

THE CORPORATION OF THE MUNICIPALITY OF SOUTH DUNDAS

BY-LAW NO. 2022-48

A By-law that governs the proceedings of Council and its Committees (Procedural By-law).

WHEREAS the Municipal Act, 2001, as amended, requires Municipalities to pass a Procedure By-law governing the calling, place and proceedings of meetings;

AND WHEREAS it is necessary to review the rules governing the order and proceedings of the Council and Committees of the Corporation of the Municipality of South Dundas;

AND WHEREAS Council deems it prudent to amend its proceedings and Committee proceedings to meet any amendments to the Municipal Act.

NOW THEREFORE Council of the Corporation of the Municipality of South Dundas enacts as follows:

1. That the rules and regulations contained in this By-law as set out in Schedule "A" attached hereto and forming part of this By-law, shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business in the Council and in the Committees thereof.
2. That By-law No.'s 2020-22 and 2021-08 are hereby repealed in their entirety.
3. This By-law shall come into force and effect on the date of passing.

READ and passed in open Council, signed and sealed this 25th day of April, 2022.



MAYOR



CLERK

SCHEDULE "A"
TO
BY-LAW NO. 2022-48

PROCEDURE BY-LAW

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1. Definitions:

- 1.1 "Act"**
means the Municipal Act, 2001, as amended.
- 1.2 "Alternate Member of Council"**
means a member appointed to serve as an "alternate member" of County Council when the Member of the Municipal Council is unable to attend a meeting for any reason.
- 1.3 "By-law"**
means a local law. A By-law is enacted by Council to exercise a power provided by legislation. It is the most formal document used for complex and legal matters providing authority and direction for the Corporation to act on its own affairs.
- 1.4 "Chief Administrative Officer"**
means the Chief Administrative Officer (CAO) of the Municipality, or his/her delegate who is duly appointed by By-law.
- 1.5 "Clerk"**
means the Clerk of the Municipality of South Dundas, or his/her delegate who is duly appointed by By-law.
- 1.6 "Closed Session"**
(In Camera) means a meeting or part of a meeting that is closed to the public in accordance with the *Act*.
- 1.7 "Committee"**
means any advisory or other committee, subcommittee, or similar entity of which has at least one Member of Council.
- 1.8 "Committee of the Whole" (COTW)**
means the participation of Members in a Committee meeting where the Members consider questions with greater freedom of debate.
- 1.9 "Consent Agenda"** means a component of a meeting agenda that enables Council to group routine items and motions under one umbrella and is a single item that encompasses all the things Council would normally approve with little comment at a Council meeting. Items on the consent agenda are not discussed before a vote.
- 1.10 "Council"**
means the Council of the Municipality of South Dundas.
- 1.11 "Corporation/Municipality"**
means the Corporation of the Municipality of South Dundas
- 1.12 "Delegation"**
means a maximum of two persons representing a group, who wish to provide information to Council/Committee(s) of Council.
- 1.13 "Electronic Participation"** means a Council Member who participates in a meeting remotely via electronic means (e.g. video or audio teleconference), who has the same rights and responsibilities as if he or she were in physical attendance, including the right to vote and the right to be counted towards a quorum of members and shall be permitted to participate in any portion of a meeting which is closed to the public.

- 1.14** **“Emergency”** means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise;”
- 1.15** **“Head of Council”** means the "Mayor" of the Municipality of South Dundas.
- 1.16** **“Local board/Board”**
means an entity formed:
- (i) with a direct link with the Municipality by way of legislation or authority from the Municipality
 - (ii) carries out the affairs of the Municipality
 - (iii) connected to or controlled by the Municipality
 - (iv) with an element of autonomy.
- 1.17** **“Materially Advances”**
means to “substantially”, measurably or identifiably advance a matter/issue forward.
- 1.18** **“Meeting”**
means any regular, special, or other meeting of Council, or a local board or committee or either of them, where:
- (a) A quorum of members is present; and
 - (b) Members discuss or otherwise deal with any other matter in a way that materially advances the business or decision-making of the council, local board or committee.
- 1.19** **“Member”**
means a person duly elected to serve on Council for the Corporation of the Municipality of South Dundas.
- 1.20** **“Minutes”**
shall mean the record of the proceedings of a meeting and shall be kept in a safe manner.
- 1.21** **“Pecuniary Interest”**
(Disclosure of Interest) means a “Pecuniary Interest”, direct or indirect, in any matter within the meaning of the *Municipal Conflict of Interest Act*.
- 1.22** **“Presiding Officer”**
is the person presiding over a meeting, who is charged with the responsibility to decide questions and points of order or practice, preserve order and maintain decorum in the proceedings of Council or Committees.
- 1.23** **“Quorum”**
shall be the majority of the eligible voting Members present at the meeting.
- 1.24** **“Recorded Vote”**
shall mean the recording of the name and vote of every Member on any matter or question where any Member requests that the vote be recorded.

1.25 "Regular Meeting"

means a scheduled meeting held in accordance with the approved calendar/schedule of meetings.

1.26 "Resolution"

is a motion once it has been passed.

1.27 "Rules of Procedure"

(Rules of Order) means the applicable procedural rules and rules of conduct contained in this By-law. The proceedings of Council and its Committees, the conduct of the Members, and the calling of meetings will be governed by the rules and regulations contained in this By-law. Where a matter being considered by Council arises that is not covered in this By-law, Robert's Rules of Order (latest edition) shall apply.

1.28 "Special Meeting"

means a meeting not scheduled in accordance with the annual approved calendar/schedule of regular meetings.

1.29 "Mayor"

means the Head of Council. The Mayor shall also preside at all Council meetings.

2. Member of County Council

2.1 The Mayor and Deputy Mayor shall become Members of Council of the United Counties of Stormont, Dundas and Glengarry upon:

- (a) Certification from the Clerk.
- (b) Taking the Declaration of Office for the position.

2.2 Alternate Member of Council

A member shall become an alternate member of Council of the United Counties of Stormont, Dundas and Glengarry upon:

- (a) The Alternate Member shall be the Councillor with the greatest number of votes from the Municipal Election.
- (b) Certification from the Clerk.
- (c) Taking the Declaration of Office for the position.

2.3 Responsibilities of Alternate Member of Council

- (a) The Alternate Member of Council shall exercise all the rights of a Member of Council solely for the meeting so attended, with the exception of Head of Council.
- (b) The Alternate Member of Council shall adhere to the provisions of the Counties By-law.

3. Committee

3.1 Appointments – Standing or Ad Hoc Committees:

Standing or Ad Hoc Committees may be appointed by Council with the approval of Council, at any time of the year as deemed necessary for consideration of special matters. Appointments to standing or ad hoc committees may be Members of Council or lay appointees. Members of Council appointed to Standing or Ad Hoc Committees must report to the Council on Committee business on a regular basis.

3.2 Terms of Reference:

A draft Terms of Reference shall be presented for Council's approval at the time a Committee of Council is being established.

3.3 Delegation of Authority:

Delegation of authority shall be provided by Council. Committees of Council shall only consider matters referred to them by Council unless authority to do otherwise has been delegated by Council.

3.4 Rules of Procedure:

All rules of procedure outlined this By-law shall apply to Committees.

3.5 Appointment of Members to Committees:

Members of Council shall be appointed by the Mayor to sit on various Boards and Committees of Council for the term of Council. These appointments shall be confirmed at the January Council meeting. Members shall indicate their interest in a Committee in writing to the Clerk by December 31st.

3.6 Lay Appointments:

Appointments to any Committee of non-Council members will also be confirmed by Council at a regular meeting early in the year, and shall be made using the following criteria:

- (a) Public notice soliciting individual applications from citizens of South Dundas shall be conducted.
- (b) All applications shall be presented to Council, who shall review the applications during a Closed Session meeting.

3.7 Appointment of Other Member – Due to Illness – Absence:

Should a Member of Council, appointed to any Committee, be unable to attend the meetings of such Committee due to illness or absence, another Member upon request to act in their stead and the Member so appointed shall be deemed to be a Member of the Committee and entitled to act thereon only during such illness or absence.

3.8 Removal of Members not Attending:

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

3.9 Absence – Presiding Officer:

In the absence of the Presiding Officer, one of the other Members shall be elected to preside pro temp, who shall discharge the duties of the Presiding Officer during the meeting or until the arrival of the Presiding Officer.

4. Committee of the Whole

Committee of the Whole (COTW) is the participation of all Members in a Committee meeting where Members of Council consider questions with greater freedom of debate. When sitting as Committee of the Whole, the results of consensus taken in Open Session are not final decisions of Council. Rather, the results have the status of recommendations which Council is given the opportunity to consider further at a formal Council meeting under its regular rules (Exception: direction given in Closed Session).

4.1 Agenda: The COTW Agenda shall include:

- (i) Call to Order
- (ii) Closed Session *Preferred at beginning of meeting
- (iii) Confirmation of the Agenda
- (iv) Disclosure of Pecuniary Interests and General Nature Thereof
- (v) Adoption of Minutes
- (vi) Staff Reports
- (vii) Discussion of Additional Items
- (viii) Closed Session *Option to hold at end of meeting
- (ix) Adjournment

4.2 Delivery of COTW Agenda

The Clerk shall deliver an agenda, including all associated reports and notice of Closed Session, for each Committee of the Whole meeting, two days prior to the meeting.

5. Meetings

5.1 Orientation for New Council:

An orientation meeting shall be held with all Members. This meeting shall allow the CAO and Clerk to provide all Members with an overview of the expectations of their elected office (e.g. inaugural meeting, Committee expectations, processes of Council, protocol at meetings, Procedure By-law, dress codes, payroll and a general overview of the Corporation's role and function).

5.2 Inaugural Meeting of Council:

The inaugural meeting of Council shall be held at 6:00 p.m. on the first Monday immediately following the Term of Office start date. The location of the inaugural meeting will be Council Chambers of the Municipality of South Dundas.

5.2.1 Declaration of Office

All Members of Council shall take the declaration of office prior to participating in any meeting of Council.

5.2.2 Inaugural Agenda: The Inaugural Agenda shall include:

- (i) Call to Order
- (ii) Disclosure of Pecuniary Interest
- (iii) Declaration of Office
- (iv) Adjournment

5.2.3 Business at Inauguration

No other business shall take place other than the Declaration of Office at the Inaugural Meeting of Council.

5.3 Seat Assignment:

The Deputy Mayor will be seated closest to the Mayor on the right and the seat on the left will be the Member with the greatest number of votes from the Municipal Election. The placement of the remaining two Members shall be at the discretion of the Mayor.

5.4 Council Member Vacancies

5.4.1 A member of Council may resign from Office by notice in writing filed with the Clerk;

5.4.2 If a vacancy occurs in the office of a Member of Council, Council shall fill the vacancy;

5.4.3 Where a vacancy occurs amongst a seat of the Mayor and/or Councillor, the Council at a meeting called for that purpose, shall select the manner in which they wish to fill the vacancy;

5.4.4 Fill the vacancy of Mayor by:

5.4.4.1 appointing a person who has consented to accept the Office if appointed; or,

5.4.4.2 require a by-election to be held to fill the vacancy in accordance with *the Municipal Elections Act, 1996*; or,

5.4.4.3 appointing, amongst the current Members of Council, to fill the vacancy.

5.4.5 Fill the vacancy of Member of Council by:

5.4.5.1 appointing a person who has consented to accept the office if appointed;

5.4.5.2 hold a by-election to be held to fill the vacancy in accordance with *the Municipal Elections Act, 1996*; or,

5.4.5.3 appoint the first non-elected candidate during the last municipal election to fill the vacancy, subject to conditions in accordance to *the Municipal Election Act, 1996*.

5.5 Regular Meetings

5.5.1 Meeting Schedule – Council:

Regular Council meetings shall be held in accordance with the Meeting Schedule. A proposed Meeting Schedule will be presented by the Clerk to Council for approval by December of each year.

5.5.2 Meeting Locations – Council:

Regular Council meetings may be held in Council Chambers of the Municipality of South Dundas, in accordance with the Council Meeting Schedule or at an alternate location deemed necessary.

5.5.3 Cancellation of Meetings:

The CAO or Clerk, in consultation with the Mayor, has the authority to cancel any regular meeting if it is determined there is not sufficient business to be conducted, provided notification has been given at a prior meeting or within forty-eight (48) hours (not including weekends, or holidays) of the meeting. Notice of cancellation shall be sent to all regular recipients on the agenda distribution list.

5.5.4 Time of Meeting - Council:

All regular meetings of Council shall be held on the second and fourth Monday of each month, unless otherwise determined by Council, and commence at 6:00 p.m. If the regular meeting date falls on a Statutory Holiday, the meeting will be held the following day.

5.5.5 No item of business other than the Confirmatory By-law shall be considered at meeting of the Council after the hour of 10:00 p.m. local time, unless otherwise decided by a majority of the members present.

5.5.6 Meetings to be Open to the Public:

Meetings of Council and any Committee of Council shall be open to the public except as provided in the Act.

5.6 Special Meetings of Council

5.6.1 Call of Special Meetings of Council

In addition to regularly scheduled meetings, the Mayor may at any time call a special meeting of Council by providing written direction to the Clerk stating the date, time and purpose for the special meeting. Twenty-four hours (not including weekends, or holidays) of written notice shall be given.

In addition, a majority of Council Members may, at any time, petition the Clerk to call a special meeting of Council by providing a written petition to the Clerk stating the date, time and purpose for the special meeting. Twenty-four hours (not including weekends, or holidays) of written notice shall be given.

5.6.2 Restriction of Business stated on Agenda:

The only business to be dealt with at a special meeting of Council shall be that stated in the notice/agenda of the meeting.

5.6.3 There will be one regular meeting of Council during the months of July and August which shall be held on the second Monday of each month.

5.7 Emergency Meetings

5.7.1 Call of Emergency Meeting without 24 hours Notice:

Notwithstanding this Section, the Mayor may, in the event of an emergency, call an emergency meeting of Council without giving the 24 hours written notice of the meeting, provided that the Clerk has diligently attempted to advise all Members of Council and relevant Staff immediately upon being advised of the Mayor's intention to hold an emergency meeting.

5.7.2 Meeting Location-Council-Emergency:

In case of an emergency, Council in its sole discretion may hold its meetings and keep its public offices at any convenient location within or outside the municipality.

5.8 Closed Session

5.8.1 Following of Rules:

The Procedure By-law shall apply during "Closed Session" meetings.

5.8.2 Meetings Open to the Public:

All meetings shall be open to the public except as provided in the Act.

5.8.3 Resolution – Enter Closed Session – Include General Nature of the Matter:

The resolution shall include a general description of all the subjects to be dealt with at the Closed Session as per the Act.

5.8.4 Agenda:

The Clerk shall prepare an agenda for presentation at the meeting. The agenda shall be kept in a secure and confidential location under the control of the Clerk.

5.8.5 Identification of Specific Section:

The Clerk shall have the Closed Session agenda prepared, identifying the subject and qualifying Section of the Act, under which each matter is to be considered in the Closed Session. The agenda will be distributed to all Members in attendance at the meeting.

5.8.6 Record of Meeting:

The Clerk shall record without note or comment all resolutions, decisions and other proceedings at a meeting. Minutes shall be circulated by the Clerk at the following meeting for adoption.

5.8.7 Closed to Whom:

For the purpose of this Section, Closed Session shall mean closed to any person not appointed or elected to the body calling the meeting. The sitting body may invite any person deemed appropriate to the closed portion of the meeting for a specific item of business.

5.8.8 Location of Meeting:

Closed Sessions during Council meetings will be held in Council Chambers, unless otherwise determined by Council.

5.8.9 Additional Items for Discussion:

Discussion during a Closed Session shall be limited to that stated by resolution prior to holding the Closed Session. Additional items require public notice by resolution in Open Session prior to holding the Closed Session to discuss the additional item(s).

5.8.10 Votes Taken in Closed Session – Procedural Matters – Giving Direction/Instructions:

A meeting shall not be closed to the public during the taking of a vote except as provided in the Act. Votes may also be taken for giving directions or instructions to Staff or agents or others.

5.8.11 Collection of Closed Session Documents:

All documents handed out during a Closed Session shall be initialed, dated and returned to the Clerk at the end of the Closed Session.

5.8.12 Calculations and Note Taking:

Members and Staff may do basic calculations and note taking on paper during the course of a Closed Session. Any such calculations or notes shall be collected by the Clerk and destroyed following the adjournment of the meeting.

5.8.13 Confidentiality of Information:

Members, Staff and invited guests shall keep confidential any information:

- (a) Disclosed or discussed at a meeting that was closed to the public. The obligation to keep information confidential applies to the Members, Staff and invited guests.
- (b) Received in confidence verbally in preparation of the Closed Session meeting.

5.8.14 No Comment:

Members and Staff shall respond to any questions regarding an item from a Closed Session with a reply of "no comment," or words to that effect.

5.8.15 Securing Minutes:

The Minutes shall be kept in a secure and confidential location under the control of the Clerk. These minutes shall only be open to those in attendance at the meeting, to others approved by Council, or as legislated.

5.8.16 Return to Open Session:

Once the Closed Session has ended, the Members shall return to Open Session and the Clerk shall record the time in the minutes.

5.9 General Rules of Meeting

5.9.1 Rules of Procedure

Shall be as provided for in this By-law and where not provided, as near as may be to that followed under the current revised version of Robert's Rules of Order.

5.9.2 Attendance:

- (a) Every Member of Council shall attend all required meetings.
- (b) A Member is permitted to be absent from meetings if it is a result of the Member's pregnancy, the birth of the member's child or adoption of a child by the Member for 20 consecutive weeks or less.
- (c) The CAO and Clerk shall attend all Council Meetings. Municipal Staff shall attend a meeting of Council when directed by the CAO.

5.9.3 Dress Code:

All Members of Council shall wear proper business attire during regular scheduled Council Meetings.

5.9.4 Members of Council – Municipal Staff:

No Member shall speak disrespectfully of, nor shall they use offensive language against any Member of Council, Committee(s) of Council or Municipal Staff.

5.9.5 Speaking – Subject in Debate Only:

When acknowledged by the Mayor, no Member shall speak on any subject other than the subject in debate.

5.9.6 Criticize a Decision:

No Member shall criticize any decision of Council except for the purpose of moving that the question be reconsidered.

5.9.7 No Cellular Phone

A Member shall not use his/her cellular phones during the meetings of Council. The Mayor may allow at his/her discretion.

5.9.8 Vacating Seat During Meeting:

A Member shall not leave his/her seat or the meeting at any time without advising the Presiding Officer. Such absence, including the length of time absent, shall be recorded.

5.9.9 Electronic Participation

Electronic Participation shall be permitted only:

- a) In the event of an emergency being declared by the Premier, Cabinet, or the Head of Council under the *Emergency Management and Civil Protection Act*.
- b) As determined by the Mayor, in consultation with the Clerk, that an electronic meeting of the full Council is necessary or is an efficient means for the completion of municipal business.
- c) For individual members of Council, as determined on a case-by-case basis by the Mayor, for valid reasons, including medical/illness and personal discretion, to a maximum of two (2) meetings per member, per calendar year. (Vacation not permitted). The Council member must notify the Clerk of his/her virtual attendance at the meeting at least 48 hours prior to the meeting taking place.
- d) In the instance(s) where the Mayor may attend electronically, the Deputy Mayor shall assume the role of Chair.

6. Agenda

6.1 Agenda:

The business of each meeting will be considered in the order set forth on the agenda.

6.2 Staff Reports:

All Staff reports will be delivered to the Clerk at least 6 days in advance of the meeting to ensure inclusion in the agenda and timely publication of the agenda.

6.3 Council:

The Clerk shall prepare for the use of the Members at Meetings of Council, an agenda that will state the order in which the business of Council shall be conducted.

6.4 Council Meetings

6.4.1 Regular Scheduled Meetings:

The Clerk shall circulate an agenda, including all associated reports and notice of Closed Session, for each meeting five days preceding the date of the Council meeting. The agenda cover sheet shall be posted to the Municipality website for access by the public on the day before the meeting. The full agenda with all associated reports will be provided to the public and media the day of the meeting.

6.4.2 Special Meetings:

The Clerk shall circulate an agenda, including all associated reports and notice of Closed Session, for each meeting to Council Members and Staff, 24 hours (not including weekends, or holidays) in advance of the meeting. The agenda shall be posted to the Municipality website for access by the media and the public the day of the meeting.

6.5 Copy of Agenda:

Any person may be provided, upon request to the Clerk, with a copy of the agenda, within the time frames as noted in Section 6.4.1 and 6.4.2 above.

6.6 Further Information Required – Postponement:

Where further information or reports are necessary for Council to properly review an item of business, the Clerk or CAO may postpone the placement of an item to a future agenda in order to arrange for the provision of the necessary information.

6.7 CAO and Clerk Authorized to Determine:

The CAO and Clerk shall be authorized to determine the appropriate meeting at which items of business shall be considered, in accordance with this By-law.

7. Order of Business - Council

7.1 Regular Scheduled Meetings:

The order of business on the agenda for regular scheduled meetings of Council shall be as follows:

- (1) Call to Order
- (2) Closed Session **Preferred option*
- (3) Confirmation of Agenda
- (4) Disclosure of Pecuniary Interest and General Nature Thereof
- (5) Adoption of Minutes
- (6) Delegations/Petitions
- (7) Action Requests
- (8) By-laws
- (9) Consent Agenda
- (10) Boards and Committees/Discussion Items
- (11) Notices of Motions
- (12) Closed Session **Secondary option*
- (13) Ratification By-law
- (14) Adjournment

7.2 Changes to Order of Business:

The Presiding Officer, with the approval of Members by majority vote, may vary the order of business before the Members.

8. Call Meeting to Order

8.1 Opening Remarks:

The opening remarks of the Presiding Officer shall be at the sole discretion of the Presiding Officer and shall normally relate to items of special interest.

9. Disclosure of Pecuniary Interest and General Nature Thereof

9.1 Member of Council:

To determine possible Pecuniary Interest, the Member shall consult and be in compliance with the Municipal Conflict of Interest Act.

9.2 Disclosure of Pecuniary Interest

Declaration of interest by a Member of Council must be disclosed before the matter is considered at the meeting.

9.3 Written Statement

Member of Council shall provide a written statement of the pecuniary interest and details of the general nature of the interest.

9.4 Discussion, Vote or Influence

A Member declaring a pecuniary interest about an agenda item, must not take part in the discussion, vote, or attempt to influence the voting before, during or after the meeting.

9.5 Closed Session

A Member declaring a pecuniary interest in a closed session item, must be absent for that portion of the meeting.

9.6 Documentation of Disclosure of Interest

The Clerk must note the disclosure of pecuniary interest in the minutes, as well as establish a registry of declarations recorded, that shall be available for public inspection.

10. Quorum – Call to Order

10.1 Quorum – Call to Order:

If there is a quorum after the time set for the start of the meeting, the Presiding Officer will take the Chair and call the meeting to order.

10.2 No Quorum – Meeting Adjourned:

In the event that a quorum is not present within the fifteen minutes after the designated start time of the meeting, the Presiding Officer shall take the Chair and call the meeting to order, announce the absence of a quorum, and immediately adjourn the meeting. The Clerk shall record the names of the Members present and the meeting shall stand adjourned.

10.3 Council Meeting – Presiding Officer Absent:

In the case where a quorum is present at a Council Meeting and the Mayor has not attended within fifteen minutes after the time appointed, the Members of Council shall appoint a Member to act as the Presiding Officer of the meeting. Such appointed member has all the powers and duties of the Head of Council, solely to the role of Presiding Officer.

10.4 Meeting Adjourned – Not Ended:

If during the course of a meeting a quorum is lost, then the meeting will stand adjourned, not ended, to reconvene at a time and place as called by the Presiding Officer.

11. Minutes

11.1 Record of Meeting: The Minutes of a Meeting of Council shall record:

- (i) The date, place and time of the meeting;
- (ii) The name of the Presiding Officer and the attendance of the Members present at the call of the meeting;
- (iii) Arrival and departure of Members after the call of the meeting;
- (iv) Member who has declared a pecuniary interest on the matter or question and the general nature thereof;
- (v) All motions;
- (vi) Other proceedings of Council without note or comment;

11.2 Approval of Minutes:

The draft minutes of the last regular meeting, and any special meetings held since the last regular meeting, shall be presented for final approval no later than the next regular scheduled meeting of Council.

11.3 Amendments to Minutes:

If any Member disagrees with any item printed in the minutes, that Member shall state their objection and the reason therefore. The Members shall determine the accuracy of the minutes and the Clerk shall note in the minutes of the present meeting both the existing text, and changes requested, and make the necessary amendments to the minutes being adopted. If amendments are required, the question put by the Presiding Officer shall be to adopt the minutes of _____ meeting, held on _____, as amended.

11.4 Clerk Authorized to Make Corrections:

The Clerk shall be authorized to make minor corrections to the minutes resulting from technical or typographical errors provided the intent of the minutes are not changed prior to the minutes being signed.

11.5 Signature for Authentication:

The Presiding Officer and Clerk shall authenticate the minutes with their signatures.

11.6 Adopted Minutes:

The adopted minutes of each meeting of Council shall be posted to the Municipality's website.

12. Presentations

12.1 Ceremonial Presentations/Awards – Council Meetings:

Ceremonial presentations and/or awards shall be made at a Council meeting. A presentation or award may be given by the Presiding Officer, Municipal Staff, a representative from another government or government agency, or, any person/organization invited by Council to make a presentation as may, from time to time, be considered appropriate.

13. Delegation

13.1 Delegation – First Come – First Served – Limit of Two:

A maximum of two delegations shall be permitted at any regular meeting.

13.2 Delegation – Notice – Prior to Meeting:

13.2.1 Meeting of Council:

Persons wishing to address Council shall make written application to the Clerk prior to 12:00 noon six days preceding the regular meeting (not including weekends or holidays), or as otherwise provided for in the notice of the meeting. Such application shall contain the subject matter to be discussed, all information to be presented to Council, and the name, address and telephone number of a spokesperson chosen by the delegation to make the presentation.

13.3 Delegation – Limit of One Appearance – Exception – New Information:

Delegations shall be limited to one appearance, unless providing additional information.

13.4 Delegation Refused – Chief Administrative Officer or Clerk:

the CAO or Clerk is given the authority to refuse delegations under the following circumstances:

- (i) The request is not submitted within the stated time limits;
- (ii) The subject matter is deemed to be beyond the jurisdiction of Council;
- (iii) The issue is specific to a matter properly held in Closed Session;
- (iv) Requests/issues where there is no perceived benefit for the Municipality.

13.5 Delegation – Not to Repeat:

Delegations taking the same position on a matter shall be encouraged to select a spokesperson(s) to present their views collectively.

13.6 Delegation – Limited to Subject Matter:

Delegations shall be limited to the subject matter indicated in their application for a delegation.

13.7 Delegation – After the Agenda is published:

Applications for delegations shall not be received after the deadline established. Notwithstanding, if a matter is listed on the agenda to which anyone is desirous of providing information to the Members, the person shall notify the Clerk prior to the Friday preceding the meeting and shall provide a brief in writing to the Clerk at the time the request is made so that it may be circulated to the Members. In addition, the person shall provide a sufficient number of hard copy prints for distribution to the Members and affected Municipal Staff.

13.8 Restrictions of Delegations:

Delegations shall not:

- (i) Address Members directly without permission;
- (ii) Interrupt any speaker or action of the Members, or any other person addressing the Members;
- (iii) Display or have in their possession picket signs or placards in Council Chamber or meeting room;
- (iv) Speak disrespectfully of any person;
- (v) Use offensive words;
- (vi) Disobey a decision of the Presiding Officer;

- (vii) Enter into cross debate with other delegations, Staff, Members or the Presiding Officer.

13.9 Delegation – Time Limit – 15 Minutes:

Delegation shall be permitted a maximum of 15 minutes to make the presentation.

13.10 Delegation – Addressing Members:

Delegations shall state their name(s) and make their presentation to the Members.

13.11 Matter Brought Forward:

In the event that the subject brought to the Members at a meeting by a delegation is also dealt with in any other item listed on the agenda, the Presiding Officer may call for a motion to amend the Order of Business so that the item may be brought forward for discussion at the same time as the consideration of the delegation item.

13.12 Questions by Members:

Upon completion of a presentation by a delegation, any dialogue between Members and the delegate shall be limited to Members asking questions for clarification and obtaining additional, relevant information only. Questions from Members shall be addressed by the spokesperson to the best of their ability. Members shall not enter into debate with the delegation respecting the presentation.

13.13 Delegation Information Referred to Subsequent Meeting:

Council will defer any decision or action on information received from a delegation to a subsequent meeting of Council.

14. Action Requests

All reports presented to Council as part of the agenda will be in a written format, complete with draft motion.

15. By-Laws

15.1 By-laws – Number:

The number of every By-law being presented to Council shall be provided on the agenda at which the By-law is being considered.

15.2 Introduction of By-law – Purpose Specified – One Reading (1st, 2nd, 3rd Inclusive):

Every By-law shall be introduced by written motion and shall be considered to have been read a first, second and third time.

15.3 Amendment – Debate on Motion:

Debate shall be limited to the subject matter of the By-law. Amendments shall be made by written motion.

15.4 Amended By-law Passed – Corrections by Clerk:

After an amended By-law has been adopted by Council, the Clerk shall be responsible for its correctness should it be amended.

15.5 Reading – Date – Certified:

When a By-law is read in Council, the Clerk shall certify upon it the number and date of reading thereof.

15.6 By-law Passed – Deposited in Safe Keeping:

Every By-law which has been passed by Council shall, immediately after being signed by the Head of Council and the Clerk and sealed with the seal of the Corporation, be deposited by the Clerk in a secure location and scanned electronically for deposit on the server.

15.7 Clerk Authorized to Make Corrections:

The Clerk shall be authorized to make minor corrections to any By-law resulting from technical, formatting or typographical errors provided the intent of the By-law is not changed prior to the By-law being signed.

16. Consent Agenda

16.1 Consent Agenda - Request to Separate:

Should a Member wish to discuss any matter listed under the Consent Agenda, the Member shall ask immediately when the Presiding Officer calls "Any Amendments, Deletions or Corrections to the Order of Business / Agenda", at which time a Member shall request that the item be separated and dealt with under its regular section. A Member, if possible, shall notify the CAO in advance of their wish to separate an item in detail from the consent agenda.

17. Boards/Committees/Discussion Items

17.1 Committee Report – Members of Council:

All Members shall have the opportunity to report on their Committee related activities that have occurred since the last Council Meeting or will be occurring before the next Council meeting; or to report on issue(s) currently under debate by the Committee(s) they are a Member of.

18. Motions and Notices of Motions

18.1 Notices of Motion:

Notice of all new motions, except motions listed in Rules of Debate, shall be given in writing and delivered to the Clerk at least six (6) days, preceding the date of the meeting at which a motion is to be introduced and a motion shall be printed in full in the agenda for that meeting of Council and each succeeding meeting until the motion is considered or otherwise disposed of. The motion shall be submitted to the Clerk in writing over the signature of the mover and seconder and shall be complete and correct.

18.2 Dispensing with Notice

Any motion may be introduced without notice if Council, without debate, dispenses with notice on the affirmative vote of at least a simple majority of Members present and voting.

18.3 Seconding a Motion:

A motion must be formally seconded before the Presiding Officer can put the question or a motion be recorded in the minutes.

18.4 Presentation of Motion by Presiding Officer:

All motions shall be presented to Council in writing, shall be restated by the Presiding Officer before debate.

18.5 Ultra Vires:

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

18.6 Amendment:

A motion to amend

- (i) shall be presented in writing;
- (ii) shall receive disposition of Council before a previous amendment or the question;
- (iii) shall not be further amended more than once, provided that further amendment may be made to the main question;
- (iv) shall be relevant to the question to be received;
- (v) shall not be received proposing a direct negative to the question;
- (vi) may propose a separate and distinct disposition of a question;
- (vii) shall be put in the reverse order to that in which it is moved.

18.7 Motion to Adjourn:

A motion to adjourn

- (i) shall always be in order except as provided by these rules;
- (ii) when resolved in the negative, cannot be made again until after some intermediate proceedings shall have been completed by Council;
- (iii) is not in order when a Member is speaking or during the verification of a vote.

18.8 Voting on Motions

18.8.1 Questions Stated:

Immediately preceding the taking of the vote, the Presiding Officer may state the question in the form introduced and shall do so if required by a Member. He/she shall state the question in the precise form in which it will be recorded in the minutes.

18.8.2 No Interruption after Question:

After a question is finally put by the Presiding Officer no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

18.8.3 Unrecorded Vote:

The manner of determining the decision of Council on a motion shall be at the discretion of the Presiding Officer and may be by voice, show of hands, standing or otherwise.

18.8.4 Recorded Vote:

When a Member requests a recorded vote, all Members must vote in order of Councillors, Deputy Mayor and Mayor, unless otherwise prohibited by statute. The names of those who voted for and against shall be noted in the minutes. The Clerk shall announce the result. A request for a recorded vote can only be made immediately before or after the taking of the vote.

18.8.5 Member Does Not Vote

If any Member, when a question is put, does not vote, he/she shall be deemed as voting against the motion, except where he/she is prohibited from voting by statute, or is the Presiding Officer.

18.8.6 Member Disagrees with Announcement of Vote

If a Member disagrees with the announcement of the Presiding Officer that a question is carried or lost he/she may, but only immediately after the declaration by the Presiding Officer, appeal the declaration and request that a recorded vote be taken.

18.8.7 Conflict of Interest

Pursuant to the Municipal Conflict of Interest Act, a Member who has a conflict of interest on a matter to be reviewed by Council shall disclose such interest at the beginning of the meeting. Such disclosures of interest shall be made publicly and shall be recorded in the minutes by the Clerk.

18.8.8 Vote by Secret Ballot

No vote shall be taken by ballot or by any other method of secret voting, except as provided for in the Act, as amended, or as provided in this By-law.

19. Receiving Correspondence, Petitions and Other Communication

19.1 Correspondence – Signed – Legible – Public:

- (i) All correspondence addressed to Members shall be considered public information, except as prohibited by legislation;
- (ii) All correspondence addressed to Members (letter, petition, resolution, or other communication) shall be legible, signed by the author(s) and include a return address. Correspondence that does not include the above or that includes any illegible or defamatory allegations or derogatory remarks shall not be included on the agenda or responded to.

19.2 Correspondence – Circulated – Agenda:

- (i) The Clerk shall include on the agenda of Council any correspondence addressed to all Members of Council;
- (ii) Correspondence addressed to a single Member shall be provided to the Clerk for distribution, at the discretion of that Member.

19.3 Correspondence/Petition - Submission Prior to 12:00 p.m. (Noon):

Every petition, letter or other written communications shall be deposited with the Clerk not later than 12:00 p.m. (noon) six days before the date of the Council meeting in order that it is included on the agenda.

19.4 Correspondence – Late Submission – Consideration – Urgent Matter Only:

A petition, letter or written communication that is received by the Clerk later than 12:00(noon) four days prior to the regularly scheduled Council meeting may be brought before Members, if in the Clerk's opinion, the matter is urgent.

20. Miscellaneous Business – Council Meeting:

20.1 Member – Notice – Council – To go Next Committee of the Whole meeting:

A notice of a New Item being brought before Council shall not be debated and shall be referred to the next Committee of the Whole or Council meeting for discussion and recommendation to Council.

20.2 Urgent – Immediate Action Required:

New items of an urgent nature may be considered if in the opinion of Council, they require an immediate decision.

21. Closed Session

The Closed Session portion of the Council meeting will be held in accordance with the Act.

21.1 Closed Meeting Investigation

If, an investigation of a closed meeting is completed, the investigator's report will be considered by Council and a resolution will be passed to address recommendations resulting from the investigation.

22. Ratification By-law/By-law to Confirm Proceeding of Council

A By-law to confirm the proceedings and reports of Council at its meetings held in the previous meeting shall be presented. Such By-law shall confirm any motion, resolution and other actions passed or taken by Council at the meetings indicated therein.

23. Adjournment

23.1 Adjournment – Motion – At Request of Presiding Officer:

In a meeting a standard motion to adjourn shall be in order at the request of the Presiding Officer.

23.2 Council:

All regular Council meetings shall stand adjourned when Council has completed all business as listed on the Agenda.

24. Reconsideration:

24.1 A resolution, By-law or any question or matter that has previously been adopted by Council may be reconsidered by Council subject to the following:

- (i) a motion for reconsideration shall not be in order if Council is made aware that the question or By-law has been implemented resulting in legally binding commitments as of the date the motion to reconsider is moved;
- (ii) such motion must be moved by a Member who voted against the original motion;
- (iii) such motion must be supported by two-thirds majority vote of the Members of Council before the matter to be reconsidered can be debated.

24.2 Debate on Question

Debate on the question must be confined to such matters as new information which has come forward, an error in documentation presented or incorrect statements made during the original debate.

24.3 Motion for Reconsideration

A Motion for Reconsideration shall be considered lost unless the motion receives a majority of the votes of Council Members present and therefore no more than one motion for reconsideration of any question or By-law shall be permitted.

24.4 Motion for Reconsideration - Carried

If a motion for reconsideration has been carried in the affirmative, no action shall be taken to carry into effect the question or By-law until that question or By-law has been presented to Council for reconsideration.

24.4.1 Reconsideration Next Council Meeting

If a Motion for Reconsideration is carried in the affirmative, it shall not be in order to reconsider the subject matter of the question or By-law until the next Meeting of Council; the question or By-law being reconsidered shall be stated in the exact manner in which it was first presented and shall be subject to the Rules of debate and amendment outlined herein.

24.4.2 Reconsideration Same Council Meeting

No motion passed or debated at a meeting of Council shall be reconsidered at the same meeting without consent of two-thirds of the Members.

24.4.3 Decision of Previous Council

These rules do not apply when a motion pertains to a decision of a previous Council.

25. Rules of Debate

25.1 Speaking in Turn

Every Member, prior to speaking to any question or motion, shall raise his/her hand and address the Presiding Officer. When two or more Members raise their hands, the Presiding Officer shall designate the Member who has the floor. No Member shall speak more than five (5) minutes on the topic.

25.2 Voting

Every Member present at a meeting of Council, when a question is put, shall vote thereon unless prohibited by statute. When the Presiding Officer calls for the vote on a question, each Member shall occupy his/her seat and shall remain in his/her place until the result of the vote has been declared by the Presiding Officer, and during such time no Member shall walk across the room to speak to any other Member or make any noise or disturbance.

25.3 Interrupting the Speaker

When a Member is speaking no other Member shall pass between him/her and the Presiding Officer or interrupt him/her except to raise a point of order.

25.4 Restating the Motion

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

25.5 Introducing Matters and Motions without Written Notice and Leave

The following matters and motions may be introduced orally without written notice.

- (i) a point of order or personal privilege
- (ii) presentations of petitions;
- (iii) to lay on the table;
- (iv) to postpone indefinitely or to a certain day.

25.6 Introducing Written Motions without Notice and Leave

The following motions may be introduced without notice and without leave, but such motions shall be in writing and signed:

- (i) to refer;
- (ii) to adjourn,
- (iii) to amend;
- (iv) to suspend the Rules of Procedure.

25.7 Decision by Presiding Officer

In all unprovided cases in the proceedings of Council, the matter shall be decided by the Presiding Officer, subject to an appeal to Council upon a point of order.

26. Points of Order and Privilege

26.1 Preserving Order

The Presiding Officer shall preserve order and decide questions of order.

26.2 Participate in Debate

The Presiding Officer may leave his/her chair to participate in the debate. In this instance Members of Council shall appoint a Member to act temporarily as the Presiding Officer in his/her place.

26.3 Final Decision by Council

Council, if appealed to, shall decide the question without debate and its decision shall be final.

27. Conduct of Members of Council

27.1 No Member shall:

No Member shall speak disrespectfully of the Reigning Sovereign, or of any of the Royal Family, or of the Governor-General, the Lieutenant Governor of any province, or any Member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.

27.2 No Member shall:

- (i) use offensive words or unparliamentary language in or against Council or any Member;
- (ii) speak on any subject other than the subject in debate;
- (iii) criticize any decision of Council except for the purpose of moving that the question be reconsidered;
- (iv) disobey the rules of Council or a decision of the Presiding Officer or of Council on questions of order or practice or upon the interpretation of the rules of Council.

(v)

27.3 Disobedience Persists

In case a Member persists in any such disobedience after having been called to order by the Presiding Officer, the Presiding Officer may forthwith put the question, no amendment, adjournment or debate being allowed, "that such Member be ordered to leave his/her seat for the duration of the meeting of Council" but if the Member apologizes he/she may, by vote of Council, be permitted to retake his/her seat.

27.4 Within the Bar

No person except Members and authorized Staff shall be allowed to come within the bar during the sittings of Council without permission of the Presiding Officer or Council.

27.5 Disturbance While Putting the Question

When the Presiding Officer is putting the question, no Member shall leave or make a disturbance.

28. Code of Conduct

28.1 Code of Conduct

Council shall adhere to the Code of Conduct policy as established by Council.

28.2 Integrity Commissioner

The appointed Integrity Commissioner will report to Council and is responsible for performing in an independent manner the functions assigned by the Municipality with respect to:

- (i) the application of the code of conduct for Members of Council (or alternate) and the code of conduct for Members of local boards or of either of them;
- (ii) the application of any procedures, rules and policies of the Municipality and local boards governing the ethical behaviour of a Member of Council (or alternate) and of local boards or of them.

28.3 Policies

Council shall adhere to any policies adopted by Council, concerning the conduct of Members of Council.

29. Committees of Council

29.1 General Rules for all Committees

The authority of any Committee is limited to the making of recommendations to Council unless expressly authorized to do otherwise by by-law. No decision to take any action or do anything other than administrative in nature shall be recognized as emanating from any Committee. All Committee recommendations shall be referred to Council before becoming effective.

29.2 The jurisdiction, term, membership and support Staff assigned to any Committee shall be as stipulated in the appropriate by-law or resolution or Terms of Reference establishing the Committee.

29.3 Appointments to Committees shall be recommended by the Mayor and confirmed by resolution of Council annually.

29.4 The Mayor shall be an ex-officio member of all Committees and may state his/her opinion on all questions before the Committee and vote on all questions but shall not be counted in the formation of a quorum.

29.5 A simple majority of the members of a Committee present at the Committee meeting shall be sufficient to adopt a recommendation.

- 29.6** For the purpose of this section, all references to the Presiding Officer, Clerk, members of Council and Council contained herein shall be read as chair, secretary, members of the Committee and Committee respectively. The rules governing the procedure of Council and the conduct of members of Council unless otherwise specifically stated herein, shall be observed in a Committee meeting insofar as they are applicable.
- 29.7** A motion shall be required to have a mover and be seconded.
- 29.8** A motion shall be required to be in writing, with a mover and a seconder.
- 29.9** A motion shall be considered a motion to recommend and not a question to be decided on and implemented, unless an administrative directive.
- 29.10** The Chair may vote on all motions, but in no circumstance shall the Chair be permitted an additional vote to resolve a tie.
- 29.11** The number of times or length of times a member may speak on any question shall not be limited however, no member shall speak more than once to the issue except to clarify a statement made by him/her, until every member who desires to speak has spoken.
- 29.12** The agenda may be amended as directed by the Chair and need not be printed and circulated prior to the meeting.
- 29.13** Notice of motions, matters to be discussed, and requests to appear as a delegation may be accepted at any time by the chair.
- 29.14** Prior to any action being taken to Council and at the request of any member of the Committee present, any item on the agenda, including those added during the meeting, may be reconsidered upon the consent of the majority of the members present.
- 29.15** Members of Council may attend and participate in discussion or debate at any Committee meeting, but shall not be allowed to vote, unless they are appointed members of the Committee. Staff members shall not be permitted to vote unless specified in the Terms of Reference of the Committee.
- 30. Recording, Broadcasting and/or Live Streaming Meetings**
- 30.1** All meetings of Council may be audio and/or visually recorded, broadcast and/or live streamed publicly by the Municipality, with the exception of closed meetings provided for in the Closed Session Section of this By-law.
- 30.2** Attendees using their own recording, broadcasting and/or live streaming devices shall inform the Presiding Officer to ensure attendees at the meeting are notified.
- 30.3** The approved minutes of a meeting will form the official record of the meeting. Any audio, video or other record of the meeting shall not be considered an official record.

31. Ad HOC and Special Committees:

31.1 A motion to establish an ad hoc or special Committee shall contain the general nature of the issue or issues, the persons appointed to the Committee, and the terms of reference of the Committee.

31.2 The Mayor or Council may recommend, at any time, the establishment of a special Committee or ad hoc Committee to study, evaluate, negotiate, investigate, prepare a special report, or make recommendations for the resolution of a specific matter or issue.

31.3 An ad hoc or special Committee shall be automatically dissolved once its work is complete and recommendations have been reported to Council or upon the dissolution by Council of such Committee, or at the end of the term of the Council.

32. Suspension of Rules:

In rare instances, Council may suspend the rules of the Procedure By-law with a two-thirds vote of Council. In no circumstances may Council suspend any statutory procedures from the Act or any applicable legislation.

33. Amendment of By-law

33.1 Repeal:

No repeal of this By-law shall be considered at any meeting of Council unless notice of intention of the proposed repeal has been given.

33.2 Amendments:

From time to time, amendments to this By-law, or any part thereof, may be considered at any meeting of Council provided notice is given at a prior meeting of Council.

34. Severability

34.1 Provisions – Severable:

The provisions of this By-law are severable. If any provisions, section or word is held to be invalid or illegal, such invalidity or illegality shall not affect or impair any of the remaining provisions, sections or words.

34.2 Conflict:

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