

# THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

## BY-LAW 23-041

A by-law of the Municipality of Mississippi Mills to govern the proceedings of the Council and its Committees.

**WHEREAS** section 238 of the *Municipal Act*, 2001 requires that every Municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of Meetings and that the by-law shall provide for public notice of Meetings;

**AND WHEREAS** Council deems it desirable to repeal By-Law 19-127 and replace it with this By-law;

**NOW THEREFORE** the Council of the Corporation of the Municipality of Mississippi Mills enact as follows:

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## **PART I – GENERAL**

### **1. Short Title**

This by-law shall be cited as the “Procedural By-law”.

### **2. Definitions**

**Abstain**” means to refrain from voting.

**“Acting Chair”** means any Member of Council elected to chair a meeting if the Chair is absent and otherwise unavailable.

**“Ad Hoc Working Group”** means a working group created by Council with a defined ending and project. The Ad Hoc Working Group may be comprised of volunteers, staff and a non-quorum number of Members of Council.

**“Agenda”** means the written order of business for a Meeting.

**“Board”** means a municipal service board, transportation commission, board of health, planning board, or any other board, commission, Committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board, conservation authority, and the Mississippi Mills Public Library Board.

**“CAO”** means the Chief Administrative Officer of the Municipality of Mississippi Mills.

**“Chair”** means the person presiding over a Meeting who has the responsibility to decide questions and points of order or practice, preserve order, and maintain decorum. The Chair may vote on all questions, except where disqualified by the Procedural By-law or any other Act, regulation or by-law.

**“Clerk”** means the Municipal Clerk of the Municipality of Mississippi Mills or his/her designate in accordance with section 228 of the *Municipal Act*.

**“Closed Session”** (also known as an “in camera Meeting”) means a Meeting, or portion thereof, closed to the public in accordance with the *Municipal Act*.

**“Committee Member”** means a Member of a committee as defined in the Committee’s Terms of Reference.

**“Committee of the Whole”** means a committee of all Council Members convened to facilitate discussion using a less formal Meeting process in which the Committee of the Whole will not generally vote on any substantive matter.

**“Confirmatory By-law”** means a by-law passed at the conclusion of each Council Meeting, confirming the actions of Council at that Meeting in respect of each resolution and other actions taken, so that every decision of Council at that Meeting shall have the same force and effect as if each and every one of them had been the subject-matter of a separately enacted by-law.

**“Consent Reports”** means a grouping of items on a Council or Committee of the Whole agenda that require no actions by Council other than receiving for information. The only time that an item should be removed from a consent agenda is if it is determined that action, a decision is required, or significant further discussion is needed.

**“Council”** means the Council of the Municipality of Mississippi Mills comprised of an elected Mayor, Deputy Mayor and Councillors from the three wards.

**“Council Member”** means a Member of Council, including the Mayor and Deputy Mayor.

**“Council Report”** means a report that will appear on a Regular Council Agenda and contain: Proclamations, Municipal Requests for Support and Time Sensitive Items or reports.

**“Defer”** means to postpone the consideration of a matter until a specific action(s) can be undertaken, such as, but not limited to, obtaining advice or circulating for public comment.

**“Delegation”** means an appearance by a person or group of persons to address Council or a Committee.

**“Deputation”** means a presentation made by Municipal Staff, Municipal consultant, committee, board, commission or an individual and or group who was requested to present by the municipality.

**“Electronic Participation”** means a member of Council or Committee who participates remotely in any open or closed Council or committee meeting via electronic means and has the same rights and responsibilities as if they were in

physical attendance, including the right to vote, and shall count towards a quorum of members.

**“Emergency”** means a matter which if not dealt with may have serious ramifications, including but not limited to, the inability to address or influence the matter at a later date.

**“Head of Council”** means the Mayor of the Municipality of Mississippi Mills or such person designated by Council to act in the place of the Mayor for specified purposes.

**“Holiday”** means those holidays listed in the Legislation Act, 2006, S.O. 2006, c. 21, Sch. F, as amended from time to time, except for Remembrance Day; and, any day as set out in a resolution or by-law passed by Council.

**“Hybrid Meeting”** means a proceeding where some members participate virtually and some members participate in-person at Council and Committee meetings.

**“Improper Conduct”** means conduct that obstructs or interferes with the deliberations or proper action of Council or a Committee.

**“Information List”** means a section of the regular Agenda that lists communications to Council and recommendations from the Clerk as to their disposition.

**“Majority”** means more than half of the votes cast by Members present who are entitled to vote.

**“Meeting”** means a gathering of a quorum of Council Members or Committee Members to materially advance the business of Council or a Committee, respectively, which includes discussions that take place via telephone, e-mail or other means provided a quorum of Members is involved and the discussion materially advances the business of Council or a Committee.

**“Member(s)”** means a Council Member(s) or Committee Member(s).

**“Municipal Act”** means the *Municipal Act*, 2001, SO 2001, c.25 as amended.

**“MFIPPA”** means the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended.

**“Municipality”** or **“Municipality of Mississippi Mills”** means the Corporation of the Municipality of Mississippi Mills.

**“Municipal Conflict of Interest Act”** means the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, as amended.

**“Municipal Consultant”** means a professional hired by the Municipality to provide professional advice.

**“Municipal Website”** means the internet site maintained by the Municipality at [www.mississippimills.ca](http://www.mississippimills.ca)

**“Notice of Motion”** means an advance notice to Members of a matter on which Council or a Committee will be asked to take a position.

**“Order of Business”** means the sequence of business to be considered at a Meeting.

**“Pecuniary Interest”** means a direct or indirect pecuniary interest of a Member, as defined by the Municipal Conflict of Interest Act, R.S.O. 1990, Chap. M.50, as amended.

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

**“Point of Personal Privilege”** means a matter that a Member considers to impugn his/her integrity or that of Council or a Committee.

**“Presentation”** means the presenting of an award, certificate, cheque or similar item to Members of the public, Council, Committee or staff.

**“Quorum”** means the majority of the total voting Members required to constitute Council or a Committee. Four (4) Council Members shall constitute a Quorum of Council.

**“Recorded Vote”** means recording in the Minutes of a Meeting the names of each Member present and their vote (i.e. in favour or opposed) on a matter or question before Council.

**“Recess”** means a short break taken during a Meeting, which may be declared at the discretion of the Chair.

**“Refer”** means to direct a matter under discussion by Council to a committee or staff for further examination.



**“Resolution”** means a motion that has been voted on.

**“Rules of Procedure”** means the applicable regulations contained in this by-law.

**“Special Meeting”** means a separate meeting of Council or committee held at a time different than a regular meeting as approved by Council or committee and which is focused on one or more particular and specific items or subjects.

**“Statutory Committee”** means Committees that are required by Provincial legislation and perform functions as specified in the relevant legislation.

**“Table”** means to postpone without setting a definite date as to when the matter will be re-discussed.

**“Vote”** means a formal indication of a choice between being in favour of a question, motion, or course of action, or opposed to the same, which is typically expressed by a show of hands unless a recorded vote is requested.

### **3. Interpretation**

3.1. The rules and regulations contained in this By-law shall be observed in all proceedings of Council to which they apply and shall be the rules and regulations for the order and dispatch of business at meetings of Council and its committees.

3.2. Subject to the right of appeal, the Chair shall be responsible for interpreting the rules of procedure under this By-law with the advice and assistance of the Clerk.

3.3. The Clerk or the Clerks' designate shall be secretary of Council and Committee of the Whole.

3.4. Where procedural matters of Council or Committees of Council are not governed by the *Municipal Act*, Municipal Conflict of Interest Act or provisions of this By-law, Robert's Rule of Order most recent edition shall apply.

3.5. Whenever any reference is made in this by-law to a provincial statute, such reference shall be deemed to include all subsequent amendments to such statute and all successor legislation to such statute.

#### **4. Amendment to Procedural By-law**

4.1. No amendment or repeal of this by-law or any part thereof shall be considered at any meeting of Council unless:

4.1.1. Notice of intention of proposed amendment or repeal has been given at a previous regular meeting of Council (*Municipal Act*, 2001, Part VI, Section 238, Subsection 4, as amended);

4.1.2. Any amendment or repeal of this by-law or any part thereof shall require a two thirds majority vote.

4.1.3. The waiving of this notice by Council is prohibited.

#### **5. Suspension**

Despite [Section 4](#), two-thirds of the members present and voting at a meeting may agree to suspend a rule in this by-law for the purposes of that meeting or a particular agenda item. The motion to suspend shall only apply during the Meeting in which the motion was passed and only on such conditions, if any, as specified in the motion to suspend.

## **PART II – ROLES AND DUTIES**

### **6. Role of Council**

6.1. It is the role of Council, pursuant to Section 224 of the *Municipal Act*:

- 6.1.1. to represent the public and to consider the well-being and interests of the Municipality;
- 6.1.2. to develop and evaluate the policies and programs of the Municipality;
- 6.1.3. to determine which services the Municipality provides;
- 6.1.4. to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- 6.1.5. to ensure the accountability and transparency of the operations of the Municipality; including the activities of the senior management of the Municipality;
- 6.1.6. to maintain the financial integrity of the Municipality; and
- 6.1.7. to carry out the duties of Council under this or any other Act.

6.2. Members shall adhere to the Council Code of Conduct at all times.

### **7. Role of the Mayor**

7.1. It is the role of the Mayor as Head of Council, pursuant to Sections 225 and 226.1 of the *Municipal Act*:

- 7.1.1. to act as Chief Executive Officer of the Municipality, which means
  - a. upholding and promoting the purposes of the Municipality;
  - b. promoting public involvement in the Municipality's activities;
  - c. acting as the representative of the Municipality both within and outside the Municipality, and promote the Municipality locally, nationally and internationally; and
  - d. participating in and fostering activities that enhance the economic, social and environmental well-being of the Municipality and its residents

7.1.2. to preside over Council Meetings so that its business can be carried out efficiently and effectively;

7.1.3. to provide leadership to Council;

7.1.4. without limiting the generality of Clause (c), to provide information and recommendations to Council with respect to the role of Council as described in [section 6](#) of this by-law;

7.1.5. to represent the Municipality at official functions; and

7.1.6. to carry out the duties of the Head of Council under the *Municipal Act* or any other Act

7.2. The Mayor shall sit on the Council of the County of Lanark as County Councillor.

7.3. The Mayor's Annual Address shall take place annually at 6:00 p.m. on or before the third Tuesday of January.

7.4. The sitting Mayor is a non-voting ex-officio Member of all Statutory Committees, unless appointed by Council as a voting Member.

## **8. Role of the Deputy Mayor**

8.1. It is the Role of the Deputy Mayor to fulfill his/her normal duties as a member of Council pursuant to Section 224 of the *Municipal Act* and shall assist the Mayor in carrying out the Mayoral responsibilities pursuant to Section 225 of the *Municipal Act*.

8.2. In the absence of the Mayor, the Deputy Mayor shall act as the Head of Council and assume certain duties of the Mayor.

8.3. The Deputy Mayor shall sit on the Council of the County of Lanark as a County Councillor.

## **9. Role of the Committee of the Whole Chair**

9.1. The Committee of the Whole Chair shall preside over Committee meetings so that its business can be carried out efficiently and effectively.

9.2. Council shall appoint a Chair for Committee of the Whole on a rotating basis every six months by alphabetical order starting with the Deputy Mayor.

9.3. All members of Council, with the exception of the Mayor, are eligible to Chair the Committee of the Whole.

## **10. Role of CAO**

10.1. The CAO shall be appointed by by-law.

10.2. In addition to those roles and duties assigned by Council and specified in Sections 227 and 229 of the *Municipal Act*, the CAO shall have the following responsibilities:

- 10.2.1. review and guide all policy recommendations prior to submission to Council;
- 10.2.2. assist Council in discharging its responsibilities and, in a non-partisan manner, to aid Members in carrying out their duties;
- 10.2.3. attend Council Meetings with the right to speak, subject to the consent of the Chair, but not to vote; and
- 10.2.4. exercise general control and management of the affairs of the Municipality to ensure its efficient and effective operation.

## **11. Role of Clerk**

11.1. The Clerk shall be appointed by by-law and shall be deemed a municipal officer in accordance with the *Municipal Act*, and for any other purpose as required.

11.2. In addition to those roles and duties specified under Section 228 of the *Municipal Act*, the Clerk shall have the following responsibilities:

- 11.2.1. retain the official records of the Municipality, including the minutes of the proceedings of Council, and Committees, original by-laws, and executed agreements;
- 11.2.2. attend all Meetings (whether closed or open to the public) of Council and ensure that a record of the proceedings is kept and that all resolutions are recorded without note or comment;
- 11.2.3. make such minor clerical, typographical or grammatical deletions, additions or other changes to any by-law, motion, resolution or minutes as may be required for the purpose of ensuring correct and complete implementation of Council direction;

- 11.2.4. include all reports of Committees on the Agenda of the next Regular Meeting;
- 11.2.5. effect notice to each Member and the public of every Regular Meeting and Special Meeting of Council, together with the Agenda and attachments in electronic format;
- 11.2.6. notify appropriate Municipal Staff of any resolution passed by Council that is to be acted or reported upon by staff, as well as other individuals or groups that have expressed their desire to be notified of a particular subject matter and that have provided e-mail contact information for same;
- 11.2.7. by way of delegated authority, place housekeeping or consolidation by-laws directly on the Agenda for Council approval or consideration;
- 11.2.8. exercise all powers and duties under the MFIPPA, which are hereby delegated to the Clerk; and
- 11.2.9. perform such other duties as are prescribed by law, regulation, by-law or by direction of Council.

## **12. Role of Deputy Clerk**

- 12.1. When appointed, the Deputy Clerk shall be appointed by by-law and shall be deemed a municipal officer in accordance with the *Municipal Act*, and for any other purpose as required.
- 12.2. As per section 228(2) of the *Municipal Act*, the Deputy Clerk has all the powers and duties of the Clerk as assigned under the Act and of any other provincial Act.

## **PART III – RULES OF CONDUCT FOR MEMBERS AND ATTENDEES**

### **13. Chair at Meetings**

- 13.1. The Mayor shall Chair Council meetings in accordance with the *Municipal Act*.
- 13.2. In the absence of the Mayor the Deputy Mayor shall be the Acting Chair. In the absence of the Mayor and Deputy Mayor, the Chair of the Committee of the Whole shall Chair the Council meeting. In the absence of the Mayor, Deputy Mayor, and Chair of the Committee of the Whole, Council shall appoint by motion an Acting Chair for that meeting or portion thereof.
- 13.3. In the absence of the Committee of the Whole Chair, the Deputy Mayor shall chair the committee of the whole meeting. In the absence of the Committee of the whole Chair and Deputy Mayor, Members present shall appoint by motion an Acting Chair for that meeting or portion thereof.
- 13.4. It shall be the duty of the Chair of a meeting to:
- 13.4.1. open the meeting by calling the Meeting to order;
  - 13.4.2. ensure that business is carried out properly and efficiently;
  - 13.4.3. enforce the rules of the Procedural By-law;
  - 13.4.4. enforce order and good behavior of all Members at all times;
  - 13.4.5. expel any person for improper or disruptive conduct at a Meeting;
  - 13.4.6. adjourn the meeting when the business is concluded or at the designated time;
  - 13.4.7. ensure that all members who wish to speak on a motion have an opportunity to speak; and
  - 13.4.8. put all motions to a vote and announce the results.
- 13.5. The Chair may vote on all motions.
- 13.6. The Chair may answer questions and comment in a general way, but if the Chair wishes to participate in the debate, make a Motion, speak to a Motion under consideration or leave the chair for any other reason, the Chair shall first delegate the duties of the Chair to a Member of Council or Member of Committee in accordance with the provisions of this by-law, until the Member resumes the position of Chair.

## **14. Conduct of Members**

### **14.1. Members shall:**

- 14.1.1. attend scheduled meetings;
- 14.1.2. treat the Chair, other Members, staff, and Delegates with courtesy, respect and honesty;
- 14.1.3. hold in strict confidence all information concerning matters dealt with in a Closed Session;
- 14.1.4. carefully consider and make decisions about meeting business, including seeking information and advice from staff, prior to the meeting;
- 14.1.5. vote on motions put to a vote, unless the Municipal Conflict of Interest Act prohibits it;
- 14.1.6. not leave their seat or make any noise or disturbance while a vote is being taken and until the result is declared;
- 14.1.7. respect the decision of the Mayor, Chair or Council on a question of a Point of Order, practice or interpretation related to this by-law;
- 14.1.8. when a Member is speaking, not speak or interrupt the Member except to raise a Point of Order; and
- 14.1.9. where appropriate, request that the question or motion under discussion to be read at any time during the debate.

### **14.2. In addition, Council Members shall:**

- 14.2.1. act in accordance with their Oath of Allegiance and Oath of Elected/Appointed Office;
- 14.2.2. serve their constituents in a conscientious and diligent manner;
- 14.2.3. where a Councillor is involved with an issue outside the Councillor's own ward, inform the ward Councillor of such involvement and make reasonable efforts to invite the ward Councillor to any related Meetings unless the issue is clearly of Municipality-wide significance or the Councillor is the Chair of the Committee handling the matter;
- 14.2.4. attend all Council Meetings in appropriate business casual attire;
- 14.2.5. the Mayor shall wear the Chain of Office at each Council Meeting; and
- 14.2.6. not consume food in the Council Chambers during Meetings.

## **15. Members of the Public**

### **15.1. Members of the public attending a Meeting shall respect the formal and professional decorum of Council and its Committees, including:**

- 15.1.1. Individuals shall refrain from public outbursts, shouting, applauding and any behaviour intended to disrupt the debate, discussion and general proceedings of Council or a Committee.



- 15.1.2. Individuals shall maintain order and shall not display signs, placards, or other items that may be considered disruptive to the formal nature of Council Meetings.
  - 15.1.3. In accordance with Section 241(2) of the *Municipal Act*, 2001, the Chair may expel any person for improper conduct/decorum at a Meeting.
  - 15.1.4. If required, the Chair may call upon the Ontario Provincial Police or any other Peace Officer to assist in the expulsion of a person from the Chamber or meeting room.
  - 15.1.5. After being expelled by the Chair as a result of improper conduct/decorum or committing a breach of any rule of order, an individual will only be permitted to return after making an apology to Council or Committee and with the consent of Council or Committee expressed by a majority vote of the Members present determined without debate.
  - 15.1.6. The Chair may unilaterally suspend the Meeting until order is restored.
  - 15.1.7. All cell phones and electronic devices shall be turned off and/or set to silent mode during a Meeting.
  - 15.1.8. Use recording devices respectfully and in accordance with section 15.2 and 15.3.
- 15.2. Recording devices are permitted only during the formal and open council/committee meetings and may only be used with permission obtained in advance of the Meeting. Recording devices shall be turned off during recesses, breaks, or suspension of Council meetings and should the Chair direct it, all persons attending a Meeting shall cease using recording devices.
- 15.3. Individuals wishing to record Council/Committee meetings shall in writing inform the Clerk by noon the day before the meeting is scheduled and obtain permission in writing prior to using any recording device.
- 15.4. Accredited members of the media are permitted to record meetings without notifying the Clerk, but shall abide by Section 15.2.

## **16. Staff Participation**

- 16.1. Municipal Staff and consultants in attendance at a Meeting may be recognized to speak at the discretion of the Chair. Members shall, whenever possible, communicate their concerns to Municipal Staff in advance of discussing them at a Meeting.

## **PART IV – COUNCIL AND COMMITTEE MEETINGS**

### **17. Location**

- 17.1. Council and Committee Meetings shall be held in the Council Chambers at the Municipal Office located at 3131 Old Perth Road, Almonte, unless otherwise decided and made public.
- 17.2. Council and Committee Meetings may be held virtually or be hybrid.
- 17.3. All Council and Committee meetings shall be open to the public except as provided for in the *Municipal Act*.

### **18. Meeting Schedule**

- 18.1. Prior to January 1st of every year, Council shall approve a Meeting schedule of Council for each calendar year, which may be amended. The meeting schedule shall be made available to the public on the Municipal website.
- 18.2. The Meeting schedule for Statutory Committees and/or Boards is determined by its Members, in accordance with each Statutory Committee's and/or Board's Terms of Reference.

### **19. Inaugural Meeting of Council**

- 19.1. The Inaugural Meeting of Council shall be held in accordance with Schedule "A" of this By-law.

### **20. Regular Meetings**

- 20.1. Generally, Council will hold its Regular Meetings on the first and third Tuesday of every month.
- 20.2. Regular and Open Meetings of Council shall generally begin at 6:00 pm unless otherwise decided and made public.
- 20.3. During the month of July there will be no Regular Meetings scheduled.
- 20.4. Where a Regular Meeting is to be held at a time or day other than as set out in this Section, notice shall be provided to the public advising of the date, time, and location.

## **21. Special Meetings**

- 21.1. The Mayor or Chair may call, or the Clerk shall convene upon receiving a petition of the majority of Members specifying the purpose, a Special Meeting with a minimum forty-eight (48) hours' notice to Members, staff, media, and the public.
- 21.2. Business transacted at a Special Meeting shall include only that for which notice was provided.

## **22. Emergency Meetings**

- 22.1. The Head of Council at any time may, in the event of an emergency, call an emergency meeting of Council without giving forty-eight (48) hours' notice of the meeting, provided that the Clerk has diligently attempted to advise all Members of Council and the public immediately upon being advised of the intention of the Mayor to hold an emergency meeting.
- 22.2. The only business dealt with at an emergency meeting of Council shall be with respect to that emergency.

## **23. Inclement Weather**

- 23.1. If it appears that a storm or similar occurrence will prevent the Members from attending a Meeting, the Mayor or Chair may postpone or cancel that Meeting up to three (3) hours before the start of the Meeting, by advising the Clerk who shall assist in advising as many Members as possible, as well as the media, senior management, and interested parties. Postponement shall not be for any longer than the next Regular Meeting.

## **24. Electronic participation**

- 24.1. A member of Council or of a committee who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time.
- 24.2. A member of a council, of a local board or of a committee of either of them can participate electronically in a meeting that is closed to the public.

## **25. Committee of the Whole**

- 25.1. Council shall conduct its business using the Committee of the Whole system which allows for freer debate and consideration of reports, by-laws, and other business matters.
- 25.2. Rules of Council will govern procedure of Committee of the Whole meetings.
- 25.3. Committee of the Whole Meetings shall generally be held in the Council Chambers at the Municipal Office located at 3131 Old Perth Road, Almonte, unless otherwise decided.
- 25.4. Committee of the Whole meetings will generally take place the first and third Tuesday's of every month immediately following Council.
- 25.5. During the month of July there shall be no regular Committee of the Whole Meetings scheduled, unless otherwise prescribed by Council.
- 25.6. The authority of the Committee of the Whole is limited to the making of recommendations to Council. No decision to take any action or do anything other than administrative in nature shall be recognized as emanating from Committee of the Whole.
- 25.7. All Committee of the Whole recommendations shall be referred to Council for ratification.

## **26. Ad-Hoc Working Groups**

- 26.1. The authority of Ad-Hoc Committees is limited to making recommendations to Committee of the Whole on a prescribe topic or project.
- 26.2. Except as provided in this By-law, all Ad-Hoc Committee meetings shall be open to the public.

## **27. Statutory Committees**

- 27.1. Council shall strike Statutory Committees as required by provincial statute.
- 27.2. Rules of Council will govern the procedure of Statutory Committees.

27.3. Every Statutory Committee shall have a terms of Reference approved by Council and Members to committees shall be appointed by Council.

27.4. The authority of Statutory Committees is limited to making recommendations to Council unless otherwise directed by statute.

27.5. Except as provided in this By-law, all Statutory Committee meetings shall be open to the public.

## **28. Closed Session**

28.1. As per section 239(2) and (3) of the *Municipal Act*, a Meeting, or portion thereof, may be closed to the public only if the subject matter being considered is:

<b>239(2)(a)</b>	the security of the property of the Municipality or local board
<b>239(2)(b)</b>	personal matters about an identifiable individual, including municipal or local board employees
<b>239(2)(c)</b>	a proposed or pending acquisition or disposition of land by the Municipality or local board
<b>239(2)(d)</b>	labour relations or employee negotiations
<b>239(2)(e)</b>	litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality or local board
<b>239(2)(f)</b>	advice that is subject to solicitor-client privilege, including communications necessary for that purpose
<b>239(2)(g)</b>	a matter in respect of which a council, board, committee or other body may hold a Closed Meeting under another Act;
<b>239(2)(h)</b>	information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them
<b>239(2)(i)</b>	a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, 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
<b>239(2)(j)</b>	a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value

<b>239(2)(k)</b>	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 municipality or local board
<b>239(3)(a)</b>	a request under the <i>Municipal Freedom of Information and Protection of Privacy Act</i> , if the council, board, commission or other body is the head of an institution for the purposes of that Act
<b>239(3)(b)</b>	an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the <i>Ombudsman Act</i> , an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection
<b>239(3.1)</b>	<p>A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:</p> <ol style="list-style-type: none"> <li>1. The meeting is held for the purpose of educating or training the members.</li> <li>2. 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, local board or committee.</li> </ol>

28.2. Before holding a Meeting or part of a Meeting that is to be closed to the public, Council or the Committee shall state by resolution:

- 28.2.1. the fact of the holding of the Closed Session, including the date and time; and
- 28.2.2. the general nature of the matter to be considered at the Closed Session.

28.3. A vote may be only held during a closed meeting if:

- 28.3.1. The vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality or persons retained by or under contract with the Municipality.

28.4. Where a Meeting or part of a Meeting is closed to the public, all persons not specifically invited to remain by the Council shall retire from the Chambers.

28.5. Upon resuming open session, the Mayor shall state:

- 28.5.1. The matters which were considered; and
- 28.5.2. Confirmation that no motions were carried in camera other than procedural motions or directions to staff.

28.6. Municipal Staff and Members shall not release or in any way divulge any confidential information or any aspect of Closed Session deliberations, unless expressly authorized or required by law or a resolution of Council.

28.7. All closed sessions shall be audio recorded and retained as per the Municipality's Record Retention Schedule and secured by the Municipal Clerk. The recordings shall not be considered the official record of the meeting.

## **29. Notice**

29.1. Notice of all Council, Committee of the Whole, Committees and Working Groups shall be in keeping with the Municipality's Public Notice By-law 23-033.

## **PART V – ORDER OF BUSINESS AND GENERAL RULES**

### **30. General**

- 30.1. The Clerk, or Deputy Clerk, shall be present at all Regular Meetings, Closed Sessions, and Special Meetings.
- 30.2. The CAO shall attend Council and Committee of the Whole meetings (both open and closed sessions) with the right, as given by the Chair, to speak but not to vote.
- 30.3. Other staff shall attend a meeting as directed by the CAO.

### **31. Quorum**

- 31.1. At any meeting a quorum consists of a majority of Members.
- 31.2. If no quorum is present thirty (30) minutes after the time appointed for a Meeting of Council or Committee, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the date of the next regular or other meeting called in accordance with the provisions of this By-law.
- 31.3. If quorum is lost during a meeting, the Chair shall declare the meeting recessed or adjourned until the date of the next regular or other meeting called in accordance with the provisions of this By-law.
- 31.4. When quorum is lost as a result of declarations of pecuniary interest by one or more Members present, the remaining Members shall be deemed to constitute quorum, provided the number is not fewer than two (2).

### **32. Order of Business**

- 32.1. The business shall be taken up in the order it stands on the agenda unless otherwise directed by a majority vote of the Members present.

### **33. Timed Agenda Items**

- 33.1. The Clerk may assign how much time will be spent on an agenda item. The amount of time assigned will be listed on the agenda.
- 33.2. Timed agenda items may be used for the following:
  - 33.2.1. Delegations



- 33.2.2. Presentations (including Consultant Presentations)
- 33.2.3. Deputations
- 33.2.4. Public Meetings
- 33.2.5. Or other agenda items as deemed appropriate

#### **34. Council Agenda Order of Business**

34.1. The Clerk shall prepare an Agenda with the Order of Business outlined below for Regular Meetings.

- A. Call to Order
- B. Consideration of a Closed Session
- C. O Canada
- D. Moment of Silent Meditation
- E. Attendance
- F. Approval of Agenda
- G. Disclosure of Pecuniary Interest or General Nature Thereof
- H. Approval of Minutes
- I. Delegations, Deputations, and Presentations
- J. Public Meetings
- K. Committee of the Whole Report
- L. Council Report
- M. By-laws
- N. Announcements and Invitations
- O. Confirmatory By-law
- P. Adjournment

34.2. As per [Section 41](#), there shall be the Annual Land Acknowledgement Ceremony which will appear on the Council Agenda as its own item following the Moment of Silent Meditation.

#### **35. Committee of the Whole Agenda Order of Business**

35.1. The Clerk or designate shall prepare an Agenda with the Order of Business outlined below:

- A. Call to Order
- B. Disclosure of Pecuniary Interest or General Nature Thereof
- C. Approval of Agenda
- D. Approval of Minutes
- E. Consent

- F. Quarterly Reports
- G. Consultant Presentations
- H. Staff Reports
- I. Notice of Motion
- J. Information Items
- K. Other New Business
- L. Adjournment

### **36. Statutory Committee or Ad-Hoc Working Group Agendas Order of Business**

36.1. The Committee Secretary designate shall prepare an Agenda with the Order of Business outlined below:

- A. Call to Order
- B. Disclosure of Pecuniary Interest or General Nature Thereof
- C. Approval of Agenda
- D. Approval of Minutes
- E. Delegations and Presentation
- F. Reports
- G. Business Arising out of Minutes
- H. Council Business Update
- I. Information and Correspondence
- J. Other/New Business
- K. Meeting Announcements
- L. Adjournment

## **PART VI – COUNCIL AGENDAS**

### **37. Call to Order**

37.1. The Mayor or Chair shall call the Members to order as soon after the appointed time of the Meeting if there is a quorum present.

### **38. Consideration of a Closed Session**

38.1. A Meeting, or portion thereof, may be closed to the public only if the subject matter being considered adheres to [Section 28](#) of this by-law;

38.2. All closed sessions shall adhere to the provisions contained within this by-law ([Section 28](#)).

### **39. O Canada**

39.1. Those present shall stand for O Canada prior to proceeding with the business before a Council Meeting.

### **40. Moment of Silent Meditation**

40.1. Following the singing of O Canada Members shall remain standing for a moment of silent reflection or meditation.

40.2. The Mayor may dedicate the moment of meditation to an individual, event, or organization as appropriate.

### **41. Annual Land Acknowledgement Ceremony**

41.1. At a meeting in the month of January, Council shall hold a ceremony to acknowledge and dedicate the land on which Council gathers as the traditional territory of the Algonquin Anishinaabe.

### **42. Attendance**

42.1. Attendance shall be recorded at all Council meetings by the Clerk or designate.

#### **43. Approval of Agenda**

- 43.1. Items of an urgent nature only may be added to an agenda and shall require a two-thirds majority vote.
- 43.2. Whenever possible, the Clerk shall endeavor to circulate supplementary items and supporting documentation to Council and make it publicly available.

#### **44. Disclosure of Pecuniary Interest or General Nature Thereof**

- 44.1. Where a Member has any pecuniary interest, direct or indirect, as defined by the Municipal Conflict of Interest Act, in any matter and is present at a Meeting of the Council or Committee at which the matter is the subject of consideration, the Member shall:
  - 44.1.1. prior to any consideration of the matter at the Meeting, disclose the interest and the general nature thereof; and
  - 44.1.2. not take part in the discussion of or vote on any question with respect to the matter; and
  - 44.1.3. not attempt in any way before, during and/or after the Meeting to influence the voting on any such question.
- 44.2. Members shall declare a conflict of interest in accordance with the Code of Conduct for Members of Council, Committees and Local Boards.
- 44.3. Where a Meeting is not open to the public and a Member has a pecuniary interest in a matter, as defined by the Municipal Conflict of Interest Act, in addition to complying with the requirements of Section 100, the Member shall forthwith leave the Meeting for the part of the Meeting during which that matter is under consideration.
- 44.4. Where the pecuniary interest of a Member has not been disclosed by reason of his/her absence from a particular Meeting, the Member shall disclose his/her pecuniary interest and otherwise comply at the first Meeting of Council or Committee attended by him/her after that Meeting.
- 44.5. The Member shall provide such declaration in writing using the prescribed form attached in (Schedule B) to the Clerk and any such record shall appear in the minutes of that particular Meeting.

44.6. The Clerk shall maintain a conflict of interest registry in which a copy of the following shall be made publicly available on the Municipal website:

44.6.1. Date of conflict

44.6.2. Member conflict pertains to

44.6.3. Specific agenda item and topic

44.6.4. Reason for conflict

44.7. A Member shall not ask another Member or Municipal Staff whether that Member should declare a pecuniary interest or conflict of interest. It is the sole duty of the Member to determine if the agenda item or topic is a conflict.

44.8. A Member has the right to consult with the Municipality's appointed Integrity Commissioner for guidance and advice on potential conflicts.

#### **45. Approval of Minutes**

45.1. The minutes of a Council Meeting shall record:

45.1.1. the place, date and time of the Meeting;

45.1.2. the names of the Presiding Officer(s) and attendance record of the Members and staff present;

45.1.3. disclosure of pecuniary interest;

45.1.4. the reading, if requested, correction and adoption of the minutes of prior Meeting(s);

45.1.5. all other proceedings of the Meeting without note or comment;

45.1.6. the mover and seconder of all motions; and

45.1.7. the time of adjournment.

45.2. The Clerk shall present the minutes, without note or comment, of any previous Open and Closed Council or Committee Meetings to Council for approval. The minutes once approved shall be signed by the Mayor and Clerk.

#### **46. Deputations and Presentations**

46.1. The Clerk has discretion to schedule Deputations and Presentations at Meetings, subject to the volume of material on a given Regular Agenda.

#### **47. Delegations**

47.1. The Clerk has discretion to schedule Delegations at Meetings, subject to the volume of material on a given Regular Agenda, taking into account the following factors: order in which the requests were made; urgency of the

request; subject matter relating to an agenda item; and frequency of delegations from the same individual/group.

- 47.2. Generally there will be no more than two (2) delegations per meeting, unless the Clerk determines that due to a light agenda or subject matter more may be scheduled.
- 47.3. Persons desiring to present information on matters of fact or make a request of Council shall give notice to the Clerk by completing and submitting the prescribed form no later than 12:00 noon fourteen (14) days prior to the Meeting of Council or Committee.
- 47.4. Upon confirmation from the clerk, the delegate shall ensure that all material to be included in the agenda (presentation and background information) shall be submitted to the Clerk no later than eight (8) days prior to the Council meeting.
- 47.5. The delegate(s) shall be limited in speaking to not more than ten (10) minutes. A delegation consisting of more than five (5) persons shall be limited to two (2) speakers, each limited to speaking not more than five (5) minutes.
- 47.6. Where delegate(s) use presentations, staff shall recommend that presentations not exceed seven (7) slides in length.
- 47.7. The subject matter of a Delegation does not have to relate to a matter on the Agenda for that Meeting.
- 47.8. At the discretion of the Clerk, persons may generally only appear before Council or Committee once every six (6) months on different topics.
- 47.9. No Delegate shall:
  - 47.9.1. speak disrespectfully of any person;
  - 47.9.2. use intemperate, coarse or abusive language or non-parliamentary language;
  - 47.9.3. speak on any subject other than the subject for which they have received approval to address Council or a Committee;
  - 47.9.4. disobey the rules of procedure or a decision of the Mayor or Chair; or
  - 47.9.5. speak to Council about matters:
    - a. involving current or pending litigation;
    - b. involving insurance claims;
    - c. involving administrative complaints that have not been reported and investigated through the Customer Service process;

- d. beyond the jurisdiction of Council; or
  - e. contrary to MFIPPA; or
  - f. related to funding, grants or other monetary support.
- 47.10. The Clerk may schedule a delegation more than once per year for priority items as determined by the Municipality.
- 47.11. The Mayor or Chair may curtail any Delegation for disorder or any other breach of this or any by-law. When the Mayor or Chair rules that the delegation is concluded, the individual/group shall withdraw from the podium or equivalent immediately.
- 47.12. During or following a Delegation, Members may ask specific questions relating to the presentation for the purpose of clarification without statement or comment. Debate between Members is not permitted during the Delegation.
- 47.13. Following a Delegation, Council shall adopt a motion:
- 47.13.1. to receive as information; or
  - 47.13.2. to refer to another item listed on the Meeting agenda; or
  - 47.13.3. to refer to a committee or staff for a report; or
  - 47.13.4. to refer to New Business (Committee of the Whole agenda) for consideration.

## **48. Public Meetings**

- 48.1. Council shall hold Public Meetings, as required, by law for purposes under the Planning Act, R.S.O. 1990, c. P.13, as amended; Development Charges Act, 1997, S.O. 1997, c. 27; or any other Act. Such a Meeting shall be conducted at a Regular or Special Council Meeting.
- 48.2. Council may also hold Public Meetings relating to matters within Council or a Committee's jurisdiction to allow for public input and feedback. Such a Meeting may be conducted at a Regular or Special Council Meeting or follow an alternate format such as a public information session, open house, or participation workshop.
- 48.3. Municipal Staff shall provide notice of the time, date, and location of Public Meetings by publication on the Municipal Website, weekly block ad and other means as required by the relevant Act.

- 48.4. Individuals shall sign the 'Public Meeting Sign-in Sheet' prior to being permitted to speak to Council or a Committee. The Mayor or Chair shall call upon individuals based on the order in which they signed in.
- 48.5. All comments are to be addressed through the Mayor or Chair.
- 48.6. The length of time each individual has to address Council or a Committee shall be at the discretion of the Mayor or Chair.
- 48.7. No motions shall be made as a result of comments made during a Public Meeting.
- 48.8. Members present may pose questions for clarity purposes only, statements relating to their position shall not be permitted. No debate or discussion amongst Members present shall take place.
- 48.9. During Public Meetings, no Member of the public shall:
  - 48.9.1. speak disrespectfully of any person;
  - 48.9.2. speak on items involving insurance claims;
  - 48.9.3. speak on administrative complaints that have not been reported and investigated through the Customer Service process;
  - 48.9.4. speak on matters beyond the jurisdiction of Council; or
  - 48.9.5. contrary to MFIPPA.
- 48.10. The Mayor or Chair may curtail a speaker for disorder or any other breach of this or any by-law. When the Mayor or Chair rules that the speaker is concluded, the individual/group shall withdraw from the podium or equivalent immediately.

#### **49. Committee of the Whole Consent Report**

- 49.1. The report from Committee of the Whole to Council shall be submitted to Council in the form of a Consent Report, and shall be dealt with by Council as follows:
  - 49.1.1. The Committee of the Whole report shall be presented by the Chair, who shall move the adoption of the report;
  - 49.1.2. Council members shall identify any items contained on the Consent Report which they wish to speak to and that matter shall be removed from the consent agenda for separate discussion and vote; and
  - 49.1.3. The items on the Committee of the Whole Consent Report, which have not been pulled, shall be voted on in one motion.



## **50. Council Report**

- 50.1. The Council Report shall be drafted by the Clerk in consultation with the Mayor, Deputy Mayor and CAO.
- 50.2. The Council Report shall consist of the following:
  - 50.2.1. Proclamation Requests
  - 50.2.2. Municipal Resolutions requesting support
  - 50.2.3. Time Sensitive Matters
  - 50.2.4. Notice of Reconsideration
- 50.3. Proclamation Requests shall be addressed to the Clerk and submitted fourteen (14) in advance of the Council meeting to be included in the Council Report.
- 50.4. Proclamation Requests shall adhere to the Proclamation Policy.
- 50.5. Municipal Resolutions requesting support shall be placed on the Council Report following review with the Mayor, Deputy Mayor and CAO
- 50.6. No Municipal Resolution requesting support that is insensitive, derogatory, or seeking political party support shall be considered.
- 50.7. Time Sensitive Matters may include the following, please note other time sensitive items may be added that are not included in the list below:
  - 50.7.1. Staff reports that require Council approval in a timely manner
  - 50.7.2. Council resolutions for time sensitive items
  - 50.7.3. Award of tenders or contracts with deadlines
- 50.8. Notice of Reconsideration shall include the Council Resolution being reconsidered and follow the procedures for reconsideration as outlined in [section 79](#).

## **51. By-laws**

- 51.1. All by-laws shall be given first, second and third readings in a single motion, unless a Member wishes to discuss the contents of a by-law, at which time the subject by-law shall be removed from the motion and dealt with separately.

- 51.2. Every by-law which is passed by Council shall be sealed with the seal of the corporation, signed by the Mayor or the Chair of the Meeting at which the by-law was passed and by the Clerk and shall be deposited with the Clerk for custody.
- 51.3. At the conclusion of all Council Meetings, a Confirmatory By-law shall be brought forward to confirm the actions of Council at the Meeting in respect of each resolution and other actions taken. A Confirmatory By-law when introduced shall be taken as read and finally adopted without debate.

## **52. Announcements and Invitations**

- 52.1. Each Member of Council may make any announcements and extend any invitations that have been received since the previous Council Meeting.

## **53. Adjournment**

- 53.1. Regular Council and Committees shall adjourn four (4) hours after the commencement of the meeting.
- 53.2. Unfinished business as a result of adjournment shall be automatically tabled to the next Regular Meeting.
- 53.3. Council may by simple majority, extend a meeting with a one-time motion. The Motion shall include the length of time the meeting will be extended by.

## **PART VII – COMMITTEE OF THE WHOLE AGENDAS**

### **54. Call to Order**

- 54.1. Chair shall call the Members to order as soon after the appointed time of the Meeting if there is a quorum present.

### **55. Disclosure of Pecuniary Interest or General Nature Thereof**

- 55.1. Shall follow the same rules and procedures as outlined in [section 44](#).

### **56. Approval of Agenda**

- 56.1. Shall follow the same rules and procedures as outlined in [section 43](#).

### **57. Approval of Minutes**

- 57.1. Shall follow the same rules and procedures as outlined in [section 45](#).

### **58. Consent Reports**

- 58.1. Information items such as but not limited to: Committee meetings, reports from outside agencies, etc. that do not require action or direction, or are of an administrative nature, may be included as “Consent Reports” unless required by regulations or directed by Council.

### **59. Quarterly Reports**

- 59.1. Each department shall prepare a quarterly report that will be presented to Committee of the Whole on a schedule determined by the Clerk or designate.
- 59.2. Quarterly reports will be for information purposes only, no action shall be taken as a result of the information provided in the Quarterly report

### **60. Consultant Presentations**

- 60.1. Presentations from consultants shall appear on the Committee of the Whole agenda.

60.2. All materials relating to the presentation shall be included in the Committee of the whole Agenda unless prohibited by MFIPPA or section 239(2) and (3) of the *Municipal Act*.

60.2.1. Consultant reports that are confidential may be presented to Council in a Closed Session.

60.3. Consultant Presentations that require action shall be followed up with a staff report.

## **61. Staff Reports**

61.1. Staff reports will generally be given in writing and attached to the meeting agenda. All staff reports shall have a recommendation for Committee of the Whole and adhere to the staff report template.

## **62. Notice of Motion**

62.1. At a Regular Meeting a Member shall give notice that they intend to introduce a motion at a subsequent Meeting of Council to initiate any measure within the jurisdiction of Council.

62.2. Notice may be given in writing or verbally, if the notice of motion is given verbally, it shall not be considered until the subsequent regular meeting.

62.3. Prior to a Member bringing forward a verbal notice of motion, the member shall consult with the Clerk and notify the Committee of the Whole Chair.

62.4. In order for a notice of motion to be considered at a regular meeting, it shall be submitted in writing to the Clerk at a minimum of 7 days prior to the Council meeting.

62.5. A Notice of Motion shall first be discussed with the appropriate Department Head or CAO prior to introducing it.

62.6. A motion for which notice has been given shall be added under Other/New Business on the agenda.

62.7. If a motion is introduced and not brought forward in the next two (2) subsequent Meetings of a Regular Council Meeting, the motion expires.

62.8. No delegations shall be permitted to speak on a Notice of Motion.

### **63. Information Items**

- 63.1. Information Items are matters that are principally for the information of Members and may not require action or response.
- 63.2. Communications intended to be presented must be legible, signed by the author(s), include their address and must not contain any defamatory allegations, or impertinent or improper information. The Clerk may return Communications that do not comply with this Section.
- 63.3. Communications are generally considered public documents and are therefore subject to the MFIPPA.
- 63.4. The Clerk shall produce an Information List for each Regular Meeting of Committee of the Whole.

### **64. Other New Business**

- 64.1. Under Other/New business Committee of the Whole shall consider:
  - 64.1.1. Items that are circulated on the agenda;
  - 64.1.2. Items referred to New Business pursuant to a delegation;
  - 64.1.3. Items raised by a Member that, in the opinion of the Member, are of urgent concern and within the jurisdiction of Council, or are of general interest.
- 64.2. All items placed under Other/New Business shall include a recommendation for Members consideration.

### **65. Adjournment**

- 65.1. Shall follow the same rules and procedures as outlined in [section 53](#).

## **PART VIII – STATUTORY COMMITTEES AND AD-HOC WORKING GROUPS AGENDAS**

### **66. Call to Order**

- 66.1. Committee or Ad-Hoc Working Group Chair shall call the Members to order as soon after the appointed time of the Meeting if there is a quorum present.

### **67. Disclosure of Pecuniary Interest or General Nature Thereof**

- 67.1. Shall follow the same rules and procedures as outlined in [section 44](#).

### **68. Approval of Agenda**

- 68.1. Shall follow the same rules and procedures as outlined in [section 43](#).

### **69. Approval of Minutes**

- 69.1. Shall follow the same rules and procedures as outlined in [section 45](#).

### **70. Delegations and Presentation**

- 70.1. The Committee Secretary has discretion to schedule Delegations and Presentations at Meetings, subject to the volume of material on a given Regular Agenda.
- 70.2. Delegations and Presentations shall be limited to topics or projects identified within the terms of reference of the Statutory Committee or Working Group.

### **71. Reports**

- 71.1. This section shall include reports drafted by staff or Members as directed or as required by statute.

### **72. Business Arising out of Minutes**

- 72.1. Shall include action or carry-forward items or information from previous meetings.

- 72.2. Members present shall not introduce new items for discussion in this section, new items shall be brought forward under “Other/New Business”

### **73. Council Business Update**

- 73.1. Council Member representative or staff resource may provide relevant information or updates.
- 73.2. This update may be verbal.
- 73.3. No action may be taken as a result of this update as it is intended for information purposes only.

### **74. Information and Correspondence**

- 74.1. Shall include any relevant information or correspondence received by the municipality and relevant to the Committees or Working Groups purview.

### **75. Other/New Business**

- 75.1. Shall include information for consideration by the Committee or Working Group.
- 75.2. The Committee Secretary shall endeavor to include information in the agenda package.
- 75.3. Items may be introduced verbally.
- 75.4. Items discussed will appear on the subsequent agenda under “Business Arising out of Minutes”.
- 75.5. Only urgent matters may be decided on at the same meeting as it was introduced.

### **76. Meeting Announcements**

- 76.1. Used to determine upcoming meetings.

### **77. Adjournment**

- 77.1. The Chair shall call for a motion to adjourn.

## **PART VIX – DEBATE**

### **78. Motion Process**

(Refer to Motion Table in Schedule C)

- 78.1. All motions shall be read aloud by the Chair and then moved and seconded before being debated.
- 78.2. All motions that have been moved and seconded shall be recorded in the minutes.
- 78.3. After a motion has been moved and seconded, it shall be deemed to be in the possession of Council or Committee and open for debate. Council or Committee may consent to the withdrawal of the motion at anytime before amendment or decision.
- 78.4. When a motion is under debate, no other motion shall be received, except a motion to amend, defer, refer, table, divide the question, or call the question.
- 78.5. The Chair shall call the vote immediately after all Members desiring to speak to the Motion have spoken.
- 78.6. After the Chair has called the vote, no Member shall speak to the motion nor shall any other motion be made until after the result of the vote has been declared.
- 78.7. Every Member present shall be deemed to vote against a Motion if they decline or abstain from voting, unless disqualified from voting by reason of a declaration of pecuniary or conflict of interest.
- 78.8. A Motion on which the voting results in a tie shall be considered defeated.
- 78.9. The manner of determining the vote on a Motion shall be by show of hands.
- 78.10. No vote shall be taken at any Meeting by any method of secret voting, except where permitted or required by law.
- 78.11. The Chair shall announce the result of every vote.



## **79. Reconsideration**

- 79.1. Only a resolution of Council may be reconsidered.
- 79.2. Council may reconsider an entire resolution that was decided during any term of Council. A reconsideration of a portion of a resolution shall not be permitted. Such reconsideration can either amend the previous decision or rescind it.
  - 79.2.1. No resolution shall be reconsidered more than once during the term of Council.
  - 79.2.2. A motion to reconsider shall not be reconsidered.
- 79.3. No motion for reconsideration shall be in order if the Municipality has taken any steps to implement the decision such as entering into a contract or spending public money in furtherance of the decision.
- 79.4. Only a Member of Council who voted with the majority in respect of a previous decision or who was absent from the vote or was not a Member of Council at the time may move or second a motion for reconsideration.
- 79.5. A motion to reconsider shall be introduced by way of a Notice of Reconsideration to Council and placed under "Council Report" on the Council Agenda.
- 79.6. Debate on a motion for reconsideration shall be confined to reasons for or against reconsideration.
- 79.7. No delegations shall be permitted to speak on a Notice of Motion to reconsider.
- 79.8. If a motion to reconsider is decided in the affirmative, reconsideration of the original motion shall become the next order of business.
- 79.9. No motion to reconsider may be tabled more than one (1) year after the original decision.

## **80. Recorded Vote**

- 80.1. If a Member present at a Council Meeting at the time of a vote requests immediately before or after the taking of the vote that the vote be recorded,

each Member starting with the requester of the recorded vote and moving alphabetically from that Member through the list with the Mayor or Chair voting last, shall announce his/her vote upon request openly and individually unless otherwise prohibited by statute. The Clerk shall record the same and announce the result of the vote.

- 80.2. Recorded votes shall not be permitted in the Committee of the Whole.
- 80.3. Notwithstanding the clause above (80.2), a recorded vote may be called in the Committee of the Whole only if the vote is lost.
- 80.4. Where a Member abstains from voting during a recorded vote, the abstention will be counted as a negative vote.

## **81. Point of Privilege**

- 81.1. A Member may rise at any time on a Point of Privilege where such Member feels that the health, safety, rights, or integrity of his/her own person, the Council, a Committee Member, Staff or anyone present at the Meeting has been called into question by another Member or by anyone present at the Meeting.
- 81.2. A point of privilege shall take precedence over any other matter except during verification of a vote.
- 81.3. A Member shall state the point of privilege to the Chair at the time of the occurrence.
- 81.4. A Member shall not be permitted to enter into any argument or introduce any motion not related to the point of privilege.
- 81.5. Upon hearing a Point of Privilege, the Chair decides and states his/her ruling.
- 81.6. When the integrity of the CAO or other employees of the Corporation has been questioned, the CAO shall be permitted to make a statement to the Members.
- 81.7. Where a Chair rules that a breach of privilege has taken place, they demand that the offending Member or individual apologize and, failing such an apology, requires said Member or individual to vacate the Meeting room for the duration of the Meeting.

- 81.8. Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.
- 81.9. If the decision of the Chair is appealed, the Member has the right to state his/her case, the Chair has the right to reply and the Council or Committee decides the question of whether the decision of the Chair be sustained without further debate through the question "Shall the ruling of the Chair be upheld?". The decision of the majority of the Members who are present at the Meeting is final.

## **82. Point of Order**

- 82.1. A member may raise a point of order to a perceived violation of the rules of procedure, except during the verification of a vote.
- 82.2. A Member shall state the point of order to the Chair at the time of the occurrence and shall quote the appropriate section of this By-law.
- 82.3. The Chair shall decide upon the point of order and advise the Member of the decision.
- 82.4. Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.
- 82.5. If the decision of the Chair is appealed, the Member has the right to state his/her case, the Chair has the right to reply and the Council or Committee decides the question of whether the decision of the Chair be sustained without further debate through the question "Shall the ruling of the Chair be upheld?". The decision of the majority of the Members who are present at the Meeting is final.

## **PART X – ENACTMENT**

This by-law shall come into effect on August 1, 2023.

**THAT** By-law No. 19-127 and any other by-laws that contravene this by-law shall be and are hereby repealed.

**BY-LAW** read, passed, signed and sealed in open Council this ## day of Month, 2023.

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Christa Lowry, Mayor

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Jeanne Harfield, Clerk

## **PART XI – SCHEDULES**

### **Schedule A – Procedures for Inaugural Meeting of Council**

1. The inaugural Meeting of the Council shall be held on the first day of the Term of Council at a time and place determined by the person who has been certified by the Clerk to be elected as Mayor
2. The Mayor Elect and Clerk shall be responsible for the format, agenda content, and arrangements for the Inaugural Meeting, but the agenda shall include the declaration of office, pursuant to Section 232 of the *Municipal Act*.
3. The Head's Inaugural Address shall take place at the Inaugural Meeting of Council.
4. Every Member of Council shall make and subscribe a "Declaration of Office" and an "Oath of Allegiance" at the Inaugural Meeting of Council as per section 232 (1) of the *Municipal Act, 2001*, S.O. 2201, c. 25, as amended.
5. If a Member is absent, the "Declaration of Office" and "Oath of Allegiance" shall take place at the next subsequent Meeting of Council.
6. The Clerk or designate shall prepare an Agenda with the following categories:
  - CALL TO ORDER
  - O'CANADA
  - ROYAL ANTHEM
  - ATTENDANCE
  - LAND ACKNOWLEDGEMENT
  - DECLARATION OF ELECTED OFFICE AND OATH OF ALLEGIANCE
  - BLESSING OF COUNCIL
  - MAYOR'S INAUGURAL ADDRESS
  - CONFIRMATORY BY-LAW
  - ADJOURNMENT



## Schedule B – Conflict of Interest Form

### DECLARATION OF INTEREST

Meeting Type:

(Council, Committee of the Whole, Statutory  
Committee, or Working Group)

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Meeting Date:

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I, \_\_\_\_\_, declare a potential, deemed, pecuniary

interest with respect to Agenda Item No. \_\_\_\_\_, being

\_\_\_\_\_, as

(Name of Report or Title of Topic)

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\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

### Schedule C – Motions

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
<b>Adjourn</b>	<b>YES</b>	<b>NO</b>	<ul style="list-style-type: none"> <li>• shall be resolved prior to any other motion being moved</li> </ul>	<ul style="list-style-type: none"> <li>• Council shall immediately rise and no further proceedings shall take place</li> <li>• all unfinished business on the agenda shall be included on the agenda of the next meeting</li> </ul>	<ul style="list-style-type: none"> <li>• the meeting shall resume at the point immediately prior to the point at which the motion to adjourn was moved</li> <li>• a subsequent motion to adjourn at the same meeting may not be introduced prior to further business being conducted</li> </ul>	<b>NO</b>	<ul style="list-style-type: none"> <li>• shall not include qualifications or additional statements</li> <li>• shall always be in order except when a Member is speaking or the Members are voting</li> </ul>
<b>Extend Curfew</b>	<b>YES</b>	<b>NO</b>	<ul style="list-style-type: none"> <li>• shall be resolved prior to any other motion being moved</li> </ul>	<ul style="list-style-type: none"> <li>• Council shall indicate the additional length the meeting will continue for (beyond the four (4) hour time limit)</li> </ul>	<ul style="list-style-type: none"> <li>• the Chair shall immediately declare the meeting adjourned</li> </ul>	<b>NO</b>	<ul style="list-style-type: none"> <li>• shall always be in order except when a Member is speaking or the Members are voting</li> <li>• shall require a simple majority vote of the Members present</li> </ul>
<b>Recess</b>	<b>YES EXCEPT AT COMMITTEE</b>	<b>NO</b>	<ul style="list-style-type: none"> <li>• shall be resolved prior to any other motion being moved</li> </ul>	<ul style="list-style-type: none"> <li>• the meeting shall recess</li> </ul>	<ul style="list-style-type: none"> <li>• the meeting shall not recess</li> </ul>	<b>TIME ONLY</b>	<ul style="list-style-type: none"> <li>• shall be in order if no question is pending</li> </ul>

<b>Motion Ranking</b>	<b>Moved &amp; Seconded</b>	<b>Debatable</b>	<b>Disposition Priority</b>	<b>If Affirmative</b>	<b>If Negative</b>	<b>Amendable</b>	<b>Conditions</b>
<b>Withdraw</b>	<b>YES</b> Mover & Seconder of the main motion	<b>NO</b>	• shall receive disposition prior to any other motion being presented	• the motion is withdrawn	• vote on the main motion	<b>NO</b>	• majority vote • shall be in order if decision has not been made
<b>Close Debate (Call the Question)</b>	<b>YES</b>	<b>NO</b>	• shall apply to the motion or amendment under debate	• Council shall immediately vote on the question without further debate or comment	• debate shall continue	<b>NO</b>	• shall not be permitted in any committee • shall require a Two-Thirds' vote of the Members present
<b>Defer (Postpone/ Table)</b>	<b>YES</b>	<b>YES DATE AND TIME ONLY</b>	• shall be resolved prior to the main motion • shall be resolved prior to the preceding motion	• no further debate until motion returns to the agenda	• vote on the main motion	<b>YES DATE AND TIME ONLY</b>	• shall not include qualifications or additional statements • shall preclude amendment, but not debate, to the preceding motion until the motion to defer to a certain date and/or time is resolved
<b>Refer (Commit)</b>	<b>YES</b>	<b>YES</b>	• shall preclude any amendment or debate to any previous motion unless resolved in the negative	• there shall be no further debate	• vote on the main motion	<b>YES</b>	• shall state the committee, employee or solicitor of the Municipality to which the matter shall be referred



Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
<b>Amend Main Motion (Primary Amendment)</b>	<b>YES</b>	<b>YES</b>	<ul style="list-style-type: none"> <li>• shall receive disposition prior to the main motion</li> </ul>	<ul style="list-style-type: none"> <li>• Council shall vote on the main motion as amended</li> </ul>	<ul style="list-style-type: none"> <li>• vote on the main motion or</li> <li>• secondary amendment may be proposed</li> </ul>	<b>YES</b>	<ul style="list-style-type: none"> <li>• shall not propose a negative to the main motion</li> <li>• shall not propose two distinct proposals of amendment to the main motion</li> <li>• shall not change the intent of the main motion</li> <li>• shall have only one motion to amend the main motion at one time</li> </ul>
<b>“Friendly” Amendment</b>	<b>YES</b>	<b>YES</b>	<ul style="list-style-type: none"> <li>• shall receive disposition prior to the main motion</li> </ul>	<ul style="list-style-type: none"> <li>• Council shall vote on the main motion as amended</li> </ul>	<ul style="list-style-type: none"> <li>• vote on the main motion or</li> <li>• secondary “friendly” amendment may be proposed</li> </ul>	<b>NO</b>	<ul style="list-style-type: none"> <li>• shall not propose a direct negative to the main motion</li> <li>• shall not propose two distinct proposals of amendment to the main motion</li> <li>• shall not change the intent of the main motion</li> <li>• shall have only one motion to</li> </ul>

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
<b>Amend Amendment (Secondary Amendment)</b>	<b>YES</b>	<b>YES</b>	<ul style="list-style-type: none"> <li>• shall receive disposition prior to the primary amending motion</li> </ul>	<ul style="list-style-type: none"> <li>• Council shall vote on the primary amending motion as amended</li> </ul>	<ul style="list-style-type: none"> <li>• vote on the primary amending motion</li> <li>• propose a secondary amendment</li> </ul>	<b>NO</b>	<ul style="list-style-type: none"> <li>• shall not propose a direct negative to the primary amending motion</li> <li>• shall not propose two distinct proposals of amendment to the primary amending motion</li> <li>• shall not change the intent of the primary amending motion</li> <li>• shall have only one motion to amend the primary amending motion at one time</li> <li>• an amendment of the third degree is not permitted</li> </ul>
<b>Defer Indefinitely (postpone/Table Indefinitely)</b>	<b>YES</b>	<b>YES</b>	<ul style="list-style-type: none"> <li>• shall be resolved prior to the main motion</li> </ul> <p>Shall be resolved prior to any preceding motion</p>	<ul style="list-style-type: none"> <li>• the preceding motion and any amendments thereto shall be Council's consideration indefinitely.</li> </ul> <p>The motion may defer indefinitely may be reconsidered</p>	<ul style="list-style-type: none"> <li>• disposition of the main motion</li> </ul> <p>Cannot put forward another motion to defer indefinitely regarding the main motion</p>	<b>NO</b>	<ul style="list-style-type: none"> <li>• shall not include qualifications or additional statement</li> </ul> <p>Shall preclude amendment, but not debate, to the preceding motion until the motion to defer indefinitely is resolved.</p>

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
<b>Divide</b>	<b>YES</b>	<b>YES</b>	<ul style="list-style-type: none"> <li>• shall receive disposition prior to the main motion</li> </ul>	<ul style="list-style-type: none"> <li>• the debate and vote shall be on separate and distinct proposals from the main motion</li> </ul>	<ul style="list-style-type: none"> <li>• disposition of the main motion in its entirety</li> </ul>	<b>YES</b>	<ul style="list-style-type: none"> <li>• shall only be in order when the main motion to be divided contains two or more separate and distinct proposals</li> <li>• divide when pecuniary interest declared</li> </ul>
<b>Main</b>	<b>YES</b>	<b>YES</b>	N/A	<ul style="list-style-type: none"> <li>• the motion is carried</li> </ul>	<ul style="list-style-type: none"> <li>• the motion is defeated</li> </ul>	<b>YES</b>	<ul style="list-style-type: none"> <li>• majority vote unless otherwise provided</li> </ul>

## Ranking Motions

The following list ranks motions in descending order, such that each takes precedence and shall be decided upon before other motions ranking below it in the list:

1. Adjourn
2. Extend Curfew
3. Recess
4. Withdraw
5. Close Debate (Call the Question)
6. Defer (Postpone/Table)
7. Refer
8. Amend Amendment
9. Amend Main Motion
10. Defer Indefinitely (postpone/table indefinitely)
11. Divide
12. Main Motion