

**THE CORPORATION OF THE TOWNSHIP OF WILMOT
BY-LAW NO. 2021-36
BEING A BY-LAW TO PROVIDE FOR
THE RULES OF ORDER AND PROCEDURE
FOR THE MUNICIPAL COUNCIL OF
THE CORPORATION OF THE TOWNSHIP OF WILMOT
AND TO REPEAL BY-LAW NO. 2019-25**

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WHEREAS Section 5(1) of the *Municipal Act, 2001*, S. O. 2001 c. 25, as amended, states the powers of a municipality shall be exercised by its council;

AND WHEREAS Section 5(3) of the *Municipal Act, 2001*, S. O. 2001 c. 25, as amended, states a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS Section 8(1) of the *Municipal Act, 2001*, S. O. 2001 c. 25, as amended, states the powers of a municipality under that or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

AND WHEREAS Section 238(2) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, requires that every municipality and local board shall pass a procedural by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS section 238(3.1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, allows for a municipality’s procedural by-law to permit a member of Council, of a local board or a committee of either of them, to participate electronically in a meeting to the extent and in the manner set out in the by-law;

AND WHEREAS section 238(3.3) of the *Municipal Act, 2001*, S. O. 2001 c. 25, as amended, allows the procedural by-law to provide that,

- (a) a member of a council, of a local board or of a committee of either of them 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; and
- (b) 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 open or closed to the public;

AND WHEREAS the Township of Wilmot Accountability and Transparency Policy states that accountability, transparency and openness are standards of good governance that enhance public trust and are achieved through the municipality adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its stakeholders;

AND WHEREAS the general principles of parliamentary law should be upheld in the rules of any meeting:

- The majority must be allowed to rule;
- The minority have rights that must be respected;
- Members have a right to information to help make decisions;
- Courtesy and respect for others are required;
- All members have equal rights, privileges, and obligations; and
- Members have a right to an efficient meeting;

AND WHEREAS it is deemed expedient to adopt by by-law, rules governing the order and procedure of the Council of The Corporation of the Township of Wilmot.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WILMOT ENACTS AS FOLLOWS:

PART 1 DEFINITIONS

- 1.1 **“Abstain”** means a member who refuses to vote.
- 1.2 **“Acting Mayor”** means the member of Council appointed by by-law to act from time to time in the place and stead of the Mayor, pursuant to Part 4 of this by-law.

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- 1.3 “**Ad hoc Committee**” means a Committee composed of Members of Council and established to review a specific matter and report its findings and recommendations to Council.
- 1.4 “**Advisory Committee**” means a Committee established by Council under specified Terms of Reference to advise on matters which Council has deemed appropriate for the Committee to consider.
- 1.5 “**Agenda**” means the order of proceedings for a meeting setting out the business to be considered at the meeting.
- 1.6 “**Agenda Package**” means the compilation of the Agenda and reports, at a minimum, for the purpose of conducting Township business by Council or Committee.
- 1.7 “**Amendment**” means a change in the form of a Motion. An amendment is designed to alter or vary the term of the main Motion without materially changing its meaning. It may propose that certain words be left out, that certain words be omitted and replaced by others, or that certain words be inserted or added. Every amendment must be strictly relevant to the question being considered.
- 1.8 “**Business Day**” means days of the week the Township offices are open for Township business, typically Monday to Friday, excluding holidays. The day in which a meeting is to occur shall not be included in the calculation of “business days.”
- 1.9 “**Calendar Day**” means any day of the week. The day in which a meeting is to occur shall not be included in the calculation of “calendar days.”
- 1.10 “**Chair**” means the person presiding over a Meeting and who is charged with the responsibility to decide questions and Points of Order, preserve order and maintain decorum in the proceeding. The Chair, except where disqualified, may vote on all questions.
- 1.11 “**Chief Administrative Officer**” means the person appointed by by-law as the Chief Administrative Officer (CAO) of The Corporation of the Township and whose duties are therein prescribed and to include Section 229 of the Municipal Act.
- 1.12 “**Chief Executive Officer**” shall mean the Mayor in accordance with Sections 226.1 of the Municipal Act.
- 1.13 “**Clerk**” means the person appointed by by-law as the Clerk of the Township and whose duties are therein prescribed in Section 228 of the Municipal Act.
- 1.14 “**Closed Meeting**” means a closed session of a Committee or Council Meeting which is closed to the public in accordance with the requirements of the Municipal Act.
- 1.15 “**Committee**” means an Ad hoc Committee, Advisory Committee, or Special Purpose Committee established by Council from time to time.
- 1.16 “**Committee Member**” means a person appointed by Council to serve on a Committee.
- 1.17 “**Consent Agenda**” means a practice that groups routine business and reports into a single agenda item. A consent agenda can be approved in one action, rather than filing Motions on each item separately.
- 1.18 “**Council**” is the term to refer collectively to the Mayor and ward Councillors.

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- 1.19 “Council Chambers”** means the room or building identified for the holding of Council Meetings, generally the room identified as such located at 60 Snyder’s Road West, Baden, Ontario.
- 1.20 “Council Meeting”** is a collective term meaning any meeting of Council including: Regular Meetings (Section 4.8), Special Meetings (Section 4.13), Emergency Meetings (Section 4.17) and Closed Sessions (Section 5.1), as established by Resolution under Section 4.8 of the Procedural By-law or at the call of the Mayor.
- 1.21 “Councillor”** is the term consistent with the Municipal Act and is the title assigned to a Member of Council, except the Mayor, elected to represent the electors of the Township.
- 1.22 “Declaration of Office”** means an oath taken by a person prior to taking a seat on Council as per Section 232 of the Municipal Act.
- 1.23 “Declared Emergency”** means, any period where an emergency has been declared to exist in all or part of the Township under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E. 9, as amended.
- 1.24 “Delegation”** means any person, group of persons, firm or organization, who is neither a Member of Council, Township staff or an appointed official of the Township and who has requested and are permitted to address Council, or an Ad hoc, Advisory, or Special Purpose Committee.
- 1.25 “Department Head”** means a director of a department.
- 1.26 “Deputy Clerk”** means the person appointed by by-law as the Deputy Clerk of the Township and whose duties are therein prescribed in Section 228 of the Municipal Act.
- 1.27 “Division of Question”** means a request by a Member of Council to have a Motion containing separate questions, recommendations or amendments, voted on in sections or parts.
- 1.28 “Emergency Meeting”** means a meeting of Council held to consider any business of the Council which is deemed by the Chair to be of an emergency situation.
- 1.29 “Ex Officio”** means by virtue of office or position and carries with it the right to participate fully in the Committee meeting and to vote unless prohibited by law.
- 1.30 “Friendly Amendment”** means an amendment made to the Motion under debate with the consent of the mover and seconder, and without the requirement for an amending Motion to be made.
- 1.31 “Governance Policy”** means a governance document that has or is driven by an external focus, with financial or legal implications or guide Council’s decisions, provide direction over and above identified items within the strategic or master planning documents, are based on legislative responsibilities and/or relate to service delivery, and have been approved by a Resolution or by-law.
- 1.32 “Improper Conduct”** means conduct which offers any obstruction to the deliberations of proper action of Council.
- 1.33 “Inaugural Meeting”** means the first meeting of Council held after a municipal election in a regular election year.

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- 1.34 “Integrity Commissioner”** means the person appointed by by-law as the Integrity Commissioner of the Township and whose duties are therein prescribed in Section 223.3 of the Municipal Act
- 1.35 Land Acknowledgement”** means a statement made, at minimum, to insert awareness of treaty and traditional Indigenous rights at the beginning of a Meeting or event.
- 1.36 “Majority Vote”** means more than half of the votes cast by Members of Council who voted or abstained from voting at a meeting.
- 1.37 “Management Team”** means the Chief Administrative Officer and Department Heads of the Township.
- 1.38 “Mayor”** is the head of Council who is elected by general vote to represent electors in The Township and acts as Chair for Council Meetings.
- 1.39 "Meeting"** means any regular, special or other meeting of a council, of a local board or of a committee of either of them, where,
- a) a quorum of members is present, and
 - b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
- 1.40 "Member of Council"** means a person duly elected to serve on the Council of The Corporation of the Township.
- 1.41 “Minutes”** means a record, without note or comment, of all Resolutions, decisions and other proceedings at a Meeting of Council or a Committee, whether it is closed to the public or not.
- 1.42 “Motion”** means a question to be considered by the Council or Committee which is moved, seconded, presented, read by the Chair and is subject to debate. When a Motion is adopted, it becomes a resolution.
- 1.43 “Municipal Act”** means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended from time to time and any successor legislation thereto.
- 1.44 “Notice of Motion”** means an advance notice to Members of Council of a matter on which Council will be asked to take a position.
- 1.45 “Participate Electronically”** means that Members of Council are present at the Council Meeting through an online or telecommunications medium that allows for audio and/or video interactions for the purposes of participating in a Council Meeting and such participation includes voting.
- 1.46 "Point of Information"** is a request directed to the Mayor or through the Chair to another Member of Council or to staff, for information relevant to the business at hand but not related to a Point of Procedure.
- 1.47 "Point of Order"** means a statement made by a Member of Council during a meeting, drawing the attention of the Mayor or their designate to a breach of the Rules of Procedure.
- 1.48 "Point of Privilege"** means the raising of a question which concerns a Member of Council, Council as a whole, staff or the public, when a Member of Council believes that their rights or integrity, or the rights or integrity of Council as a whole, staff, or the public, have been impugned.
- 1.49 “Presentation”** means:

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- a) presentations made by Council to recognize the contributions or achievements of individuals or organizations;
 - b) presentations made to Council by individuals or organizations at the invitation of Council; or,
 - c) presentations made to Council by an advisory or other Committee.
- 1.50 "Public Meeting"** means a Meeting of Council or that portion of a Meeting of Council or any Committee which has been given authority by by-law or statute to conduct a Meeting in matters pursuant to any legislation which requires Council to hear interested parties or to afford them an opportunity to be heard before taking action, passing a by-law or making a decision.
- 1.51 "Question"** means a Motion that has been placed before the Council or Committee by the statement of the Chair. Only once duly stated by the Chair and "on the floor" can a Motion be debated and put to a question of the Members of Council for proper resolution ("Question On the Floor").
- 1.52 "Recorded Vote"** means the recording in the minutes, the names of each Member of Council present and the manner of their vote on a matter or Question before Council. Recorded Votes shall be taken upon request by any Member of Council. In the case of a Member of Council who has a declared conflict or pecuniary interest in the matter or question, the minutes shall reflect the Member of Council who declared the conflict and did not take part in the discussion and subsequent voting thereof.
- 1.53 "Regular Meeting"** means a scheduled meeting of Council held in accordance with the approved schedule of meetings.
- 1.54 "Resolution"** means a formal determination made by Council or a Committee on the basis of a Motion duly placed before a regularly constituted meeting of Council or a Committee for debate and decision, and duly passed.
- 1.55 "Rules of Procedure"** means the rules and regulations provided in this by-law.
- 1.56 "Special Meeting"** means a meeting of Council not scheduled in accordance with the approved calendar of meetings.
- 1.57 "Special Purpose Committee"** means a Committee comprised of such Members of Council and other persons as appointed by Council to address matters which Council has deemed necessary within the jurisdiction of Council.
- 1.58 "Terms of Reference"** means a Governance Policy adopted by Council to establish, but is not limited to, the mandate, purpose, standards, practices, and responsibilities for a Committee.
- 1.59 "Tie Vote"** means an equality of votes .
- 1.60 "Township"** means The Corporation of the Township of Wilmot.
- 1.61 "Treasurer"** means the person appointed by by-law as the Treasurer of the Township and whose duties are therein prescribed in Section 286 of the Municipal Act.

2. GENERAL PROVISIONS

2.1 Rules and Procedures

The rules and procedures contained in this by-law shall be observed in all proceedings of Council as defined in the Municipal Act, and shall be the rules

and procedures for the order and dispatch of business of the Council and its Committees thereof.

2.2 Parliamentary Procedure

Points of Order or Points of Procedure not specifically governed by this By-law shall be decided by the Chair in accordance with, as far as reasonably practical, the most current edition of *Robert's Rules of Order*.

2.3 Meeting Decorum – All Persons Present

At no time shall any Member of Council, staff, delegations, member of the public or media:

- a) speak disrespectfully of or to any person;
- b) use offensive words or unparliamentary language;
- c) speak on any subject other than the subject for which they have received approval to address Council;
- d) disobey the Rules of Procedure or a decision of the Mayor or Council;
or,
- e) interrupt, speak-over, or continue to speak when advised by the Mayor not to, or otherwise disrupt the proceedings of the Meeting or the ability of Council or staff to conduct business.

2.3 Mayor - Ex Officio Member – All Committees

The Mayor shall be an ex officio member of all Committees established or appointed by Council. Where a Committee is established by reference to a particular number of members without specifically providing for the membership of the Mayor, such number is automatically increased by one, except where prohibited by law, being the Mayor, as provided under this Section. The Mayor may vote and otherwise participate, unless prohibited by law, in the business of the Committee or other body on the same basis as any other Committee member.

2.4 Meetings Open to Public

Except as provided in Section 239 of the Municipal Act, all Meetings of Council and its Committees shall be open to the public,.

3. ROLES AND DUTIES

3.1 General

It is the role and duty of all elected representatives, appointed Committee members, and all staff to serve the residents of the Township. Business of the Township shall be conducted in the best interest of the residents as a whole and not to serve the interests of any one individual or group of individuals above the common good with transparency and openness, conducting business that considers open and accessible communication to members of the public.

- 3.2 All Meetings and ceremonies organized by the Township shall be devoid of all Township-initiated or Township-led religious or spiritual readings, texts, references, prayers, or invocations so as to ensure a neutral space, while allowing for the freedom of religious expression for members of the public.

Committee Members appointed to any Committee whose mandate, as defined within the Committee's Terms of Reference, includes advisory

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responsibilities for inclusion and diversity are exempt from subsection 3.1 a) of this by-law.

3.2 Role of the Mayor

It is the role of the Mayor:

- a) to act as chief executive officer of the Township;
- b) to preside over Council Meetings so that its business can be carried out efficiently and effectively;
- c) to provide leadership to Council;
- c.1) without limiting clause (c), to provide information and recommendations to Council with respect to the role of Council described in clauses 224 (d) and (d.1) of the Municipal Act;
- d) to represent the Township at official functions;
- e) to act as Council's representative when dealing with other levels of government, their agencies and the private sector;
- f) to act as the Township's representative on Council for the Regional Municipality of Waterloo;
- f) to carry out the duties of the Head of Council under the Municipal Act or any other Act;
- g) as Chief Executive Officer of the Township, the Mayor shall:
 - i) uphold and promote the purposes of the Township;
 - ii) promote public involvement in the Township's activities;
 - iii) act as the representative of the Township both within and outside the Township, and promote the Township locally, nationally and internationally; and,
 - iv) participate in and foster activities that enhance the economic, social and environmental well-being of the Township and its residents.

3.3 Role of Council

It is the role of Council:

- a) to represent the public and to consider the well being and interests of the Township;
- b) to develop and evaluate policies and programs of the Township;
- c) subject to legislative restrictions, develop regulations to be adopted in by-laws and resolutions for the overall benefit of the community;
- d) to determine which services the Township provides in accordance with applicable legislation;
- e) to ensure that administrative policies, practices and procedures are in place and controllership policies, practices and procedures are in place to implement the decisions of Council;

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- f) to ensure the accountability and transparency of the operations of the Township, including the activities of the senior management of the Township;
- g) to maintain the financial integrity of the Township; and
- h) to carry out the duties of Council under the Municipal Act or any other Act.

3.4 Duty of the Mayor

It is the duty of the Mayor to preside over all Meetings of Council and:

- a) to open Meetings of Council by taking the Chair and calling the Meeting to order;
- b) to receive and submit, in the proper manner, all Motions;
- c) to put to a vote all Motions and to announce the result;
- d) to serve as an ex-officio member of all Committees and be entitled to vote at such Meetings;
- e) to decline to put Motions to a vote which infringe upon the Rules of Procedure;
- f) to inform the Members of Council of the proper procedure to be followed and to enforce the Rules of Procedure;
- g) to enforce on all occasions, the observance of order and decorum among the Members of Council;
- h) to call by name any Member of Council persisting in a breach of the Rules of Procedure and to order the Member of Council to vacate the Council Chambers;
- i) to permit questions to be asked through the Mayor, of any officer of the Township for information, to assist in any debate when the Mayor deems it proper;
- j) to provide information to Members of Council on any matter relating to the business of the Township;
- k) to authenticate by signature all by-laws and minutes of Council;
- l) to rule on any Points of Order raised by Members of Council;
- m) to maintain order and, where it is not possible to maintain order, the Mayor may, without any resolution being put, adjourn the Meeting to a time to be named by the Mayor;
- n) to adjourn the Meeting when the business is concluded;
- o) to carry out the duties of the Head of Council under the Municipal Act, or any other Act;
- p) to act in accordance with their Declaration of Office.

3.5 Duty of a Councillor

It is the duty of Councillors to attend all Meetings of Council and:

- a) to prepare for Meetings, including reviewing the Agenda and background information prior to the Meeting;

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- b) to speak only to the subject under debate at Council Meetings;
- c) to vote on all Motions before the Council unless prohibited from voting by law;
- d) to observe proper procedure and decorum at all Meetings;
- e) to state questions to be asked through the Mayor;
- f) to attend Council Meetings, Committee Meetings, or any other Meetings to which the Councillor has been appointed by Council;
- g) to carry out the duties of Council under the Municipal Act, or any other Act; and,
- h) to act in accordance with their Declaration of Office.

3.6 Duty of the Chief Administrative Officer

It is the duty of the Chief Administrative Officer:

- a) to exercise general control and management of the affairs of the Township for the purpose of ensuring the efficient and effective operation of the Township;
- b) to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
- c) to undertake or direct the undertaking of research and provide advice to Council on the policies and programs of the Township;
- d) perform such other duties required under this or any Act and other duties as assigned by the Township; and,
- e) provide leadership and direction to staff as the most senior member of staff.

3.7 Duty of the Clerk

It is the duty of the Clerk to attend all Council Meetings and:

- a) to prepare and distribute Agendas for all Meetings of Council in accordance with this by-law;
- b) to record, without note or comment, all resolutions, decisions, minutes and other proceedings of Council;
- c) if requested by any Member of Council present at a vote, to record the name and vote of every Member of Council voting on any matter or Question;
- d) to keep the originals or copies of all by-laws and of all minutes of proceedings of the Council;
- e) to make such minor clerical, typographical or grammatical corrections in form to any by-law, Motion, resolution and/or minutes as may be required for the purpose of ensuring correct and complete implementation of the actions of Council;
- f) to perform the other duties required under the Municipal Act or any other Act;
- g) to advise Council on parliamentary procedure;

- h) to perform such other duties as are assigned by the Township;
- i) the Deputy Clerk shall have all the Powers and duties of the Clerk in their absence, under the Municipal Act and any other Act;
- i) the Clerk may delegate in writing to any person, other than a Member of Council, any of the Clerk's powers and duties under the Municipal Act and any other Act; and,
- j) the Clerk, or Deputy Clerk, may continue to exercise the delegated powers and duties, despite the delegation.

3.8 Duty of the Treasurer

It is the duty of the Treasurer:

- a) to collect money payable to the Township and issue receipts for those payments;
- b) to deposit all money received on behalf of the Township in a financial institution designated by the Township;
- c) to pay all debts of the Township on behalf of the Township and other expenditures authorized by the Township;
- d) to maintain accurate records and accounts of the financial affairs of the Township;
- e) to provide Council with such information with respect to the financial affairs of the Township as it requires or requests;
- f) to ensure investments of the Township are made in compliance with the regulations made under Section 418 of the Municipal Act; and,
- g) to perform such other duties as are assigned by the Township.

3.9 Municipal Administration

It is the role of the officers and employees of the Township:

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

4. COUNCIL MEETINGS

4.1 Place

The Regular Meetings of the Council of the Township shall be held in the Council Chambers pursuant to Section 236 of the Municipal Act. In the case of an emergency, or other circumstances, Council may hold its Meetings at any convenient location within or outside the Township, as approved by resolution of Council.

4.2 Participating Electronically

In accordance with Section 238 (3), (3.1) and (3.3) of the Municipal Act:

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4.2.1 Notwithstanding any other provision of this By-law, a Member of Council may Participate Electronically in any Council Meeting, which is either open or closed to the public, and may be counted in determining whether or not a quorum of Members of Council is present at any point in time, subject to Sections 4.2.2 and 4.2.3 of this By-law.

4.2.2 The Chair of a Council Meeting shall not be permitted to Participate Electronically in a Council Meeting, except during a Declared Emergency.

4.2.3 In the absence of a Declared Emergency, where a Member of Council wishes to Participate Electronically at any Council Meeting, such Member of Council shall provide the Clerk with notice, in writing, at their earliest opportunity.

4.3 Seating Arrangement of Council

Councillors shall be seated to the right of the Mayor in Council Chambers in Ward order. For wards with more than one Councillor, those Members of Council shall be seated in alphabetical order by last name.

4.4 Councillor – addressed

Members of Council are to be addressed as: “Councillor (surname inserted).”

4.5 Mayor - addressed

The Mayor shall be addressed as “Mayor” (surname inserted)” or as “Your Worship.”

4.6 Staff and Members of the Public – addressed

Staff and members of the public are to be addressed as “Dr.,” “Mr.,” “Mrs.,” “Ms.,” “Miss.,” “Mx.,” or “Ind.” (surname inserted) as preferred. Members of staff may also be addressed by title within the corporate structure.

4.7 Inaugural Meeting

The Inaugural Meeting of Council following a regular municipal election shall be held in accordance with the Municipal Act at 7:00 p.m., in the Council Chambers

The Agenda for the Inaugural Meeting shall be established by the incoming Members of Council and the Clerk and will reflect the values of the community with respect for diversity and inclusion of all members of the community.

No business shall be conducted at the Inaugural Meeting of Council until the Declarations of Office have been made by the Members of Council.

The order of proceedings at the Inaugural Meeting of Council after the regular election shall be as follows: Processional, National Anthem, Land Acknowledgment, Moment of Silence, Declarations of office, (i) Mayor, (ii) Members of Council in order of wards, Inaugural Address by the Mayor, and passing of confirming By-Law.

4.8 Rotational Schedule – Acting Mayor

Each term, as soon after the commencement of its term as reasonably possible, Council shall appoint by by-law, in alphabetical order, each Member of Council to serve for one calendar month as Acting Mayor and Alternate Acting Mayor for that time in the place and stead of the Mayor when the Mayor is absent from the Township area, absent through illness, or refuses to

act, and the Acting Mayor shall have, and may exercise, all rights, powers and authority of the Mayor in their absence.

Where the Mayor declares a conflict of interest for an item on the Agenda, the Acting Mayor shall assume the role of Chair for the duration of discussion and voting for said item. Upon conclusion of the item, the Acting Mayor shall relinquish the Chair back to the Mayor.

Where the Mayor and Acting Mayor are absent from the Township area due to illness, or a refusal to act, the Alternate Acting Mayor shall have and may exercise all rights, powers and authority of the Mayor in the Mayor and Acting Mayor's absence.

4.9 Regular Meetings

Following the Inaugural Meeting, Regular Meetings shall be held in the Council Chambers, at 7:00 p.m., local time, twice per month on Mondays as per the schedule approved by Council Resolution.

Regular Meetings – July, August and December

During the months of July, August and December in each year, there shall be one Regular Meeting of Council per month to be held at a time designated by Council to accommodate the Ad hoc Budget Committee Meeting schedule and the summer holiday season.

Council may, by resolution or by-law, alter the time, day or place of any Council or Committee Meeting.

4.10 Quorum

A majority of Members of Council or Committee Members shall be necessary to constitute a quorum, unless otherwise permitted by the Municipal Act or any other Act.

If no quorum is present one-half hour after the time appointed for a Council Meeting, the Clerk shall record the names of the Members of Council present and the Meeting shall stand adjourned until the date of the next Meeting.

If during the course of a Meeting a quorum is lost, then the Meeting will stand adjourned, not ended, to reconvene at the same time of commencement on the next following day, or at such other time and place as the Mayor or Acting Mayor will then announce.

If in the Mayor or Acting Mayor's opinion it is not essential that the balance of the Agenda be dealt with before the next Regular Meeting, the Mayor or Acting Mayor will announce that the unfinished business of Council will be taken up at the next Regular Meeting.

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

4.11 Notice of Regular Meetings (Agenda) – Delivered in Advance to Council, CAO, Management Team

The Agenda shall be considered the notice of a Meeting.

The Clerk shall cause to be delivered to each Member of Council, an Agenda for each Regular Meeting of Council, electronically and/or hard copy to the address provided by the Member of Council to the Clerk for delivery of such

Agendas. The Agenda shall be provided not later than three (3) Business Days before the holding of such Regular Meeting. At the same time, the Clerk shall make available a copy of the Agenda to the CAO and to the members of the Management Team in electronic and/or hard copy format.

4.12 Agendas – Available to the Public/Media

Agendas for Meetings of Council shall be made available to the public and media on the Township website within twenty-four (24) hours of delivery to the Members of Council.

4.13 Reports Under Separate Cover

Where the completion of the Agenda is delayed due to an overdue report, by-law, or Presentation that is expected to be included on the Agenda and is time sensitive or deemed necessary to be included on the Agenda, the Clerk will complete the Agenda within the timeframe provided in this By-law and provide a notation on the Agenda that the overdue report or Presentation will be provided under separate cover.

When the report, by-law or Presentation is completed, the Report under separate cover will be sent electronically to Members of Council, the CAO and the Management Team, if hardcopies have been requested by Members of Council or staff, they will be made available for pick-up.

The Report under separate cover will be integrated into the online version of the Agenda for the public and media. Staff will notify the public and media of the Agenda being updated through the website and Township social media channels.

A Report under separate cover shall not include any Public Meeting held or other report, by-law, or Presentation being proposed for adoption in accordance with any Act.

4.14 Special Meetings

4.14.1 In addition to Regular Meetings, Special Meetings of Council shall be held upon written direction signed by the Mayor and delivered to the Clerk stating the date, time and purpose of such Meeting.

4.14.2 The Mayor may, at any time, call a Special Meeting of Council on twenty-four (24) hours' notice to Members of Council. The Clerk shall summon Members of Council to a Special Meeting of Council by stating the date, time, place, and purpose of the Special Meeting of Council, as provided by the Mayor.

4.14.3 Where the Mayor has not called a Special Meeting, but upon receiving a petition from the majority of the remaining Members of Council, the Clerk shall summon Members of Council to a Special Meeting by stating the date, time, place, and purpose of the Special Meeting of Council, as stated in the petition.

4.14.4 If time is of the essence, notice may be given to Council by telephone call.

4.14.5 No other business other than that stated in the notice shall be considered at a Special Meeting.

4.15 Agendas – Special Meetings – Delivered in Advance to Council, CAO, Management Team

Notice or an Agenda of a Special Meeting called in accordance with this by-law shall be delivered to the Members of Council, CAO and Management

Team by means of personal delivery, telephone, or electronic mail. The notice or an Agenda of the Special Meeting shall be provided not less than 24 hours before the hour set for such Special Meeting.

4.16 Agendas – Special Meetings – Available to the Public/Media

Agendas for Special Meetings shall be made available to the public and media as soon as possible after they have been delivered to Members of Council.

If time is of the essence, notice or an Agenda may be given to the press/media by telephone call.

4.17 Special Meetings – Agenda – provided at the meeting

The Clerk may provide the Agenda of the Special Meeting at the Special Meeting where time constraints do not allow the Agenda to be delivered to the Members of Council or the press at least 24 hours before the hour appointed for the holding of the Special Meeting.

4.18 Emergency Meetings

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

4.19 Emergency – business specified – transacted

No business except business dealing with the emergency or extraordinary situation shall be transacted at the Emergency Meeting.

4.20 Emergency – lack of receipt of notice or Agenda

Lack of receipt of notice or an Agenda by Members of Council shall not affect the validity of the Emergency Meeting or any action lawfully taken thereat.

4.21 Rescheduling or Cancellation of Council Meetings

When it is deemed to be advisable, the Mayor is authorized to change the date and/or time of, or to cancel, a Council Meeting , subject to the agreement of the majority of the Members of Council, having been polled by the Clerk, provided that a minimum of seven (7) days' notice is given of the change of date of the Regular Meeting. The Township website shall be updated if the date and/or time of the Council Meeting is changed or if the Council Meeting is cancelled.

5. CLOSED MEETINGS

5.1 Closed Meetings may be held as deemed necessary by the Mayor or Chair in consultation with the Clerk. Such Closed Meetings may be closed to the public in accordance with the requirements of the Municipal Act. All reasonable efforts on the part of Council and staff will be made to keep Meetings open to the public unless closure is specifically authorized under the Municipal Act and it is deemed necessary.

5.2 Any reports, presentations, correspondence, discussion, or other communications included as part of a Closed Meeting or Closed Session shall not be disclosed to any person who is not in attendance at the Closed Meeting or Closed Session.

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- 5.3** Any Member of Council who breaches confidentiality of a Closed Meeting or Closed Session may be subject to an investigation under the Code of Conduct for Members of Council.

Any member of staff who breaches confidentiality of a Closed Meeting or Closed Session may be subject to disciplinary action consistent with Township Human Resources Guidelines.

5.4 Matters that may be considered – closed

The only matters that may be considered in a Closed Meeting shall be in accordance with Section 239(2) of the Municipal Act.

5.5 Matters to be considered – Closed – mandatory

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 to Privacy Act*, when the Council, board, commission or other body is acting as head of the institution for the purposes of the 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 appointed by Township in accordance with subsection 223.13 (1) of the Municipal Act, or the Closed Meeting Investigator referred to in subsection 239.2 (1) of the Municipal Act.

5.6 Procedure – convening into closed session

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

- a) the fact of the holding of the Closed Meeting or Closed Session; and,
- b) the general nature of the matter to be considered at the Closed Meeting or Closed Session.

5.7 Procedure – modifications

The rules governing the procedure of the Council and its Committees and the conduct of its members shall be observed in Closed Meetings or Closed Sessions, with the necessary modifications, except that:

- a) a member shall not speak more than once to a Motion until every member who desires to speak has spoken once;
- b) the number of times of speaking on any question shall not be limited; and,
- c) recorded votes are not permitted at Closed Meetings or Closed Sessions.

5.8 Meeting not closed – during vote

Subject to Section 5.3, a Meeting shall not be closed to the public during the taking of a vote.

5.9 Meeting closed during vote – exception

A Meeting or part of a Meeting may be closed to the public during a vote, if:

- a) section 5.3. applies; and,
- b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Township or local board or persons retained by or under contract with the Township or local board.

5.9 Minutes of Closed Meeting/Sessions

Minutes of all or part of a Council Meeting that is closed shall be recorded by the Clerk, approved by Council at the following Closed Meeting of Council, and will be retained in confidence by the Clerk and such minutes will not be open to inspection by any member of the public.

The Clerk, in making the minutes shall not record any personal information as defined in the *Municipal Freedom of Information and Protection to Privacy Act*.

5.10 Agenda of Closed Meeting/Session

Agendas for Closed Meetings or Closed Sessions will be circulated to Members of Council not later than 3 (three) Business Days before the holding of such a Closed Meeting or Closed Session. Closed Meeting or Closed Session Agendas and reports may be circulated by hardcopy and collected by the Clerk at the close of Closed Meeting or Closed Session for destruction.

Electronic distribution of a Closed Meeting or Closed Session Agenda may be permitted through a secure electronic agenda platform designed to maintain the confidentiality of Closed Meeting or Closed Session documents or in the case of a Declared Emergency.

In preparing the Agenda, the Clerk shall identify the most amount of detail possible to allow for Council to consult with the Integrity Commissioner in regard to potential conflict of interest.

6. NOTICE OF MEETINGS OF COUNCIL & COMMITTEES TO THE PUBLIC

6.1 Notice of Regularly Scheduled Meetings

Notice of Regular Meetings of Council or a Committee for the Township shall be provided to the public by posting the schedule of Council Meetings as approved by Council resolution on the Township's official website, and the meeting schedule of Committees as approved by the Committee members, on the Township's official website at the beginning of each calendar year or upon scheduling. The meeting schedule shall include the date, time and location of meetings.

6.2 Notice of Special Meetings

Notice of a Special Meeting of Council or a Committee shall be provided to the public by posting to the schedule of Meetings on the Township's official website not less than one (1) day in advance of the date of the Special Meeting.

6.3 Notice of Emergency Meetings – Not Required

An Emergency Meeting of Council or a Committee may be held without public notice being given, to deal with an emergency or extraordinary situation.

6.4 Notice – Closed Meetings For the Purpose of Education and Training of Members

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Notice of a Council Meeting or a Committee Meeting that is closed to the public and is held for the purpose of educating or training the Members of Council or a Committee, as the case may be, shall be provided to the public by the posting of the Agenda on the Township official website stating:

- a) the fact of the holding of the Closed Meeting or Closed Session;
- b) the general nature of its subject matter; and,
- c) the legislative provision allowing for the holding of the Closed Meeting or Closed Session.

6.5 Notice – Other Closed Meetings

Notice of a Council Meeting or a Committee that is closed to the public, except a Meeting held for the purpose of educating or training the Members of Council or a Committee, as the case may be, shall be provided to the public by the posting of the Agenda on the Township official website stating:

- a) the fact of the holding of the Closed Meeting or Closed Session;
- b) the general nature of the matter to be considered at the Closed Meeting or Closed Session; and,
- c) the legislative provision allowing for the holding of the Closed Meeting or Closed Session.

6.6 Agendas – Meetings

Prior to the Meeting, where possible and pending the distribution to the Members of Council, the Agenda for Council and Committee Meetings shall be posted on the Township's official website within twenty-four (24) hours of delivery to the Members of Council or the Committee. Notice of the posting of the Agenda shall be made public through the Township's social media account(s) and/or email list(s).

6.7 Posting of Agendas – Failure to Post

Notwithstanding section 6.6 above, failure to post the Agenda to the Township's official website, social media or email list shall not affect the validity of the Meeting or any action lawfully taken thereat.

6.8 Emergency Meeting – Notice Not Required

Notwithstanding any other provision of this by-law, an Emergency Meeting may be held without public notice being given, to deal with an emergency or extraordinary situation.

6.9 Notice – Agenda – Not Received – Validity

Lack of receipt of notice or an Agenda shall not affect the validity of the Meeting, or any action lawfully taken thereat.

7 ORDER OF BUSINESS - COUNCIL

7.1 General Provisions

7.1.1 The Clerk shall have prepared and printed a list of the items in the order of topics set out as the routine of business for the use of each Member of Council at a Council Meeting.

7.1.2 Any Member of Council may file in writing not later than 5 (five) Business Days before the holding of such Regular Meeting with the

Clerk an item for inclusion on the Council Agenda to allow for a staff response if necessary.

7.2 Order of Business

7.2.1 As soon after the hour fixed for the holding of the Council Meeting as a quorum is present, the Mayor shall take the Chair and call the Council Meeting to order.

7.2.2 Immediately after the Mayor has called the Council Meeting to order the following order or procedure shall be observed :

Call to Order

Closed Session

Reconvene Into Open Session

Moment of Silent Reflection

Land Acknowledgement

Additions to the Agenda

Adoption of Agenda

Disclosure of Pecuniary Interest Under the Municipal

Conflict of Interest Act

Minutes of Previous Meeting

Public Meetings

Presentations

Consent Agenda

Reports

Correspondence

By-laws

Notice of Motions

Announcements

Business Arising from Closed Session

Confirmatory By-law

Adjournment

7.3 Minutes

7.3.1 The Clerk shall be the secretary of all Council and Committee Meetings. It shall be the duty of the Clerk to record the proceedings of Council in the form of minutes that shall contain the following:

- a) the place, date, and beginning and ending time of Council Meetings;
- b) the names of Members of Council present;
- c) the time Members of Council arrive and leave the Council Meeting;
- d) any declaration of pecuniary interest;
- e) a record of the decision of each item for consideration;
- f) recommendations to Council on each item; and,
- g) the names of Delegations appearing before Council or the Committee.

7.3.2 Such Minutes, as referred to in Section 7.3.1, may be adopted by Council without having been read at the Council Meeting considering the question of their adoption.

7.3.3 The Minutes shall be posted to the Township website within 48 (forty-eight) hours of the Minutes' adoption.

- 7.3.4 Video recordings of a Council Meeting shall be retained in accordance with the Township's Records Retention By-law.

7.4 Land Acknowledgement

7.4.1 The Land Acknowledgement, as approved by Resolution of Council, shall be read at the beginning of every Council Meeting and Committee Meeting. The Members of Council or the Committee, as the case may be, shall read the Land Acknowledgement on a rotating basis starting with the Mayor or Chair. Any Member of Council or Committee Member can decline to read the Land Acknowledgement and may do so without explanation.

7.4.2 The Land Acknowledgement may be read at official functions of the Township or other community events at the discretion of the organizer.

7.4.3 Any Council Member or Committee Member reading the Council approved Land Acknowledgement, may elect to make additions to the Land Acknowledgement as part of their personal reflection on reconciliation, inclusion and diversity,

7.5 Additions to the Agenda

7.5.1 Additions to the Agenda may be submitted by members of staff to the Clerk in writing for emergency items of a time-sensitive nature. The addition to the Agenda must be submitted not later than 4 (four) hours in advance of the Council Meeting and must be distributed to Council electronically and posted on the Township website immediately upon receipt.

7.6 Disclosure of Pecuniary Interest

7.6.1 It shall be the responsibility of each individual Member of Council to determine if a conflict exists and disclose any conflict of interest and the nature thereof in accordance with the provisions of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended, in any Council Meeting or Committee Meeting.

7.7 Presentations

7.7.1 Any person making a Presentation to Council, shall be permitted to address Council and shall be limited in speaking not more than ten (10) minutes.

7.7.2 Audio and visual materials as part of a Presentation may include, but are not limited to, audio recordings, slideshows, photos, videos and handouts but does not include the presenter's speaking notes.

7.7.3 All audio and visual materials presented to Council shall be submitted to the Clerk, subject to the following:

- a) presenters must provide materials not less than five (5) Business Days prior to the commencement of the Council Meeting;
- b) audio or visual materials containing negative allegations or comments towards members of the public or profanity shall be returned to the presenter to remove the inappropriate allegations, comments, or language and returned not less than four (4) Business Days prior to the commencement of the Council Meeting;

- c) audio or visual materials containing hate speech will be rejected; and,
- d) audio or visual materials containing criticisms of a personal nature against Members of Council or staff shall be returned to the presenter to remove the criticisms of a personal nature.

7.8 Consent Agenda

- 7.8.1 In preparing the Agenda for Council and Committee Meetings, the Clerk may identify items which are considered to be routine and non-controversial under the heading “Consent Agenda,” which matters may be considered by Council as a summary matter in one Motion rather than as separate items, unless a Member of Council otherwise requests.
- 7.8.2 Any Member of Council, before the consent Motion is voted on, may add or remove any number of items of business from the consent Motion. Members of staff may request, before the consent Motion is voted on, to remove any number of items of business from the consent Motion. Any report removed from the Consent Agenda will be disposed of immediately following the Consent Agenda.
- 7.8.3 In the event that a Member of Council declares a conflict of interest on an item that is included in the consent Motion, that item shall be removed from the consent Motion and dealt with separately.
- 7.8.4 Members of Council may ask clarifying questions only with regards to matters on the Consent Agenda. Questions of a more substantive nature require the report to be removed from the Consent Agenda. The Chair may interrupt the questions and declare that the report will be removed from the Consent Agenda.
- 7.8.4 The Consent Agenda may include, but is not limited to the following items:
 - a) staff appointments;
 - b) Committee appointments;
 - c) reports provided for information only; and
 - d) award of tenders.

7.9 Delegations for Matters on the Agenda

- 7.9.1 During in-person Council Meetings, no member of the public shall be allowed to approach Members of Council, Township staff, or the podium once a Meeting has been called to order, without the permission of the Mayor or Chair.
- 7.9.2 Persons desiring to verbally present information on matters of fact, or make a request of Council, relative to matters on the Agenda:
 - a) shall give notice to the Clerk in writing, not later than four (4) hours before the commencement of the Council Meeting and may be heard with leave of the Mayor or Chair;
 - b) shall be limited in speaking to not more than five (5) minutes;
 - c) Delegations consisting of five (5) or more persons may be permitted to have two (2) spokespersons address Council, in which case each such spokesperson shall be limited to speaking for not more than five (5) minutes combined; and,

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- d) Delegations shall be permitted to speak only once on an Agenda item.

7.9.3 Audio and visual materials as part of a Delegation may include, but are not limited to, audio recordings, slideshows, photos, videos and handouts but does not include the presenter's speaking notes.

7.9.4 All audio and visual materials presented to Council shall be submitted to the Clerk, subject to the following:

- a) for Delegation's audio or visual materials to appear in the Council Agenda Package that is circulated in advance of the Council Meeting and heard or shown as part of the Delegation, members of the public are required to provide their materials not less than five (5) Business Days before the commencement of the Council Meeting;
- b) audio and visual materials for Delegations received less than five (5) but not less than one (1) Business Day prior to the commencement of the Council Meeting shall be circulated to Council in advance of the Council Meeting, heard or shown as part of the Delegation, and shall be included as an attachment to the Council Minutes;
- c) audio and visual materials received less than one (1) Business Day in advance of Council Meeting shall not be heard or shown in the Council Meeting but, shall be included as an attachment to the Council Minutes;
- d) audio or visual materials containing negative allegations or comments towards members of the public or profanity shall be returned to the Delegation to remove the inappropriate allegations, comments, or language and must be returned to the Township not less than one (1) Business Day prior to the commencement of the Council Meeting;
- e) audio or visual materials containing hate speech will be rejected; and,
- f) audio or visual materials containing negative allegations or comments of personal nature against Members of Council or staff shall be returned to the presenter to remove the allegations or comments and must be returned to the Township not less than one (1) Business Day prior to the commencement of the Council Meeting.

7.9.4 No Delegation may address Council on the same matter at successive Council Meetings unless in accordance with any Public Meeting held or other report, by-law, or Presentation being proposed for adoption in accordance with any Act.

7.9.5 Members of the public may submit written comments regarding any item on the Agenda, subject to the following:

- a) for written comments to be included in the Council Agenda Package that is circulated in advance of the Council Meeting, members of the public are required to provide their comments not less than five (5) Business Days before the commencement of the Council Meeting;
- b) written comments received less than five (5), but not less than four (4) hours prior to the commencement of the Council

Meeting shall be circulated to Council in advance of the Council Meeting and shall be included as an attachment to the Council Minutes;

- d) written comments containing negative allegations or comments towards members of the public or profanity shall be redacted to remove the inappropriate allegations, comments, or language;
- e) written comments containing hate speech will be rejected; and,
- f) written comments containing criticisms of a personal nature against Members of Council or staff shall be redacted to remove the criticisms of a personal nature.

7.9.6 Where any provisions or regulations of or under any Act in relation to Presentations, Delegations or written submissions which apply to municipal Councils contradict any of the provisions of this by-law, the provisions of the Act shall prevail.

7.9.7 Requests for Delegations for matters not on the Agenda will be directed to speak with staff on the matter or may submit their comments or questions as correspondence for inclusion as correspondence as noted in section 7.10. Members of the public may also direct their comments or questions to a Member of Council for a response from staff or for proposed direction by way of a Notice of Motion.

7.10 Communications and Petitions

7.10.1 Every communication, including petitions and correspondence, designed to be presented to Council shall be legibly written or printed and shall not contain any impertinent or improper matter or language and shall be signed by at least one person and filed with the Clerk. It is recommended the petitions conform the Township's petition template, which can be obtained on the Township's website or by contacting the Clerk or Deputy Clerk.

7.10.2 Any person who files a petition must leave their name and contact information with the Clerk.

7.10.3 Any person who signs a petition must be made aware by the person filing the petition that their names, signatures, and contact information, as included on the petition, may be included in the Council Agenda and made available to the public including publication on the Township's website.

7.10.4 Every petition or correspondence shall be delivered to the Clerk not less than five (5) Business Days before the commencement of the Council Meeting for inclusion in the Agenda of a Council Meeting, subject to the following:

- a) Correspondence or petitions containing negative allegations or comments towards members of the public or profanity shall be redacted to remove the inappropriate allegations, comments, or language;
- b) Correspondence or petitions containing hate speech will be rejected; and,
- c) Correspondence or petitions containing criticisms of a personal nature against Members of Council or staff shall be redacted.

7.10.5 Every petition received shall be circulated to the Department Head responsible for the general service area the petition pertains to, or their designate. The Department Head, their designate, or the CAO may contact the person who filed the petition to discuss the matter contained within the petition before the petition is added to the Agenda. After discussions with the Department Head, their designate, or the CAO have concluded, the person who filed the petition may contact the Clerk to withdraw the petition.

7.10.6 Correspondence or petitions addressed to Council shall be listed by the Clerk on the Agenda and the Clerk shall briefly indicate therein the content of each such petition or communication.

7.10.7 Resolutions from other municipalities and addressed to Council shall be listed by the Clerk on the Agenda for the next Regular Meeting and shall be listed under “Correspondence”.

7.11 By-laws

7.11.1 All by-laws shall be considered by Council and shall be introduced and receive first, second and third reading by a Motion.

7.11.2 Copies of all by-laws to be considered by Council shall be provided to each Member of Council with the Agenda Package.

7.11.3 All by-laws when introduced shall be in type-written form, shall contain no blanks except such as may be required to conform to accepted procedure or to comply with provisions of any Act, and shall be complete with the exception of the date.

7.11.4 By-laws which received first and second reading at a previous Council Meeting and have now been cleared for final reading shall be read a final time and approved or defeated in open Council.

7.11.5 Every by-law shall have three readings previous to it being passed.

7.11.6 The Clerk shall record on all by-laws enacted by Council, the date of the first, second and third readings.

7.11.7 Every by-law which has been enacted by Council shall be numbered and dated and shall be sealed with the seal of the Township and signed by the Mayor and the Clerk and shall be securely kept by the Clerk in compliance with the Municipal Act and the Township’s Records Retention By-law.

7.11.8 Errors, Corrections, and Other Changes

a) The Clerk may modify By-laws or Resolutions to:

- i. Correct spelling, punctuation or grammatical errors, or errors that are of a clerical, typographical or similar nature.
- ii. Alter the style or presentation of text or graphics to improve electronic or print presentation.
- iii. Correct an erroneous description of a date or time with the actual date or time.
- iv. When the title, location or address of a body, office, place or thing has been altered, change any reference to the title, location or address to reflect any alteration in title, location or address.

- v. Correct errors in the numbering of provisions or other portions of a By-law and make any changes in cross-references that are required as a result.
 - vi. Make a correction, if it is patent both that an error has been made and what the correction should be.
- b) The Clerk:
- i. may provide notice of the changes made under subsections 7.11.8(a)(i) to 7.11.8(a)(iii) inclusive in the manner that they consider appropriate.
 - ii. shall provide notice of the changes made under subsections 7.11.8(a)(iv) to 7.11.8(a)(vi) inclusive in the manner that they consider appropriate.
 - iii. in determining whether to provide notice under subsection 7.11.8(b)(i), shall consider:
 - 1. the nature of the change; and
 - 2. the extent to which notice, and the information provided in it, would provide assistance in understanding the relevant legislative history.
 - iv. in providing notice under subsection 7.11.8(b)(i) or 7.11.8(b)(ii), shall state the change or the nature of the change.
- c) No legal significance shall be inferred from the timing of the exercise of a power under this section.
- d) Regardless of when a modification is made to a By-law under this section, the modification may be read into the By-law as of the date it was enacted if it is appropriate to do so.

7.12 Notice of Motion

7.12.1 A Notice of Motion shall:

- a) be in writing, which may include email; and
- b) shall be directed by the Clerk to the next Regular Meeting and shall be printed in full on the Agenda.

7.12.2 Notice of all new Motions, except Motions listed in Sections 12.8 and 12.9 shall be given in writing and delivered to the Clerk at least five (5) Business Days preceding the date of the Regular Meeting at which a Motion is to be introduced and the Motion shall be printed in full and unaltered on the Agenda for that Regular Meeting, as a means of introduction, and each succeeding Regular Meeting until the Motion is considered or otherwise disposed of.

7.12.3 The right to move a Notice of Motion shall be deemed to be that of the Councillor who introduced the Notice of Motion.

7.12.4 Any amendments, except those of a typographical nature, to a Notice of Motion shall be deemed to have created a new Notice of Motion and shall be treated as such in accordance with this by-law. Amendments of a substantive manner cannot be made during a Meeting without being re-introduced as though it is a new Notice of Motion.

- 7.12.5 When a Member of Council's Notice of Motion has been called from the Chair in two (2) successive Meetings and not proceeded on, it shall be removed from the Agenda unless Council otherwise directs staff.
- 7.12.6 If Council determines that the Notice of Motion shall appear on the Agenda at a third Meeting, such Notice of Motion is called from the Chair and not proceeded with, it shall be deemed to have been withdrawn.
- 7.12.7 Any Motion may be introduced without notice if Council, without debate, dispenses with notice on the affirmative vote of at least two-thirds of the Members of Council present and voting.
- 7.12.8 Members of Council are expected to prepare their Notice of Motion in accordance with traditional parliamentary formatting and use traditional parliamentary language. Assistance with formatting or language may be sought from the Clerk or Deputy Clerk.
- 7.12.9 Members of Council considering the submission of a Notice of Motion are encouraged to speak with the appropriate Department Head or CAO to ensure a Notice of Motion is the most efficient means of dealing with a matter.
- 7.12.10 Assistance with the substance of a Notice of Motion may be sought from the Department Head relative to the subject matter or the CAO.
- 7.12.11 Review of the Notice of Motion by staff shall not constitute support from staff on the content of the Motion.

7.13 Announcements

- 7.13.1 Members of Council may make any special event announcements or report on community activities.

7.14 Confirmatory By-law

- 7.14.1 The Clerk shall include a by-law at the end of each Council Meeting for a first, second and third and final reading to confirm all decisions made up to the point at which the by-law is introduced and to confirm that Council complied with the legal requirement that it acted by by-law.

7.15 Adjournment

- 7.15.1 A Motion may be made at any time by a Member of Council who has the floor, requires no seconder and need not be in writing provided that no Motion to adjourn may be made during the taking of a vote on any Question.
- 7.15.2 Where a Motion to adjourn is duly moved and carried and any item of business or any by-law then before Council is left undisposed of, such item of business or by-law may be considered at the appropriate place in the order of procedure at any subsequent Regular Meeting of Council.
- 7.15.3 Where a Motion to adjourn is lost, no second Motion to the same effect may be made until after some intermediate proceeding has occurred.
- 7.15.4 On a Motion to adjourn, no Member of Council shall leave their seat until the Chair has declared the Meeting adjourned.

7.15.5 A Regular or Special Meeting of Council or Committee shall adjourn at the hour of 11:00 pm if in session at that time and shall reconvene at such other day and time as the Members of Council may direct by resolution.

8. RULES OF DEBATE

- 8.1 Any Member of Council desiring to speak shall so indicate by raising their hand and, upon being recognized by the Mayor or other Presiding Officer, shall address the Chair by stating “through you, Mayor (surname)...” or “through you, Your Worship...”
- 8.2 When two (2) or more Members of Council raise their hands to speak the Mayor or other Presiding Officer shall recognize the Member of Council who raised their hand first.
- 8.3 The Mayor or other Presiding Officer may state their position on any matter before Council without leaving the Chair, but it shall not be permissible to debate the Question without first leaving the Chair and for another Member of Council to assume Chairing duties during such remarks.
- 8.4 The Mayor or other Presiding Officer shall resume the Chair for the taking of the vote.
- 8.5 The Mayor or other Presiding Officer may, without leaving the Chair, address Council between proceedings on any matter pertinent to the business of the Township.
- 8.6 When a Member of Council is speaking no other Member of Council shall pass between them and the Chair a note or interrupt the Member of Council who is speaking except to raise a Point of Order.
- 8.7 Any Member of Council may require the Question or Motion under discussion to be read at any time during the debate but not so as to interrupt a Member of Council while speaking.
- 8.8 No Member of Council, without leave of Council, shall speak to the same Question, or in reply, for longer than ten (10) minutes.
- 8.9 A Member of Council may ask a question only for the purpose of obtaining information relating to the matter under discussion and such question must be stated concisely and asked only of the Chair.
- 8.10 Notwithstanding Section 8.9, when a Member of Council has been recognized as the next speaker, then immediately before speaking such Member of Council may ask a question of the Mayor or other Presiding Officer on the matter under discussion only for the purpose of obtaining information, following which the Member of Council shall speak again.
- 8.11 The following matters, and Motions with respect thereto, may be introduced orally without written notice and without leave, except as otherwise provided by this By-law:
 - a) a Point of Order or Point of Personal Privilege;
 - b) presentations of petitions;
 - c) to move the Question be put;
 - d) to adjourn;
 - e) to refer;
 - f) to table or to postpone, defer to a day certain;

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- g) to amend;
- h) to suspend this Procedural By-law; or,
- i) any other procedural Motion.

8.12 Speaking Order and Time Limit

- a) The Chair shall determine, by order of hands raised, and administer the speaking order for Members of Council;
- b) each Member of Council may only speak for a maximum of five (5) minutes at a time during debate, however, they may speak as often as they wish. This time restriction does not apply to Members of Council when they are asking questions and seeking clarification from Delegations or Township staff;
- c) where no other Member of Council wishes to speak to the matter, the five (5) minute time limit shall be waived;
- d) if requested, the mover or seconder of a Motion, has the right to be the last Member of Council to speak on a Motion; and,
- e) when a Member of Council is speaking to a Motion, they shall confine their remarks to the Motion.

9. POINTS OF INFORMATION, ORDER, OR PRIVILEGE

- 9.1 The Mayor or Chair shall preserve order and decide on Points of Information, Points of Order, or Points of Privilege.
- 9.2 When a Point of Information, Point of Order, or Point of Privilege is raised or when a person present is called to order by the Mayor or Chair, the person speaking shall immediately cease until the Mayor or Chair has decided on the Point of Information, Point of Order, or Point of Privilege and may further address Council only for the purpose of appealing to the Council from such decision.
- 9.3 The Mayor or Chair, in giving their decision, should cite the rule or law governing the case. The Mayor or Chair may ask for the assistance of the Clerk or Council in deciding the matter but the Mayor or Chair's decision shall be final if there is no appeal.
- 9.4 If the decision of the Mayor or other Presiding Officer is appealed to Council, the Mayor shall restate the point in issue and ruling thereon and, without further debate, shall put the Question "shall the ruling of the Chair be sustained". The Mayor or Chair may vote on this Question and in the event of an equality of votes, the decision of the Mayor or Chair shall be deemed to be sustained.
- 9.5 When a Member of Council considers that their integrity, or the integrity of Council as a whole, the integrity of staff, or the public, has been impugned, they may, as a matter of personal privilege, at any time, with the consent of the Mayor or Chair, draw the matter to Council's attention.

10. CONDUCT OF MEMBERS IN COUNCIL

- 10.1 No Member of Council shall:
 - a) speak disrespectfully of the Reigning Sovereign, the Governor General, the Lieutenant Governor of any province, or any person administering the Government of Canada or this Province;

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- b) use offensive words or unparliamentary language in or against the Council or against any Member of Council or against any Township staff;
 - c) speak on any subject other than the subject in debate;
 - d) criticize any decision of Council except for the purpose of moving in accordance with the provisions of Section 12 that the Question be reconsidered; or,
 - e) disobey the rules of Council, or a decision of the Mayor or other Presiding Officer, or of Council on questions of order or practice, and upon the interpretation of the rules of Council, and in the case where a Member of Council persists in any such disobedience after having been called to order by the Mayor or other Presiding Officer, the Mayor or other Presiding Officer may forthwith put the Question, no amendment, adjournment or debate being allowed, "that such member be ordered to leave their seat for the duration of the Council Meeting", but if the Member of Council apologizes they may, by vote of Council, be permitted to retake their seat.
- 10.2 No charge or allegation shall be made which involves the character, conduct or language of a Member of Council unless such Member of Council is present to reply or unless due notice has been given to such Member of Council to be present to offer a defence.
- 10.3 A question put to a Member of Council may not contain imputations, epithets, ironical expressions or hypothetical cases, nor may a question refer to debates or answers to questions in the same Council Meeting. A question may not be put which publishes the names of persons, or contains statements not strictly necessary to render the question intelligible, or contains charges which the Member of Council who asks the question is not prepared to substantiate. The solution of an abstract legal case may not be sought by a question. A question cannot be made a pretext for a debate, and when a question has been fully answered it cannot be renewed.
- 10.4 When a Member of Council has been called to order by the Mayor or other Presiding Officer for breach of parliamentary decorum, it is the Member of Council's duty to defer at once to the decision of the Mayor or other Presiding Officer and to make apology by explaining that there was no intent to infringe on any rule of debate, or by immediately withdrawing the offensive or unparliamentary language which may have been used. However, if a Member of Council persists in unparliamentary conduct, the Mayor or other Presiding Officer shall be compelled to name such Member of Council and submit such conduct to the decision of Council. In such a case, the Member of Council whose conduct is in question should explain and withdraw or it shall be for Council to decide what action to take.

11. INTEGRITY COMMISSIONER

- 11.1 Inquiries or requests for investigations under the Code of Conduct for Members of Council or local boards shall be received by the Integrity Commissioner in compliance with the respective Codes of Conduct.
- 11.2 Annual reports from the Integrity Commissioner shall be added to the Agenda under "Correspondence" at the Regular Council immediately following the submission of the report to the Clerk.
- 11.3 Reports from the Integrity Commissioner as the result of a request for investigation shall be submitted to the Clerk. The reports shall be added to the Agenda as follows:

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- a) where the Integrity Commission recommends a penalty, the Clerk shall prepare a cover report for Council to consider the recommendation from the Integrity Commissioner; or,
- b) where the Integrity Commissioner does not recommend a penalty, the Clerk shall add the Integrity Commissioners report under “Correspondence” to be received for information.

12. MOTIONS

- 12.1 A Motion must be formally seconded before the Mayor or Chair can put the Question or the Motion can be recorded in the Minutes.
- 12.2 When a Motion is presented in Council in writing, it shall be read, or if it is a Motion which may be presented orally, it shall be stated by the Mayor or Chair before debate.
- 12.3 A Motion in respect of a matter which is *ultra vires* the jurisdiction of Council shall not be in order.
- 12.4 After a Motion is read or stated by the Mayor or Chair, it shall be deemed to be in possession of Council but may, with the permission of Council, be withdrawn at any time before decision or amendment.
- 12.5 A Motion properly before Council for decision must receive disposition before any other Motion can be received except Motions in respect of matters listed in Sections 12.8 and 12.9 of this by-law.
- 12.6 A Motion called in the order in which it stands on the Agenda of the routine of business of a Meeting and which is not decided by Council, shall be allowed to stand retaining its precedence on the Agenda of the routine of business of the next ordinary Council Meeting.
- 12.7 A Motion to refer a matter under discussion by Council to Township staff or a Committee shall preclude all amendments of the main Question until it is decided.
- 12.8 If the amendment is not considered a “Friendly Amendment”, then the Motion to amend:
 - a) shall be presented in writing;
 - b) shall receive disposition of Council before a previous amendment of the Question;
 - 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;
 - f) shall be put in the reverse order to that in which it was moved; and
 - g) shall contain only one Motion to amend an amendment to the Question and any further amendment must be to the main Question.
- 12.9 A Motion for the previous Question:
 - a) cannot be amended;
 - b) cannot be proposed when there is an amendment under consideration;
 - c) shall preclude all amendments of the main Question;

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- d) when resolved in the affirmative, shall to be put forward without debate or amendment;
 - e) can only be moved in the following words "that the question be now put"; and,
 - f) may be voted against by the mover and seconder.
- 12.10 A Motion on a matter of privilege shall receive disposition of Council forthwith upon receipt and when settled, the Question so interrupted shall be removed to the point where it was suspended.
- 12.11 A Motion for reference to a Committee or staff until it is decided, will preclude all amendments of the main Question and any Motion to postpone or defer, or to lay on the table.
- 12.12 When the matter under consideration contains distinct recommendations or propositions, upon the request of any Member of Council, a vote upon each recommendation or proposition will be taken separately.

13. RECONSIDERATION

- 13.1 After any Question, except one of indefinite postponement, has been decided, any Member of Council may, at the same Council Meeting or at a subsequent Council Meeting, move for a reconsideration thereof. Such Motion must be made in writing, but no discussion of the main Question shall be allowed unless the Motion for reconsideration is passed by a two-thirds majority of all the Members of Council present and voting, nor shall any Question be reconsidered more than once.
- 13.2 A Motion to reconsider an amendment may not be submitted until after the original Motion to which the amendment was proposed has been considered and disposed of.
- 13.3 If a Motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the Motion calls for a future definite date, and debate on the Question to be reconsidered may proceed as though it had never previously been voted on.
- 13.4 Debate on a Motion for reconsideration must be confined to the reasons for or against reconsideration.
- 13.5 When a by-law has been defeated at any stage of the order of procedure, it shall be subject to a Motion to reconsider and the foregoing rules shall apply thereto, except that, when a Motion to reconsider a by-law is carried by the required majority, a Motion that leave be given to introduce the said by-law shall become the next order of business and, if this Motion is carried, the by-law shall be dealt with in accordance with the usual order of procedure as if it had been first introduced at the Meeting during which the Motion to reconsider was voted on.

14. VOTING ON MOTIONS

- 14.1 Immediately preceding the taking of the vote, the Mayor or other Presiding Officer may state the Question in the form introduced and shall do so if required by a Member of Council except when a Motion for the previous Question has been resolved in the affirmative. They shall state the Question in the precise form in which it will be recorded in the minutes.
- 14.2 After a Question is finally put by the Mayor or other Presiding Officer, no Member of Council shall speak to the Question or shall any other Motion be made until after the vote is taken and the result has been declared.

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- 14.3 Every Member of Council present at a Council Meeting when a Question is put shall vote thereon unless prohibited by statute, by reason of conflict of interest or for any reason.
- 14.4 No vote will be taken in Council or Committee by ballot or by any other method of secret voting.
- 14.5 Upon the request of a Member of Council, immediately after a vote is taken, the Clerk shall record the negative vote of such Member of Council on any Question.
- 14.6 If any Member of Council present at a Council Meeting when a Question is put does not vote, they shall be deemed as voting in the negative except where they are prohibited from voting by law.
- 14.7 If a Member of Council disagrees with the announcement of the Mayor that a Question is carried or lost they may, but only immediately after the declaration by the Mayor, object to the Mayor's declaration and require a recorded vote to be taken.
- 14.8 When the Mayor calls for the vote on a Question each Member of Council shall remain in their seat until the result of the vote has been declared by the Mayor, and during such time no Member of Council shall walk across the room or speak to any other Member of Council or make any noise or disturbance.
- 14.9 When the matter under consideration contains distinct recommendations or propositions, upon the request of any Member of Council, a vote upon each recommendation or proposition will be taken separately.
- 14.10 A Member of Council not present before the result of the division on a Question is declared, shall not be entitled to vote on that Question.
- 14.11 The manner of determining the decision of Council on a Motion shall be at the discretion of the Mayor or other Presiding Officer and may be by voice, show of hands or otherwise.
- 14.12 Upon the taking of any vote if all the Members of Council present when the vote is taken vote unanimously, the Mayor or other Presiding Officer may direct the Clerk to record the vote accordingly.
- 14.13 Any Question on which there is an equality of votes shall be deemed to be in the negative.

15. RECORDED VOTE

- 15.1 When a recorded vote is requested by a Member of Council, or is otherwise required, the Clerk shall record the name and vote of every Member of Council by ward, on any matter or Question.
- 15.2 Where a vote is taken for any purpose and a Member of Council requests immediately prior to or immediately subsequent to the taking of the vote, that the vote be recorded, each Member of Council present, except a Member of Council who is disqualified from voting by any Act, shall announce their vote openly, and any failure to vote by a Member of Council who is not disqualified shall be deemed to be a negative vote and the Clerk shall record each vote accordingly.
- 15.3 When a recorded vote is requested by any Member of Council the Clerk will call of the vote, announce the division and will record them in the minutes of the Meeting.

16. RECESS

- 16.1 A majority vote of Members of Council present is required to recess a Council Meeting, and the time of return shall be announced by the Mayor or other Presiding Officer.

17. COMMITTEES (Ad hoc/Advisory/Special Purpose)

- 17.1 Ad hoc, Advisory or Special Purpose Committees may be established by Council at any time as is deemed necessary for the consideration of matters within the jurisdiction of Council, pursuant to Section 11 of the Municipal Act or as required by any Act or Statute of the Province of Ontario.

17.2 Establishment/Appointment

The names of the persons to be appointed to any Ad hoc, Special Purpose or Advisory Committee to which Council is required or empowered to appoint persons, shall be determined by Council by resolution or by by-law or as required by any Act or statute of the Province of Ontario at the first Regular Meeting of a new Council, or as soon thereafter as is reasonable.

17.3 General Role of Committees

The role of Committees shall generally be to:

- a) make recommendations to Council on matters which are in their jurisdictions;
- b) guide and request staff through the CAO, to provide reports on the direction and nature of policy development, fact findings, analysis and generation of possible alternatives required; and,
- c) receive public Delegations and establish mechanism to receive further public input within their jurisdiction.

17.4 General Role of Committee Members

The role of a Committee member shall generally be to:

- a) attend Committee Meetings being prepared to discuss items on the Agenda;
- b) discuss items on the Agenda in a respectful manner, and, when called, vote on the matter with the public interest in mind; and
- c) to uphold the decision and actions of the Committee.

17.5 Election of Committee Chair

The Clerk, or their designate, shall preside at the first Meeting of each Committee at the start of its term for the purpose of electing a Chair of the Committee.

17.6 Terms of Reference – Advisory Committees

Subject to the provision of any general or special Act, the Council, in establishing any Advisory Committee, will set forth Terms of Reference of the Committee, and such other provisions as the Council deems proper.

17.7 Procedures – Committees

The procedures of the Committees shall be the same as those set out for Council insofar as they are applicable, with the following exceptions:

- a) in Committees, the vote on any particular item shall not be recorded however a member on request may be recorded as being opposed;

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- b) at the request of any member of the Committee present, any item on the Agenda may be re-opened by a majority vote of the members present;
- c) a quorum in any Committee is the majority of the members of the Committee as appointed by Council, and the Mayor, if present, is a member to be included in determining the quorum;
- d) if any Committee neglects to attend to its duties, the Council may intervene and order it to meet and report;
- e) the Chair of a Committee may vote on any Question before the Committee;
- f) any Question on which there is an equality of votes shall be deemed to be in the negative;
- g) in Committee, members may speak more than once on the same Question;
- h) should any member of a Committee refuse or neglect to attend the regular or special Meetings thereof, the Chair may report such neglect or refusal to Council who may remove such member from the Committee and appoint another member; and,
- i) Advisory Committees shall prepare minutes and submit them to Council.

17.8 Committee Reports to Council

All Committees are required to provide annual informational reports to Council to update on their activities.

18. REVIEW AND AMENDMENT TO THIS BY-LAW

- 18.1 Within six (6) months of the new term of Council, the Clerk shall review this by-law. If amendments are required, the Clerk shall follow the requirements of subsection 18.3. If no amendments are deemed necessary, the Clerk shall report same to Council.
- 18.2 If deemed necessary by Council, the CAO or the Clerk, the Clerk may review this by-law and propose amendments in accordance with section with subsection 18.3.
- 18.3 No amendment or rescission of this by-law or any part of thereof shall be considered at any Council Meeting unless notice of the proposed amendment or rescission has been given at a previous Regular Meeting of Council and the waiving of this notice by Council is prohibited.
- 18.4 Amendments to and subsequent Procedural By-laws shall be reviewed by the Township Solicitor prior to being considered by Council.

19. SUSPENSION OF THE RULES

- 19.1 Any rules or procedures established by this by-law, other than a quorum requirement, may be suspended at or for a particular Council Meeting, by resolution, provided two-thirds of Members of Council present vote in favour thereof, unless prohibited by law.

20. SEVERABILITY

- 20.1 Should any section, sub-section, clause or paragraph or provision of this by-law be declared by a Court or competent jurisdiction to be invalid, the same

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shall not affect the validity of this by-law as a whole or any part thereof, other than the provisions so declared to be invalid.

21. REMARKS

21.1 In this by-law, words of the singular include the plural, words in the plural include the singular and words importing the masculine gender include the feminine gender where the context so requires.

22. ROBERT'S RULES

22.1 In all unprovided for cases in the proceedings of Council or Committee, resort shall be had to *Robert's Rules of Order* as a rule for guidance on the question, and in such cases the decision of the Mayor or other Presiding Officer shall be final and acquiesced in without debate.

23. SHORT TITLE

23.1 This by-law may be referred to as either the "Procedural By-law" or the "Rules of Procedure."

24. EFFECTIVE DATE

24.1 By-law No. 2019-25, its amendments, and any other by-laws inconsistent with the provisions of this by-law are hereby rescinded and of no force or effect.

24.2 This by-law shall come into force and effect on the date of passage.

READ a first and second time on the 12th day of July, 2021.

READ a third time and passed in open Council on the 12th day of July, 2021.

Mayor

Clerk