

# Township of Georgian Bluffs

## Procedure By-law

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# The Corporation of the Township of Georgian Bluffs

## By-law Number 2019-125

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**Being a By-law to govern the proceedings of Council and Committees, and to repeal By-laws 2017-091 and 2017-106.**

**Whereas** Section 238 (2) of the *Municipal Act, R.S.O. 2001*, as amended requires that every municipality and local Board shall pass a Procedure By-law for governing the calling, place and proceedings of meetings; and

**Whereas** it is desirable to provide rules for the conducting of public business at the meetings of the Township of Georgian Bluffs;

**Now Therefore the Council of the Corporation of the Township of Georgian Bluffs enacts as follows:**

### **Part I – Interpretation**

#### **1. Short Title**

1.1 This by-law shall be known as “The Procedure By-law”.

#### **2. Purpose**

2.1 The purpose of this by-law is to govern the calling, place and proceedings of meetings.

#### **3. Principles**

3.1 This by-law sets out processes that are open, transparent and accountable to the public. In the context of Council proceedings, these principles are accomplished by:

- a) Ensuring the decision-making process is understood by the public and other stakeholders;
- b) Providing access to information and opportunities for input by the public and other stakeholders consistent with the requirements of this by-law and other statutory requirements; and
- c) Exercising and respecting individual and collective roles and responsibilities provided for in this Procedure By-law and other statutory requirements.

3.2 The principles of parliamentary law governing Council Meetings include:

- a) The majority of Members have the right to decide;
- b) The minority of Members have the right to be heard;
- c) All Members have the right to information to help make decisions, unless otherwise prevented by law;
- d) All Members have a right to an efficient meeting;
- e) All Members have the right to be treated with respect and courtesy; and,
- f) All Members have equal rights, privileges and obligations.

#### **4. Definitions**

4.1 In this By-law:

“Ad Hoc Committee” means a special purpose committee of limited duration, created by Council to inquire and report on a particular matter or concern, and which dissolves automatically upon submitting its final report, unless otherwise directed by Council.

“Advisory Committee” means a committee comprised of one or more Members of Council and/or members of the public appointed by Council for a specific purpose or mandate.

“CAO” means the Chief Administrative Officer of the Township.

“Chair” means the Mayor or the presiding officer of a meeting.

“Clerk” means the Clerk of the Township of Georgian Bluffs or his or her designate.

“Closed Session” means that portion of a meeting closed to the public in accordance with Section 239 (2) of the *Municipal Act* and as defined in Section 11 of this by-law.

“Committee of the Whole” means Council sitting as a committee generally once per month where:

- a) Members consider and debate matters for recommendation to Council in an environment that is procedurally more relaxed than the formal Council meeting.
- b) Motions adopted therein are not deemed to represent the final decision of Council until confirmed by resolution or by-law of Council.

“Committee Recommendation” means a motion passed by a committee during a committee meeting and recommended for adoption by Council.

"Consent Agenda" means a list of items on the Agenda, all of which may be adopted by one motion of Council or Committee, but any of which may be transferred to the regular agenda for consideration upon the request of a Member;

“Council” means the elected and sworn Members of Council of the Township of Georgian Bluffs.

“Defer”, when used in connection with a matter or item before Council or a committee, means that the said matter or item is to be dealt with later in the same meeting, or at the next meeting of the same body, or at the meeting of the same body that is specified in the motion to defer.

“Delegation” means a person intending to address Council or committee on a matter where a decision of Council may be required (may also be referred to as deputation).

“Deputy Mayor” means the Deputy Head of Council.

“Local Board” means a local board established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities but does not include the Township of Georgian Bluffs Police Services Board, a Public Library Board or a Conservation Board.

“Mayor” means the Mayor as Head of Council, or in the absence of the Mayor, the Deputy Mayor or, in the absence of both, another Member of Council appointed by Council.

“Member” means a Member of Council or committee, and includes the Mayor and Deputy Mayor.

“*Municipal Act*” means the *Municipal Act, 2001, S.O. 2001, c.25*.

“Notice” means notice that includes the time and place of a meeting and, in the instance of a special meeting, shall include the purpose of the meeting and whether the meeting was called by the Mayor or upon petition.

“Notice of Motion” means notice, including the name of the mover, advising Council that the motion described therein will be brought at a subsequent meeting.

“Point of Order” means a Member calling attention to:

- a) any breach of the rules of order pursuant to this Procedure By-law; or
- b) the use of improper offensive or abusive language; or
- c) notice of the fact that the matter under discussion is not within the scope of the proposed motion; or
- d) any other informality or irregularity in the proceedings of the meeting.

“Point of Personal Privilege” means a Member calling attention to a matter relating to:

- a) statements challenging the integrity of Council, committee or individual Members; or
- b) an individual Member (e.g. statements made during the meeting naming that Member specifically, comments regarding a Member’s character, an incorrect record of a Member’s participation in a meeting contained in minutes approved in a Member’s absence); or
- c) the rights and privileges of Council or committee (e.g. the accuracy of published reports of its proceedings; the conduct of its officers, employees or visitors; the comfort of Members with respect to heating, ventilation, lighting, noise).

“Presentation” means the verbal and/or visual provision of information to Council by an individual, community group or organization.

“Public Hearing” means a public meeting of Council or Committee of the Whole, or that portion of a meeting of Council or Committee of the Whole which is convened to hear matters pursuant to and as required by:

- a) the *Planning Act, R.S.O. 1990, c. P.13*;
- b) any other Act; or
- c) a resolution or by-law of Council.

“Quorum” means a majority (more than half) of the whole number of Members of Council or a Committee except where a Member has or Members have declared a pecuniary interest pursuant to the *Municipal Conflict of Interest Act*, the quorum may be less than half plus one of the whole number of Members but shall not be less than two.

“Refer”, when used in connection with a matter or item before Council or a committee, means that the said matter or item is referred to the body or person named in the motion to refer, for further consideration and action.

“Recorded Vote” means a written record of the name and vote of each Member on a motion or question conducted by the Clerk.

“Rules of Procedure” means the rules and regulations provided in this by-law.

## **5. Application**

- 5.1 This by-law applies to all meetings of Council and committees.
- 5.2 Notwithstanding Section 5.1, Council may by resolution or by-law allow a board or committee to establish its own procedures.
- 5.3 Notwithstanding Section 5.1, the rules and regulations contained in this by-law may be suspended by a vote of two-thirds of the Members present and voting.
- 5.4 In the event of conflict between the provisions of this by-law and the *Municipal Act* or any other legislation, the provisions of the legislation shall prevail.
- 5.5 If there is a conflict between two or more rules in this by-law, or if there is no specific rule on a matter, the Chair will rule. In making a ruling, the Chair may consult the Clerk, rely on previous rulings and practices, or refer to Robert's Rules of Order.
- 5.6 Cover page, headings and table of contents are included for ease of reference only and are not to be used as interpretation aids.
- 5.7 Specific references to laws in this by-law are meant to refer to the current laws applicable within the Province of Ontario as at the time the by-law was enacted, as they are amended from time to time. In all cases, the reference includes the statute, as amended from time to time, including successors.

## **Part II – Meetings**

### **6. First Meeting**

- 6.1 The Inaugural Meeting of Council after a regular election shall be held on the Wednesday following the first day of the Council term of office as established by the *Municipal Elections Act*, and the meeting shall be held at 7:00 pm.

### **7. Regular Meetings**

- 7.1 Regular meetings of Council and committees shall be held at the Council chambers at the township offices, except as may be determined by Council resolution from time to time.
- 7.2 Regular meetings of Council shall be held on the first and third Wednesday of each month at 7:00 pm.
- 7.3 In the fall of the preceding year the Clerk shall submit a schedule of Council and committee meetings to Council for approval.
- 7.4 Notwithstanding the foregoing provisions, Council may, by resolution, dispense with or alter the date and time of a regular meeting of Council or any committee.
- 7.5 The Mayor or the Chair of a committee, prior to a regularly scheduled meeting, may cancel the meeting due to inclement weather, a matter of respect or a lack of corporate business requiring immediate attention.
  - a) Where a statutory public meeting has been scheduled as part of a regular meeting that has been cancelled, every reasonable effort shall be made to conduct the meeting.
  - b) In the event of a cancelled statutory public meeting, Staff shall make every effort to give notice of the cancellation to interested

parties and the public as soon as is practicable via either telephone or e-mail or the Township website or radio or any other method, as well as the date of re-scheduling.

## **8. Special Meetings**

- 8.1 The Mayor may at any time summon a special meeting of Council or Committee of the Whole.
- 8.2 The Clerk shall summon a special meeting upon receipt of a petition of the majority of Council Members for the purpose and at the time and date mentioned in the petition.
- 8.3 No business shall be considered at a special meeting of Council or Committee of the Whole except that for which the meeting was called, except by unanimous consent of the Members present at such special meeting.
- 8.4 In either of 8.1 or 8.2, the Special Meeting shall be held no sooner than 24 hours following the Mayor's summons or receipt of the petition, as the case may be, and that the Clerk shall provide notice of a special meeting immediately following receipt of the summons or petition.
- 8.5 Notwithstanding the requirements set out in Section 8.3, and the notice requirements set out in Section 9.3, in the event of a bona fide emergency, the meeting may be held as soon as practicable following receipt of the summons or petition, as the case may be, and notice may be given by telephone, fax, email or personal contact as determined by the Clerk.

## **9. Notice of Meetings**

- 9.1 Notice of a Council or committee meeting is deemed to have been given to a Member if the agenda is:
  - a) delivered by electronic mail, or
  - b) because of technological failure, delivered personally or left at the usual place of residence or business of the Member.
- 9.2 Public Notice of all meetings shall be given by notification of future meetings in previous agendas, and posting the agenda on the Township website at least 2 business days prior to the meeting.
- 9.3 In the case of a special meeting called in accordance with Section 8.1 or 8.2 of this by-law, notice shall be given by delivering the agenda to Members in accordance with Section 9.1, and posting of the agenda on the Township website, as soon as is practicable after date and time of the special meeting has been established and any other notice that is permitted within the timeframe shall be given.
- 9.4 The notice for a special meeting shall specify the purpose for which the meeting is convened.
- 9.5 Where a statutory public meeting under the *Municipal Act*, the *Planning Act*, the *Development Charges Act* or any other Act as scheduled for a cancelled meeting under Section 7.5, the public Notice will indicate that the public meeting shall be held at the next regular meeting of Council or the Committee and any notice requirements shall be deemed to have been complied with.

## **10. Actions in Public**

- 10.1 Except as provided in this by-law, all meetings shall be open to the public.



## 11. Closed Session

- 11.1 Council or a committee may meet in Closed Session if the following subject matters are being considered:
- a) the security of the property of the municipality or Local Board;
  - b) personal matters about an identifiable individual, including municipal and Local Board employees;
  - c) a proposed or pending acquisition of land for municipal or Local Board purposes;
  - d) labour relations or employee negotiations;
  - e) litigation or potential litigation, including matters before administrative tribunals affecting the municipality or Local Board;
  - f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - g) a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act.
- 11.2 A meeting of Council or a committee may be closed to the public if the following conditions are both satisfied:
- a) the meeting is held for the purpose of educating or training the Members; and
  - b) at the meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council, Local Board or committee.
- 11.3 A meeting shall be closed to the public if the subject matter relates to
- a) the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if Council is the head of an institution for the purposes of that Act, or
  - b) an ongoing investigation respecting the Township, a Local Board or a Township-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of the *Municipal Act*, or the investigator referred to in subsection 239.2 (1) of the *Municipal Act*.
- 11.4 Before holding a meeting or part of a meeting that is to be closed to the public, Council or committee shall state by resolution:
- a) the fact of the holding of the Closed Session and the general nature of the matter to be considered at the closed meeting; or
  - b) in the case of a meeting under Section 11.3 of this by-law, the fact of the holding of a Closed Session, the general nature of its subject-matter and that it is to be closed under that Section.
  - c) any persons other than a Member and staff authorized to attend the closed meeting.
- 11.5 No meeting shall be closed to the public during the taking of a vote,
- a) unless Section 11.2 or 11.3 permits or requires a meeting to be closed to the public; and
  - b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents for Council, or committee or persons retained by or under contract with the municipality.
- 11.6 The rules of Council shall be observed in Closed Sessions as far as may be applicable.
- 11.7 A majority of the voting Members of Council shall constitute a quorum of Council for the Closed Session.

- 11.8 No Member or other person attending a Closed Session shall release a confidential report considered at a Closed Session, or discuss the content of such a report with persons other than Members of Council, or municipal staff members and/or agents of Council concerned with the report, without the authorization of Council.
- 11.9 Members of Council will not be permitted to take the confidential information away from the meeting at which it has been provided. Members of Council may take notes in Closed Session in handwritten format only. Any notes taken by Council Members in Closed Session will be given to the Clerk at the end of the Closed Session. These notes will be destroyed by the Clerk. Members shall not be permitted to record proceedings of a Closed Session.

### **Part III – Roles and Responsibilities**

#### **12. Chair**

- 12.1 The Chair of the meeting is responsible for:
- a) presiding at all meetings;
  - b) putting to a vote on all motions which are duly moved and seconded, and to announce the result of the vote;
  - c) declining to put to a vote any motion which contravenes this Procedure By-law;
  - d) enforcing the rules of order in this Procedure By-law and decorum among the Members and attendees/audience members of the public;
  - e) enforcing order and good behaviour of all Members in accordance with the Rules of Procedure when engaged in debate;
  - f) when a Member persists, following several reminders, in breaching the Rules of Procedure and disrupting the business of Council, ordering the Member to vacate the Council chambers for the duration of the meeting;
  - g) ensuring that all Members who wish to speak on a motion have spoken;
  - h) ensuring clarity, where required, by reading, or requesting the Clerk to read, motions before voting;
  - i) voting on all matters unless prohibited by law;
  - j) deciding all questions of order at the meeting, subject to an appeal by any Member on any question of order in respect to business before Council;
  - k) maintaining, throughout the duration of a meeting, a list containing the names of the Members and public attendees who wish to speak to an item on the agenda;
  - l) adjourning the meeting without the question put, in the case of grave disorder arising in the meeting room;
  - m) adjourning the meeting when the business of the meeting has concluded;
  - n) executing, by his/her signature when necessary, all by-laws, resolutions and minutes of a meeting and other required documents;
  - o) representing and supporting Council, declaring its will, and implicitly obeying its decisions in all matters; and
  - p) respecting the confidentiality of matters discussed in Closed Sessions and not disclosing the subject or substance of these discussions unless authorized to do so.

#### **13. Members**

- 13.1 The Members are responsible for, where applicable:
- a) attending scheduled meetings;

- b) carefully considering and making decisions about meeting business, including seeking information and advice from staff prior to and during a meeting;
- c) respecting and following the rules of order, the Chair's final ruling, and Council's decision;
- d) participating in a meeting and not interrupting, unless to raise a Point of Order or Point of Personal Privilege, as set out in Section 33 of this by-law;
- e) voting on all matters unless prohibited by law;
- f) advising the Chair or Clerk of any absences; and
- g) respecting the confidentiality of matters discussed in Closed Session and not disclosing the subject or substance of these discussions unless authorized to do so.

13.2 No Member shall:

- a) use offensive words or unparliamentary language in or against Council or against any member of staff or the public;
- b) speak on any subject other than the subject in debate;
- c) criticize any decision of Council or continue to debate the matter after it has been decided, except for the purpose of moving that the question be reconsidered;
- d) disobey the Rules of Procedure or a decision of the Chair or of Council on questions of order or practice or upon the interpretation of the rules of Council;
- e) disclose any information that is deemed to be confidential pursuant to the *Municipal Freedom of Information and Protection of Privacy Act*.

13.3 Where a Member persists in any disobedience of the Rules of Procedure after having been called to order by the Chair, the Chair shall 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 be permitted to retake his/her seat.

**14. Clerk**

14.1 The Clerk or Deputy Clerk shall be present at all meetings of Council.

14.2 The Clerk or the Clerk's designate shall be responsible for the management and coordination of meeting agendas and related resolutions, by-laws, minutes, correspondence and records, and allow for public access to the same in accordance with the *Municipal Act*, the *Municipal Freedom of Information and Protection of Privacy Act*, and other pertinent legislation.

**Part IV – Council Meeting Procedures**

**15. Agendas**

15.1 The agendas shall be considered Notice of meetings as provided in Section 9.

15.2 Any Member, committee appointed by Council, or municipal staff may, prior to the preparation of the agenda, file in writing, by fax, by email or personal phone call, with the Clerk, an item for inclusion on the agenda.

15.3 Items for inclusion on an agenda must be received by Thursday of the week preceding the scheduled meeting.

15.4. Items of an urgent nature may be placed on an addendum/addenda to the agenda if the items are received by the Clerk after the agenda has been

published. The addendum/addenda shall be added to Council agenda for approval at the meeting as per Section 16.3. The motion to approve the addendum/addenda shall be one motion.

## **16. Order of Business**

16.1 The general order of business on a regular Council agenda shall be as follows:

1. Call to Order
2. Additions to the Agenda/Adoption of Agenda
3. Disclosure of Pecuniary Interest
4. Minutes of the Previous Meeting
5. Announcements
6. Public Hearings
7. Presentations
8. Delegations
9. Consent Agenda
10. Consideration of Matters Separated from Consent Agenda
11. Correspondence
12. Committee Reports
13. Staff Reports
14. Public Question Period
15. By-laws
16. Unfinished Business
17. New Business
18. Closed Session
19. Confirming By-law
20. Date of Next Regular Meeting/Adjournment

16.2 The business shall, in all cases, be taken up in the order in which it stands on the agenda, unless a change in order is moved and agreed to by a majority vote.

16.3 Additions to the agenda are discouraged, but shall be permitted for items of an urgent nature, with a two thirds majority vote.

## **17. Commencement of Meeting**

17.1 At the hour set for the meeting, or as soon thereafter as a Quorum is present, the Mayor or in the Mayor's absence the Deputy Mayor, shall take the Chair and call the Members to order.

17.2 In case neither the Mayor nor the Deputy Mayor is in attendance within 30 minutes after the hour appointed, and subject to a quorum being present, Council shall appoint an acting Mayor who shall call the meeting to order and shall preside over the meeting until the arrival of the Mayor or Deputy Mayor, and all proceedings of such meeting shall be deemed to be regular, and in full force and effect.

17.3 If a quorum is not present 30 minutes after the time appointed for the meeting, the Clerk shall record the names of the Members present at the expiration of such time and announce that Council shall then stand adjourned until the next meeting, unless a special meeting is called in the meantime.

- 17.4 Subject to provisions under the *Municipal Conflict of Interest Act*, if at any meeting the number of Members is reduced to less than the number required for a Quorum, Council shall stand adjourned.
- 17.5 Any unfinished business remaining at the time of the adjournment, due to the loss of the Quorum, shall be considered at the next regular meeting, or it shall be placed on the agenda for a special meeting called for the purpose of dealing with the unfinished items.

## **18. Announcements**

- 18.1 Members may present community and municipal related announcements when called upon by the Chair.
- 18.2 A member of the public who wishes an announcement to be made at a Council meeting must make the request in writing to the Clerk by Thursday of the week preceding the meeting.
- a) It shall be the decision of the Clerk, in consultation with the Mayor, whether the announcement will be included on the agenda.
  - b) The announcement may be made at the meeting by the requesting member of the public, or the Mayor, or a Member of Council.

## **19. Public Hearings**

- 19.1 If a Public Hearing is required by any Act, it shall be conducted in accordance with the provisions of this section.
- 19.2 No more than two (2) Public Hearings shall be scheduled for any Council or Committee of the Whole meeting.
- 19.3 The procedure by which the Public Hearing will be conducted or by which public input will be obtained shall be as follows:
- a) the Chair shall declare the hearing on the matter open;
  - b) the Clerk shall provide information regarding publication of notice of the Public Hearing;
  - c) the administration shall present a report on the matter under consideration including the administration recommendations;
  - d) if it is a hearing that involves an applicant, the applicant shall be given an opportunity to make representations on the matter under consideration;
  - e) after the applicant, any person or group of persons or spokesperson acting on behalf of another person or group shall be given an opportunity to make representations on the matter under consideration;
  - f) if it is a hearing that involves an applicant, at the conclusion of the speakers, the applicant shall be given an opportunity to respond to the representations of other people;
  - g) Council may request further information from administration;
  - h) Council shall formally receive all communications and written reports submitted to it on the subject matter of the hearing;
  - i) the Chair shall declare the hearing closed;
  - j) Council shall consider the matter and at the conclusion of the deliberations, and when appropriate and necessary, council shall vote on the by-law or resolution in accordance with the procedures contained in this by-law;
  - k) a hearing may be adjourned to a certain date;

## **20. Presentations**

- 20.1 A person or group wishing to make a Presentation to Council shall provide the Clerk or designate with written notice no later than 14 days prior to the meeting. Such request shall state the specific nature of the matter to be

presented. The presentation must be provided by Thursday of the week preceding the meeting for inclusion in the package.

- 20.2 Presentations shall only be made in respect of matters within Council's purview and jurisdiction.
- 20.3 Members may ask questions of the person making the Presentation, but shall not engage in debate with same.
- 20.4 For Presentations regarding matters listed elsewhere on the agenda, Council may, by majority vote, bring the matter forward to be dealt with at the same time as the delegation.
- 20.5 Presentations regarding matters not listed on the agenda shall be received for information, or received and referred to staff for report to be considered at a future meeting.
- 20.6 Presentations made by staff in support of a report or recommendation shall be included in the order of the agenda where the report or recommendation is being considered.

## **21. Delegations**

- 21.1 Any person may, by written notice to the Clerk, request an opportunity to address the Members of Council on any matter within the jurisdiction of the Township.
  - a) Every request to be a Delegation shall be received by the Clerk by Thursday of the week preceding the meeting, and shall include the complete name, address, telephone number, and/or email address, of the person requesting the opportunity to be a Delegation, as well as the reasons for the delegation, and, if applicable, the name, address and telephone number of any person, corporation or organization represented.
- 21.2 It shall be the decision of the Clerk, in consultation with the Mayor, whether a Delegation will be included on an agenda.
- 21.3 Delegations shall be encouraged to appear before a committee rather than before Council.
- 21.4 Delegations shall be limited to three (3) per meeting, unless delegations have been invited to address a specific matter. The Clerk may make a determination as to the deferral of a delegation to a subsequent meeting.
- 21.5 No delegation shall:
  - a) speak disrespectfully of any person;
  - b) use offensive words or unparliamentary language;
  - c) speak on any subject other than the subject for which he or she received approval to address; or
  - d) disobey the rules of order or a decision of the Chair.
- 21.6 Delegations shall be limited in speaking to not more than ten minutes, unless Council has, by majority vote, extended the time given to the speaker.
- 21.7 Members may ask questions of the Delegation, but shall not engage in debate with same.
- 21.8 For Delegations regarding matters listed elsewhere on the agenda, Council may, by majority vote, bring the matter forward to be dealt with at the same time as the Delegation.

- 21.9 Delegations regarding matters not listed on the agenda shall be received for information, or received and referred to staff for report to be considered at a future meeting, or received and referred to a committee for further discussion.
- 21.10 Delegations not listed on the agenda or wishing to address Council without prior approval shall indicate to the Clerk their desire to speak, and may be heard if permitted by majority vote.

## **22. Consent Agenda**

- 22.1 Items on the Consent Agenda shall include, but are not limited to:
- a) Monthly Accounts report,
  - b) Correspondence for Council's information,
  - c) Resolutions from other municipalities,
  - d) Minutes of other committees and boards not requiring adoption by Council
- 22.2 When the Consent Agenda is called, Members may request that any item be pulled for further discussion and/or direction. Items on the Consent Agenda shall be dealt with by a single resolution, minus any items pulled.

## **23. Correspondence**

- 23.1 Any person may request to have correspondence or a petition added to a Council agenda on any matter within the jurisdiction of the Township.
- 23.2 Every written correspondence or petition addressed to Council shall be delivered to the Clerk no later than Thursday of the week preceding the meeting.
- 23.3 Written correspondence must be legible, including a clear statement of purpose and at least one person's contact information.
- 23.4 Correspondence, including names and addresses, addressed to Council or directed to a Statutory Public Meeting become part of the public record and may be published in a report, agenda or minutes.
- 23.5 Anonymous correspondence will not be acknowledged, circulated, or placed on an agenda. If in the opinion of the Clerk, correspondence contains any obscene or improper material or language, the Clerk may decide that the correspondence not be included in the agenda.

## **24. Committee Reports**

- 24.1 Minutes of Committee of the Whole and other committees reporting to Council shall be presented to Council. The minutes and committee recommendations shall be approved by resolution.
- 24.2 At the request of any Member, any recommendation of Committee of the Whole or other committee may be discussed prior to voting on the approving resolution.
- 24.3 After the minutes of each meeting of the committee have been approved by Council, the minutes shall be signed by the Chair.

## **25. Public Question Period**

- 25.1 During public question period, any member of the public may ask a question, except a matter that has been dealt with in a Closed Session.
- 25.2 The maximum time allocated for each speaker during public question period shall be five (5) minutes, unless, by majority vote, Council agrees to extend that time limit.

- 25.3 Any member of the public asking a question during public question period shall first state their name for the meeting record and succinctly state the question related to the decision or recommendation made at that meeting.
- 25.4 Any matter raised during public question period, which requires a decision of Council, and which does not pertain to a matter on the agenda for that meeting, shall be Deferred to a future meeting, in order to provide public notice that such a decision is being considered.

## **26. By-laws**

- 26.1 No by-law except a by-law to confirm the proceedings of Council shall be presented to Council unless the subject matter thereof has been considered and approved by Council, through adoption of a committee recommendation or staff report recommendation, and a full copy of the by-law has been attached to the agenda.
- 26.2 Notwithstanding Section 26.1, by-laws of a purely administrative nature, such as appointment of officials required for enforcement of other by-laws or legislation, may be considered without previous report or recommendation. The Clerk, in consultation with the CAO and the Mayor, shall determine where this circumstance is appropriate.
- 26.3 Every by-law presented to Council shall have three readings.
- 26.3 Every by-law shall be introduced by a motion.
- 26.4 Every by-law enacted by Council shall be numbered and dated and shall be signed by the Mayor and Clerk, sealed with the seal of the corporation, engrossed in the by-law book and deposited for safe keeping.
- 26.5 Council shall enact a by-law to confirm all actions taken by Council.

## **27. Adjournment**

- 27.1 Council shall stand adjourned at 10:30 p.m. whether or not the business is concluded. Upon a vote of the majority of the Members present, the meeting may be extended to no later than 11:00 p.m.
- 27.2 All motions called in pursuance of the agenda and not disposed of shall be placed on the agenda for the next meeting unless otherwise decided by Council.

## **Part V – Rules of Debate**

### **28. Speaking at Meetings**

- 28.1 Every Member, prior to speaking to any matter or motion, shall ask leave of the Chair to so speak.
- 28.2 When a Member is speaking, no other Member shall pass between him and the Chair or interrupt the Member speaking except to raise a Point of Order or Personal Privilege.

### **29. Motions and Amendments**

- 29.1 After a motion has been moved and seconded, and placed under the direction of the Chair, it shall be considered to be in the possession of Council but may be withdrawn with the support of a majority of Council.
- 29.2 Every motion as herein provided when duly moved and seconded shall be read by the Chair in the precise form in which it was introduced and in



which it will be recorded in the Minutes and the question shall then be open for discussion and consideration.

- 29.3 Prior to a question being voted on, each Member present in the Council chambers shall take their seat in respect of the vote unless they have declared a pecuniary interest pursuant to the *Municipal Conflict of Interest Act*.
- 29.4 Every motion shall be in writing except motions:
- a) to approve the agenda or the amended agenda
  - b) to defer;
  - c) to refer;
  - d) to call the question;
  - e) to suspend the rules;
  - f) any other procedural motion; and
  - g) to adjourn.
- 29.5 A motion to amend when duly moved and seconded:
- a) shall receive disposition of Council before the original question;
  - b) shall not be amended more than twice before voting;
  - c) shall be relevant to the question to be received;
  - d) shall not be received proposing a direct negative to the question;
  - e) may propose a separate and distinct disposition of a question; and
  - f) may propose to separate two or more components contained in the original question.
- 29.6 After a question is deemed to be finally put by the Chair, no Member shall speak to the motion nor shall any other motion be made until after the vote is taken and the result has been declared.
- 29.7 The decision of the Chair as to whether the question has been finally put shall be final, except on appeal by any Member, upon which the decision of a majority of Council shall be conclusive.
- 29.8 Any Member may require any motion to be repeated from the Chair prior to the voting on such motion.
- 29.9 Any motion regarding an item not listed on the agenda shall be in the form of a notice of motion for a subsequent meeting. This provision may be waived with a two-thirds majority vote in favour of considering the motion.

### **30. Taking the Vote**

- 30.1 The manner of determining the decision of Council on a motion shall be by show of hands.
- 30.2 If a Member moved that the vote be now taken (call the question) and another Member seconds it, the same shall be put without debate and if carried, the motion or amendment under discussion shall be immediately submitted to Council without further discussion.
- 30.3 When the motion under consideration contains two or more propositions, the same shall, at the request of any Member of Council, be put separately.
- 30.4 Every Member who is present at the meeting at the time of the vote, shall vote, unless disqualified by reason of interest or otherwise. A failure to vote shall be deemed to be a negative vote.
- 30.5 The Chair, except where disqualified to vote by reason of interest or otherwise, may vote with the other Members on all questions.

- 30.6 The Chair shall declare the vote on all motions and should his/her declaration be stated by any Member to be in doubt, the Chair shall require the vote to be retaken and the results of this vote shall be final.
- 30.7 Except as otherwise provided in the *Municipal Act*, every Member shall have one vote.
- 30.8 No vote shall be taken by ballot or by any other method of secret voting and every vote so taken is of no effect.
- 30.9 Any question on which there is a tie vote shall be deemed to be lost, except where otherwise provided by any Act.

### **31. Recorded Vote**

- 31.1 Where a vote is taken for any purpose and a Member requests immediately prior or immediately subsequent to the taking of the vote that the vote be recorded, each Member present, except a Member who is disqualified from voting by reason of interest or otherwise, shall announce their vote openly and the Clerk shall record each vote.
- 31.2 Any failure to vote by a Member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.
- 31.3 The names of those who vote for and those who vote against the question shall be entered in the Minutes. Each Member voting for the question shall say "for" and each Member voting against the question shall say "against".
- 31.4 When recording the "for" votes and the "against" votes, the Clerk shall call the names of the Members and before the results of the vote are announced by the Chair, the Clerk shall, if requested, read the vote so taken.

### **32. Reconsideration**

- 32.1 Any motion except a motion to refer, to amend, to table, to postpone indefinitely or to set a specific day or to adjourn may be reconsidered subject to the provisions contained in this section.
- 32.2 No discussion of the main question or the motion to reconsider the main question shall be allowed unless and until Council shall have voted to reconsider the same, but the Member who gives the notice may have the privilege of stating their reasons for doing so.
- 32.3 A motion to reconsider a decision of Council, within twelve (12) months shall have a vote of two thirds of the whole Council.
- 32.4 No motion to reconsider shall be considered more than once during the same meeting.
- 32.5 No motion to reconsider shall be considered more than twice.
- 32.6 A motion to reconsider a decision of Council at a future meeting shall be made by Notice of Motion.

### **33. Points of Order and Privilege**

- 33.1 The Chair of a meeting shall preserve order and decide questions of order and privilege.
- 33.2 A Member may raise a Point of Order or a Point of Personal Privilege.

- 33.3 When a Member raises a Point of Order or a Point of Personal Privilege:
- a) the Member shall ask leave of the Chair to raise the Point of Order or a Point of Personal Privilege and, after leave is granted, the Member shall state the Point of Order or a Point of Personal Privilege to the chair,
  - b) the Chair shall decide the Point of Order or a Point of Personal Privilege,
  - c) thereafter, a Member shall only address the Chair for the purpose of appealing the Chair's decision to Council or committee in which the Point of Order or a Point of Personal Privilege was raised,
  - d) if no Member appeals the decision of the Chair, the Chair's decision shall be final, and
  - e) if there is an appeal to Council or committee, the Chair shall immediately take a vote to sustain the Chair's decision, without debate, and the decision shall be final.

#### **34. Absenteeism and Leave of Absence**

- 34.1 All Members will endeavor to provide substantive notice of absence from meetings to the Mayor and Clerk at least fort-eight (48) hours, if possible, to the commencement of the meeting from which the Member shall be absent.
- 34.2 Where a Member is absent from meetings of Council for three successive months without being authorized to do so by a resolution of Council, the office of that Member shall be declared to become vacant and procedures as set out in Section 263 of the *Municipal Act*, shall apply.

#### **35. Minutes**

- 35.1 The Clerk or designate shall prepare minutes of all meetings, including Closed Session, which shall record:
- (a) The place, date and time of meeting,
  - (b) The name of the Chair and vice-Chair, or co-Chairs, and the attendance of the Members,
  - (c) The name of the recording secretary and senior staff present,
  - (d) The resolutions, directions, decisions, and other proceedings of the meeting, without note or comment, and
  - (e) The time of adjournment.
- 35.2 The minutes of each meeting of Council shall be presented to Council at the next regular meeting for approval.
- 35.3 Notwithstanding Subsection 35.2 above, if the meeting of Council is less than five (5) days prior to a regular meeting of Council, the minutes may be presented to the meeting of Council at the next following regular meeting for approval.
- 35.4 After the minutes of each meeting of Council have been approved by Council, the minutes shall be signed by the Mayor and Clerk.
- 35.5 The minutes of each meeting of a standing committee shall be presented to Council at the next regular meeting for approval of the recommendations therein and receipt of the minutes.
- 35.6 The Clerk or designate shall act as the recording secretary for Council and Committee of the Whole meetings, including Public Hearings.

## **Part VI - Committees**

### **36. Committee of the Whole**

- 36.1 Committee of the Whole shall meet once per month, generally the second Wednesday of the month, at 7:00 pm, or in accordance with the schedule adopted by Council.
- 36.2 The Mayor shall be the Chair of Committee of the Whole.
- 36.3 The Order of Business of Committee of the Whole shall be as follows:
1. Call to Order
  2. Additions to the Agenda/Adoption of Agenda
  3. Disclosure of Pecuniary Interest
  4. Public Hearings
  5. Presentations
  6. Delegations
  7. Correspondence
  8. Reports and Recommendations
  9. Public Question Period
  10. Unfinished Business
  11. New Business
  12. Closed Session
  13. Date of Next Regular Meeting/Adjournment
- 36.4 Recommendations of Committee of the Whole shall be in writing and shall have a mover and a seconder, but shall not be in force until adopted at a subsequent Council meeting.
- 36.5 The rules governing the procedures for Council shall be observed by Committee of the Whole insofar as applicable.

### **37. Other Committees**

- 37.1 Council may, by resolution, establish committees, including Ad-Hoc or Advisory Committees, which shall advise Council on matters assigned or referred to them by Council.
- 37.2 Each committee shall elect a Chair and shall meet as per the schedule adopted by Council, or as otherwise adopted by Council by resolution.
- 37.3 A quorum for a committee shall be a majority of those appointed to the committee by Council.
- 37.4 The rules governing the procedures for Council shall be observed in all committees insofar as applicable, with the exception that motions need only a mover and not a seconder. Motions are required to conduct committee business.
- 37.5 Motions and recommendations made by committees shall not be in force until adopted at a subsequent Council meeting.
- 37.6 The Order of Business of committees shall be determined by each committee, but at least shall include:
1. Call to Order

2. Additions to the Agenda/Adoption of Agenda
  3. Disclosure of Pecuniary Interest
  4. Delegations
  5. Reports and Recommendations
  6. Closed Session
  7. Adjournment
- 37.7 A committee which refuses or neglects to give due consideration to any matter assigned to it or before it may, by Council resolution, be discharged of such responsibility.
- 37.8 Each committee is subject to the control and direction of Council.
- 37.9 Each committee shall record minutes on all matters connected with their duties or referred to them by Council.
- 37.10 The Clerk or designate shall act as secretary to committees.

**Part VII - Accessibility**

**38. Accessibility**

- 38.1 All agendas, documents and minutes shall be prepared in a machine readable, sans serif font of at least 12 points, and alternative formats of agendas, documents and minutes shall be made available upon request.

**Part VIII - Repeal**

**39. Repeal**

- 39.1 By-law 2017-091 and By-law 2017-106 are hereby repealed.

**Read a first and second time this 20<sup>th</sup> day of November, 2019.**

**Read a third time and finally passed this 20<sup>th</sup> day of November, 2019.**

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Mayor – Dwight Burley

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Clerk – Wendi Hunter