided without a resolution of Council, upon the request of any Member, without the necessity for a seconder.

7.02 Motions Introduced Upon Notice of Motion:

- a) Certain motions may only be made after first having providing written notice of

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motion. These are:

- a motion to reconsider an item, as set out in Section 7.09 of this By-law;
- a motion to discharge a Committee or alter its membership;
- a motion to amend the current year's budget (after it has been approved);
or
- a motion to amend this By-law.

- b) Where a motion must be brought with notice, the notice of motion shall be delivered to the Clerk no later than four o'clock p.m. on the Thursday before date of the Meeting at which it will be heard. If that day, or the Friday of that week, is a statutory holiday, as observed by the Corporation, the notice is to be received by the Clerk before four o'clock on the Wednesday prior to the Meeting. The notice of motion shall contain the intended motion, printed in full. The motion shall be submitted to the Clerk in writing under the signatures of the mover and seconder.
- c) The motion to which the notice of motion refers may be debated at the next Regular Council Meeting following the Meeting at which publication of the notice of motion occurred. If the mover is absent, the debate shall be deferred to the next Meeting.

7.03 **Amendments to a Motion:**

- a) Minor amendments to a motion on the floor, such as to correct a spelling or grammatical error, or a person's title, etc., can be undertaken through the friendly amendment process without formal motion. A Member may point out the error, and, provided both the mover and seconder of the motion agree, the correction may be made.
- b) A motion may be made for a more substantive amendment to a motion that is on the floor (the "main motion"). It must be moved and seconded. It is debatable and can be amended. A motion to amend, if seconded, interrupts the debate on the main motion, and debate moves to the motion to amend.

The amending motion must be relevant to the motion on the floor. It must have bearing on the subject matter of that main motion.

A motion to amend cannot be contrary to the main motion. For example, if the motion on the floor is:

"Be it resolved that we purchase the vehicle",
then it would not be in order that someone move a motion to amend this motion to insert the words "do not" between the words "we" and "purchase".

- c) There can be only one additional motion made to amend a motion that is requesting an amendment to the main motion. This is called the "secondary" amending motion, and the first amending motion is the "primary" amending

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motion. If a secondary amending motion is moved and seconded, it interrupts debate on the primary amending motion.

- d) If all three motions are present, that is, there is a main motion, and a motion has been made to amend the main motion (the primary amending motion), and a motion has been made to amend the primary amending motion (the secondary amending motion), they are dealt with in the following order:

The secondary amending motion is debated and voted upon.

If that motion fails, the primary amending motion, as originally submitted, is debated and voted upon.

If the secondary amending motion passes, the primary amending motion, as amended, is debated and voted upon.

If the primary amending motion (whether amended by the secondary amending motion or not) fails, then the main motion is debated and voted upon.

If the primary amending motion (whether amended by the secondary amending motion or not) passes, then the main motion, as so amended, is debated and voted upon.

7.04 **Postponing Motions**

- a) A motion may be made to defer a motion that is under consideration. If so made, the mover and seconder shall, in the motion, set the date and/or time at which the question will again be taken up by the Assembly. If the motion to defer passes, debate on the motion is suspended until the date/time noted in the deferral motion.
- b) A motion may be made to refer a motion that is under consideration to another body or person for further investigation, information and/or reporting. If so made, the mover and seconder shall, in the motion, specify to whom that question is being referred, with detail about the further information required before the question can be returned to the Assembly for further consideration.
- c) A motion may be made to "lay a matter on the table". If so made, the mover and seconder shall, in the motion, specify the reason, and the time at which the matter will be lifted from the table (this may be a specific time or the occurrence of an event, such as after the arrival of a relevant person with information relating to the matter). The motion is not debatable nor amendable. If passed, debate on the motion is suspended until later in the Meeting, when the time is reached or the event has occurred.

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7.05 Raising Points of Order or Points of Privilege

- a) Neither of these points require a seconder. A Member may, at any time, raise either point, and the Chair shall rule on the point. The Chair may require the Member to expand upon and/or clarify the point. No other business of the Assembly may take place until the point is addressed.
- b) Neither of these points is debatable. The point is made, and the Chair makes their ruling. The Chair may address their ruling to the Assembly or to one Member in particular, as appropriate.
- c) A Member may bring a motion to "challenge" the ruling by the Chair. It must be seconded. It may be debated, but may not be amended. Unless such a motion is made and the resolution carried, the Chair's ruling on the point is final.

7.06 Interruptions

- a) A motion may be made to recess the Meeting for a specified period of time. It must be seconded, and is not debatable, but may be amended.
- b) A motion may be made to adjourn the Meeting prior to the completion of all matters on the agenda. It must be seconded, and is neither debatable nor amendable. If the motion is made, and it fails, no other motion may be made to adjourn the Meeting prior to the completion of the agenda.

7.07 Debate:

- a) When a motion has been moved and seconded, the Assembly may debate the motion. The Chair may read or state the motion for debate for clarity.
- b) The Member who moved the motion has the right to speak to the matter first and last. All other Members are restricted to speaking to the matter once only, and for a maximum of five minutes. This notwithstanding, any Member may concisely ask a question only for the purpose of obtaining information relating to the motion under discussion.
- c) The Chair may participate in the debate, and, if they do so, they do not need to leave their seat in order to do so.
- d) All debate is undertaken through the Chair, and all Members debating the motion shall address comments to the Chair. The Chair recognizes speakers in the order in which they indicated a wish to participate in the debate.
- e) When a Member has the floor, no other Member may interrupt him or her except on a Point of Order or a Point of Privilege.

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- f) Members must speak only on the subject matter in debate.
- g) Members must obey the rules of the Council and all decisions of the Chair or Council relating to questions of order or practices, or the interpretation of the Rules of Proceeding.
- h) Any Member may require the question or motion under discussion to be read at any time during the debate, but may not interrupt another Member while they are speaking.
- i) No Member may criticize any prior decision of the Council. A notice of motion to reconsider a prior decision of Council is not criticism for the purposes of this Rule of Proceeding.
- j) When debate has concluded, the Chair shall put the question to the Assembly for a vote. When the Chair is putting the question, no Member shall leave the Meeting or make any disturbance.
- k) A motion may be made (moved and seconded) to close the debate (or "put the question"). Such motion is not debatable or amendable, and requires a 2/3 majority vote. If the motion carries, a vote on the motion must be immediately called, with no further discussion or debate.

7.08 **Voting:**

- a) The Chair shall call the question, asking first for a show of hands of those Members who are in favour of the motion, followed by a call for a show of hands of those Members who are opposed to the motion, if necessary. After the vote, the Chair shall declare whether or not the motion has carried.
- b) No votes may be taken upon a ballot or in secret. Voting is by show of hands, unless a Recorded Vote has been requested.
- c) The vote of every Member, including the Chair, has equal weight. The Chair need not vote if they choose not to vote, and such abstention is not considered a negative vote. Where there is a tie vote in the absence of a vote from the Chair, the Chair shall vote on the matter to resolve the tie.
- d) In circumstances where there are an equal number of votes in favour of a question and against the question, the question fails.
- e) Every Member present shall vote upon each question, subject to applicable law (such as, for example, the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended). Subject to paragraph 7.08(b) above, if a Member abstains from voting without legal reason, their vote shall be counted as a negative vote.

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- f) Prior to the time that the question is called, any Member can request a Recorded Vote. This request does not require either a seconder or a resolution of the Council. Where a Recorded Vote is taken, the Clerk shall ask each Member in turn to state aloud whether they are in favour of, or opposed to, the question, and shall announce and record the result. The minutes of the Meeting shall reflect the votes of each Member.
- g) If a Member believes that the Chair's declaration of the vote result is in error, they may request that the question be called again for the purpose of a Recorded Vote.
- h) When the question has been put to a vote by the Chair, no Member shall speak to the question nor make any other motion until after the vote has been taken and the result declared.
- i) When the Chair calls for the vote on a question, each Member shall occupy their seat and shall remain in their place until the result of the vote has been declared by the Chair. During that time, no Member shall cross the floor to speak to another Member, or make any comment or other disturbance.

7.09 **Revisiting Prior Decisions of Council:**

- a) As set out in Paragraph 7.08(g) of this By-law, any Member can request a Recorded Vote after an unrecorded vote has been taken on any question before the Assembly if there is doubt about the accuracy of the result of the vote, or if the Member wishes the vote recorded for any other reason. This is not a formal reconsideration of the original vote.
- b) Any decision of the Council made by resolution is effective for the term of that Council, subject to reconsideration. Any decision of the Council made by by-law is effective until that by-law is amended or repealed.
- c) No decision of Council can be subject to re-consideration without new facts or information being provided which was not available to the Council when the matter was originally before the Assembly. Should a Member wish to have the Council reconsider a matter that has been decided, or wishes to have the Council repeal a by-law which has been passed, during the term of that Council, they shall provide a notice of motion indicating the decision that they wish to have revisited, and providing the additional information which was not available to the Assembly when the original decision was made.
- d) A matter may only be reconsidered once during a term of Council unless a motion is passed by the Assembly to waive this rule.
- e) If a motion to reconsider has been adopted, it temporarily nullifies the previous

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decision and places the matter back at the point prior to taking the vote on the original motion as adopted. The original motion shall become the next order of business after the passing of a resolution to reconsider.

7.10 **Voting on the Passage of By-laws**

All by-laws are debatable with the exception of the confirming by-law.

Part Eight: Rules for Addressing the Assembly

8.01 **Audience:**

Any person may attend a Council Meeting to observe the proceedings. Persons in attendance should sign the attendance sheet provided, but are not required to do so.

Persons in the general audience do not have permission to address the Assembly.

8.02 **Media:**

Persons representing public media are welcome to attend Council and Committee Meetings. They will be requested to leave the Meeting should a resolution be passed to enter closed session.

8.03 **Request to Make a Deputation:**

Any person wishing to address Council as a Deputant must make a written request to the Clerk no later than four o'clock p.m. on the Thursday before the commencement of the Meeting of the Council. If either that day, or the Friday of that week, is a statutory holiday, as observed by the Corporation, the notice is to be received by the Clerk before four o'clock p.m. on the Wednesday prior to the Meeting.

A Deputation request may be submitted after the deadline noted above if the Deputation relates to an item of business included on the Meeting's agenda. In that case, the Clerk shall advise the Chair that the motion to amend the agenda for that Meeting should include the Deputation as a new item.

The written request for the Deputation shall be legibly written and must include:

- a) The subject matter on which the person wishes to address the Council;
- b) The outcome that the person is seeking;
- c) The efforts, if any, the person has made to achieve the desired outcome working with Administration prior to making their request of Council; and
- d) Whether the Deputant wishes to address the Assembly virtually, through electronic connections, or whether the Deputant will appear in person at the Meeting.

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If the Deputant introduces other printed material or information at the Meeting, it must relate to the information in the written request.

The written request will be included in the agenda as a matter of public record and should not contain any confidential information that the Deputant does not wish to be made public.

If the written request is lengthy or contains material that is complex or expensive to copy, the Deputant may be required to pay a fee for the reproduction of the material, or may be required to bring six copies of the material to the Clerk for distribution in the agenda package.

8.04 **Restrictions on Deputations:**

The Clerk shall not include in any Meeting agenda a request for a Deputation in any of the following circumstances:

- a) the Deputation relates to a subject matter that is not within the jurisdiction of the Corporation;
- b) the Deputation relates to existing or potential litigation involving the Corporation;
- c) the subject matter has already been presented to Council by the Deputant, or an organization to which the Deputant belongs or is affiliated, within the same term of Council;
- d) the subject matter is a request to re-consider an earlier decision made by the Council within the same term of Council; or
- e) the correspondence seeking the Deputation contains language that is disrespectful, foul or offensive, insulting or slanderous against any person.

8.05 **Appeal of the Refusal:**

Where the Clerk has refused a Deputation request in accordance with Section 8.04, the person making the request may seek an exemption from Section 8.04 in writing. The Clerk will report to Council on the request for the exemption, outlining why, in their opinion, Section 8.04 applies. By resolution of Council, an exception to the rules in Section 8.04 may be made, in which case, the Deputation will be scheduled for the next Regular Meeting of the Council which is acceptable to the Deputant.

8.06 **Distribution of Additional Material:**

If a Deputant wishes to distribute additional documents as information at the Meeting, a copy of the documents submitted must be retained by the Clerk as part of the record of the Council Meeting. If the Deputant provides information electronically, they must provide the Clerk with an electronic copy of the information, identical to that which was shared with the Assembly, as part of the record of the Council Meeting.

8.07 **Deputation Time Limit:**

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Deputations are restricted to ten minutes in length, exclusive of a period of questioning at the conclusion of the Deputation. Regardless of the number of persons who are part of the Deputation, the time limit remains ten minutes unless this rule is relaxed through a resolution of the Assembly.

8.08 **Rules Relating to Deputations:**

A Deputation is an opportunity to provide information to Council – it is not a time to question Members of Council and receive answers, or enter into debate with any Member of Council. Persons wishing to question Members of Council on any issue must do so outside of Meeting times.

Deputants must restrict their comments to the subject matter outlined in their requests for Deputation.

Where more than one person has requested to address Council on the same subject matter, the Chair may request that Deputations subsequent to preceding Deputations only bring forward new information.

Members may ask questions of Deputants for the purpose of understanding of the issue.

Where a Deputant has requested that the Council take action, the request shall be referred to administration for a report to be brought forward at a future Meeting.

8.09 **Request to make a Presentation:**

The Chair of the Meeting may require the Clerk to schedule a Presentation.

Any person wishing to make a Presentation must make a written request to the Clerk no later than four o'clock p.m. on the Thursday before the commencement of the Meeting of the Council. If either that day, or the Friday of that week, is a statutory holiday, as observed by the Corporation, the notice is to be received by the Clerk before four o'clock p.m. on the Wednesday prior to the Meeting.

The written request to make a Presentation shall be legibly written and must include:

- a) the subject matter on which the Deputant will address the Council; and
- b) whether the Deputant wishes to address the Assembly virtually, through electronic connections, or whether the Deputant will appear in person at the Meeting.

The request shall include copies of any written or electronic information that will be provided to the Council during the Presentation, for distribution with the agenda.

If the material to be distributed is lengthy or contains material that is complex or

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expensive to copy, the Deputant may be required to pay a fee for the reproduction of the material, or may be required to bring six copies of the material to the Clerk for distribution in the agenda package.

8.10 **Restrictions on Presentations:**

Only one Presentation may be scheduled at any Regular Council Meeting. Requests for other Presentations shall be scheduled at a future Meeting.

The Clerk shall not include in any Meeting agenda a request for a Presentation in any of the following circumstances:

- a) the Presentation relates to existing or potential litigation involving the Corporation;
- b) the Presentation would duplicate a Presentation previously provided during the term of Council;
- c) a Presentation has already been scheduled for the Meeting for which the person wishes to make the Presentation; or
- d) the correspondence seeking the Presentation contains language that is disrespectful, foul or offensive, insulting or slanderous against any person.

8.11 **Appeal of the Refusal:**

Where the Clerk has refused a Presentation request in accordance with Section 8.10, they shall advise the Chair. The Chair may over-rule the Clerk's decision, and allow the Presentation despite Section 8.10. The Chair's decision in this regard is final.

8.12 **Distribution of Additional Material:**

If a Presenter wishes to distribute additional documents as Presentation information at the Meeting, a copy of the documents submitted must be retained by the Clerk as part of the record of the Council Meeting. If the Presentation involves information provided electronically, the Deputant must provide the Clerk with an electronic copy of the information, identical to that which was shared with the Assembly, as part of the record of the Council Meeting.

8.13 **Presentation Time Limit:**

Presentations are restricted to twenty minutes in length, exclusive of a period of questioning at the conclusion of the Presentation. This time limit may be extended by a resolution of the Assembly.

8.14 **Rules Relating to Presentations:**

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The purpose of a Presentation is to provide information to Council – it is not a time to question Members of Council and receive answers, or enter into debate with any Member of Council. Persons wishing to question Members of Council on any issue must do so outside of Meeting times.

8.15 **Petitions:**

Members of the public may, from time to time, present written petitions to individual Members of Council or to the Clerk. Every petition to be presented to the Council, shall be legibly written or printed, shall not contain any obscene or improper matter or language, and shall be signed by at least one person, and filed with the Clerk. Any petitions meeting these requirements, and regarding matters that are within the jurisdiction of Council, that are received by the Clerk at or prior to four o'clock p.m. on the Thursday prior to the next Council Meeting shall be included in the agenda for that Council Meeting. If either that day, or the Friday of that week, is a statutory holiday, as observed by the Corporation, the petition is to be received by the Clerk before four o'clock p.m. on the Wednesday prior to the Meeting.

Part Nine: Records: Resolutions, Minutes and By-laws, and Pending List

9.01 **Minutes:**

The Clerk shall record the minutes of the Meetings of Council or of Committee of the Whole. The Secretary of the Committee shall record the minutes of the Meetings of that Committee.

Minutes shall record:

- a) the place, date and time of the Meeting;
- b) the name of the Chair;
- c) a record of attendance of the Members;
- d) a record of attendance of those members of the public who attended and signed to indicate their attendance;
- e) all disclosures of pecuniary interest in accordance with Other Applicable Law, together with a statement of the reason that the interest was declared; and
- f) the decisions with respect to all of the matters of business set out in the agenda, without note or comment.

9.02 **Approval of Council Minutes:**

Minutes of every Council Meeting shall be prepared after the Meeting and brought forward to the next Council Meeting for approval.

Confidential minutes of Closed Meetings shall be prepared after the Meeting and brought forward to the next Council Meeting for approval in closed session. Where

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there are no other matters on the agenda to be considered in closed session, the minutes of the Closed Meeting may be held back for approval until such time as there is a scheduled closed session Meeting or closed portion of an open Meeting.

Approved Minutes must be signed by the Chair and the Clerk who were at the Meeting. Once signed, the Minutes shall be sealed with the Corporation's seal, and deposited with the Clerk for safekeeping

Decisions of the Council are binding decisions prior to the approval of the minutes of the Meeting at which they were made.

9.03 Approval of Committee of the Whole Minutes:

Resolutions made at Committee Meetings shall be recorded in the minutes of the Meeting as recommendations to Council. Minutes of Committee of the Whole Meetings shall be prepared after the Meeting and brought forward to the next Council Meeting for ratification.

Decisions made at the Committee Meetings, including Committee of the Whole Meetings are not binding decisions unless and until the recommendations contained in the Minutes of the Committee Meeting are ratified at a Council Meeting.

9.04 Receipt of Committee Minutes:

Minutes of Committee Meetings (other than Committee of the Whole Meetings) shall be prepared by the Committee's Secretary after the Meeting and provided to the Clerk for inclusion in the next Council Meeting for receipt.

Decisions made by Committees are not "approved" by Council through receipt of the minutes of the Committee. Any decision made by a Committee that requires Council approval shall be brought forward to the Council, through a report or through correspondence, as a recommendation for consideration. A resolution of Council is required to approve Committee actions or decisions unless the action or decision is within the Committee's power in accordance with its terms of reference.

9.05 Agenda Packages:

The agenda packages for each Council or Committee of the Whole Meeting shall be retained by the Clerk in a file which contains the entire package that was distributed to Members of Council, the attendance record of the Meeting, and all documents or other material that was distributed at the Meeting.

9.06 Resolutions:

Resolutions shall be sequentially numbered in the Minutes for ease of reference, consecutively, on an annual basis.

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9.07 **By-laws:**

Unless it is a requirement of Other Applicable Law (as is the case, for example, for by-laws passed under the *Drainage Act*, R.S.O. 1990, c. D.17, as amended), the passage of a by-law does not require three readings. Except as required by Other Applicable Law, all by-laws will be passed with a single resolution.

By-laws will be introduced with a sequential numbering system. For by-laws that are frequently passed, a number may be reserved by the Clerk which may be out of sequence with other by-laws.

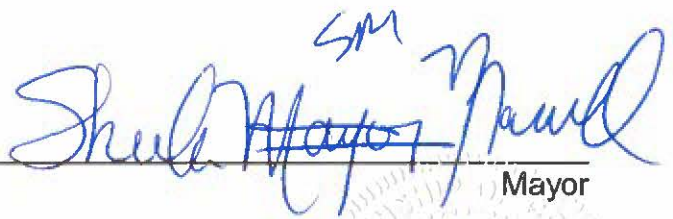
Once passed, by-laws must be signed by the Chair and the Clerk who were at the meeting at which the by-law was passed. Once signed, all by-laws shall be sealed with the Corporation's seal, and deposited with the Clerk for safekeeping.

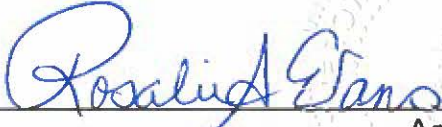
At the end of each Meeting of the Council, the Clerk shall present to the Assembly a by-law to confirm all of the proceedings that took place at that Meeting.

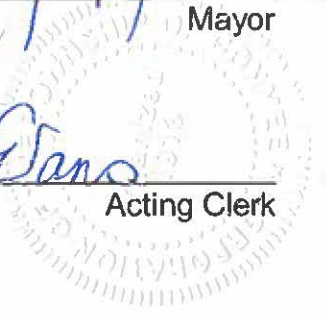
9.08 **Pending List:**

All matters brought to Council for consideration that have not been finally disposed of, or that have been referred to Committees (or others), or deferred to a future date, shall be maintained by the Clerk in an index. The Clerk shall track the progress of the unfinished business matters until such time as they have been finally dealt with.

Enacted and Passed this 26th day of November, 2024


 _____ Mayor


 _____ Acting Clerk





Schedule "A": Closed Meeting Rules from the Act

A Meeting or part of a Meeting may be closed to the public if the subject matter being considered is,

- (a) the security of the property of the Corporation;
- (b) personal matters about an identifiable individual, including Corporation employees;
- (c) a proposed or pending acquisition or disposition of land by the Corporation;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the Corporation;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which a Council or Committee may hold a Closed Meeting under Other Applicable Law;
- (h) information explicitly supplied in confidence to the Corporation by Canada, a province or territory or a Crown agency of any of them;
- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the Corporation, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the Corporation and has monetary value or potential monetary value;
- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation; or
- (l) in circumstances where both of the following conditions are met:
 - i) the meeting is held for the purpose of educating or training the members; and
 - ii) at the Meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council or Committee.

A Meeting or part of a Meeting shall be closed to the public if the subject matter being considered is,

- (a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the Council is the head of an institution for the purposes of that Other Applicable Law; or
- (b) an ongoing investigation respecting the Corporation or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman

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referred to in subsection 223.13 (1) of the Act, or the investigator referred to in subsection 239.2 (1) of the Act.

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