

THE CORPORATION OF THE TOWNSHIP OF TAY

BY-LAW NO. 2025-36

Being a By-law of the Corporation of the Township of Tay to provide rules of governing the proceedings of its Council and Council Committees and to Repeal By-law No. 2017-127

WHEREAS Subsection 238(2) of the *Municipal Act*, 2001, S.O. 2001, (the Act) c. 25, as amended, (the "Act") requires municipalities to pass a Procedural By-law for governing the calling place and proceedings of meetings;

AND WHEREAS Subsection 238(2.1) of the Act requires the Procedural By-law to provide for public notice of meetings;

AND WHEREAS the Council of The Corporation of the Township of Tay desires that its governance processes and procedures facilitate, to the greatest extent possible, the understanding and participation of its citizens in the effective conduct of the Corporation's business;

AND WHEREAS the Council of The Corporation of the Township of Tay now deems it advisable to enact a new By-law to govern the proceedings of Council, the conduct of its Members and the calling of meetings, and to provide for procedures and statutory requirements and to repeal Procedural By-law No. 2017-127 as amended.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY ENACTS AND BE IT ENACTED AS FOLLOWS;

1. That the proceedings of Council shall be governed by the rules and procedures contained in Appendix 'A' attached hereto and forming part of this By-law.
2. That By-law No. 2017-127, as amended, is hereby repealed; and
3. This By-Law shall come into force and take effect immediately upon the final passing thereof.

THAT BY-LAW NO. 2025-36 BE ENACTED AS A BY-LAW OF THE TOWNSHIP OF TAY THIS 26th DAY OF NOVEMBER, 2025.

THE CORPORATION OF THE TOWNSHIP OF TAY

MAYOR, Ted Walker

CAO/DEPUTY CLERK, Andrea Fay

By signing this by-law on November 26, 2025, Mayor Walker will not exercise the power to veto this by-law.

By-law No. 2025-36 - Appendix 'A'

Table of Contents

PART I – GENERAL.....	3
1. Short Title	3
2. Definitions.....	3
3. Application	6
4. Suspension	7
5. Robert’s Rules of Order.....	7
6. Interpretation	7
7. Severability	7
PART II – ROLES AND DUTIES	7
8. Role of Council.....	7
9. Role of the Mayor.....	8
10. Role of the Deputy Mayor	8
11. Role of the Chair	9
12. Role of the CAO	9
13. Role of the Clerk	10
PART III – MEETINGS	11
14. Location	11
15. Decorum	11
16. Open to Public	12
17. Staff Participation.....	12
18. Inclement Weather.....	12
19. Livestream	12
20. Inaugural Meeting of Council	12
21. Regular Council Meetings	13
22. Special Council Meetings	14
23. Public Meetings Held Under An Act	14
24. Budget Meetings	15
25. Committee of the Whole Meetings	16
26. Special Town Hall Meetings.....	17
PART IV – MEETING PROCEDURES.....	18
27. Call to Order and Quorum	18
28. Approval of the Agenda.....	19
29. Disclosure of Pecuniary Interest	19
30. Correspondence & Petitions	20
31. Delegations & Presentations	21
32. Consent List	22
33. Closed Session.....	22
34. By-laws.....	24
35. Adjournment	26
PART V – COMMITTEES, BOARDS, AUTHORITIES & COMMISSIONS ..	26
36. General.....	26
37. Committee Chairperson.....	27
38. Ad-Hoc & Advisory Committees.....	27
PART VI – DEBATE.....	27

39. Conduct of Members.....27

40. Motions.....28

41. Recess31

42. Voting.....31

43. Recorded Vote32

PART I – GENERAL

1. Short Title

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

2. Definitions

- 2.1. “**Abstain**” means to refrain from voting. Members who abstain for reasons other than a declared conflict of interest shall be deemed to vote in opposition of the question or matter.
- 2.2. “**Act**” means any statute of the Provincial or Federal legislature.
- 2.3. “**Ad-Hoc Committee**” means a special purpose committee of limited duration, appointed by Council to consider a specific matter and which is dissolved automatically upon submitting its final report to Council, unless otherwise directed by Council.
- 2.4. “**Advisory Committee**” means a committee established by Council to address on-going administrative matters within the scope and responsibility of Council and will provide periodic reports to Council presenting advice and recommendations on matters under consideration.
- 2.5. “**Agenda**” means the written order of business for a meeting.
- 2.6. “**Board**” means a municipal service board, transportation commission, board of health, planning board, or any other board, commission, Committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board, and the Public Library Board.
- 2.7. “**CAO**” means the Chief Administrative Officer or designate of the Township of Tay.
- 2.8. “**Chairperson or Chair**” means the person presiding over a meeting who has the responsibility to decide questions and points of order or practice, preserve order, and maintain decorum. The Chairperson may vote on all questions, except where disqualified by the Procedural By-law or any other Act, regulation or by-law.
- 2.9. “**Clerk**” means the Clerk of Township of Tay or their designate.
- 2.10. “**Closed Session**” (also known as an “*in camera* meeting”) means a Meeting, or portion thereof, closed to the public.
- 2.11. “**Committee**” means a committee appointed by Council, regardless of whether Council Member(s) sit on the committee, but excludes Committee of the Whole.
- 2.12. “**Committee Member**” means a member of a Committee as defined in the Committee’s Terms of Reference.
- 2.13. “**Committee of the Whole**” means a committee of all Council Members, including a Chairperson and Vice-Chairperson, as appointed by the Mayor, for each Agenda Section, convened to facilitate discussion using a less formal meeting process.
- 2.14. “**Correspondence**” includes, but is not limited to, a letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, or periodical article.

- 2.15. "**Consent List**" means a section of the Regular Meeting agenda containing recommendations from the Clerk as to their disposition, all of which may be adopted by one motion of Council.
- 2.16. "**Corporation**" means The Corporation of the Township of Tay.
- 2.17. "**Council**" means the Council of the Township of Tay comprised of an elected Mayor, Deputy Mayor and Councillors.
- 2.18. "**Council Member**" means a member of Council, including the Mayor and Deputy Mayor.
- 2.19. "**Defer**" means to postpone the consideration of a question or resolution until a specific action(s) can be undertaken, such as obtaining advice, documentation or circulating for public comment.
- 2.20. "**Delegate**" means a person or group of persons that applies to the Clerk to make a Delegation.
- 2.21. "**Delegation**" means an appearance by a person or group of persons to address Council or a Committee.
- 2.22. "**Divide the Question**" means a request by a Member to have a long motion divided into parts, which are capable of standing alone, so that the parts may be voted on separately.
- 2.23. "**Electronic Participation**" means participation in a Meeting by one or more Members of Council or the public by electronic means as determined by the Clerk (e.g., video or teleconference).
- 2.24. "**Emergency**" means a situation, pending situation or declared emergency that presents an urgent or extraordinary matter which is required to be dealt with in the most expedient manner as determined by the Mayor or majority of Council.
- 2.25. "**Ex-Officio Member**" means that he/she is a member by virtue of his/her office and would not otherwise be a member. He/she has all of the rights of a member unless otherwise stated.
- 2.26. "**Friendly Amendment**" means the motion under debate is amended without the requirement for an amending motion to be made.
- 2.27. "**Head of Council**" means the Mayor of the Township of Tay.
- 2.28. "**Holiday**" means those holidays listed in the *Legislation Act, 2006*, S.O. 2006, c. 21, Sch. F, as amended from time to time, except for Remembrance Day; and, any day as set out in a resolution or by-law passed by Council.
- 2.29. "**Improper Conduct**" means conduct that obstructs the deliberations or proper action of Council or a Committee.
- 2.30. "**Livestream**" means the streaming of video and/or audio in real time or near real time during a meeting.
- 2.31. "**Majority**" means more than half of the votes cast by Members entitled to vote.
- 2.32. "**Mayor**" means the Head of Council.

- 2.33. **"Mayoral Decision"** means a decision issued by the Mayor in writing as prescribed in the Act.
- 2.34. **"Meeting"** as per Section 238(1) of the Municipal Act 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.
- 2.35. **"Member(s)"** means a Council Member(s) or Committee Member(s).
- 2.36. **"MFIPPA"** means the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56.
- 2.37. **"Municipal Act"** means the Municipal Act, 2001, S.O. 2001, c. 25.
- 2.38. **"Municipal Conflict of Interest Act"** means the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50.
- 2.39. **"Notice of Motion"** means an advance notice to Members of a matter which Council or a Committee will be asked to consider at the next meeting of Council or a Committee as a Motion for Which Notice has Been Given.
- 2.40. **"Order of Business"** means the sequence of business to be considered at a Meeting.
- 2.41. **"Pecuniary Interest"** means a direct or indirect pecuniary interest within the meaning of the *Municipal Conflict of Interest Act*.
- 2.42. **"Petition"** means a document requesting Council's consideration of a matter.
- 2.43. **"Point of Order"** means a matter that a Member considers to be a departure from or contravention of the rules, procedures and/or generally accepted practices of Council or a Committee.
- 2.44. **"Point of Personal Privilege"** means a matter that a Member considers to call into question his/her integrity or that of a Council or a Committee member.
- 2.45. **"Presentation"** means the presenting of an award, certificate, cheque or similar item to members of the public, Council, Committee or staff.
- 2.46. **"Provincial Priority"** has the meaning as described in O.Reg. 580/22 under the Act.
- 2.47. **"Public Meeting Held Under an Act"** means a Meeting or a Special Meeting held for purposes under the *Planning Act*, R.S.O. 1990, c. P.13, as amended; *Development Charges Act*, 1997, S.O. 1997, c. 27; or any other Act.
- 2.48. **"Quorum"** means the majority of the total voting Members required to constitute Council or a Committee. Four Council Members shall constitute a Quorum of Council. Members who Abstain for reasons of a declared pecuniary interest or perceived

conflict of interest are deemed to count towards the total to constitute a Quorum, pursuant to Section 7 of the *Municipal Conflict of Interest Act*.

- 2.49. "**Recorded Vote**" means recording in the Minutes of a Meeting the names of each Member present and their vote (i.e. in favour or opposed) on a matter or question before Council or a Committee. Where a Member abstains, the recorded vote shall read "opposed", except where the abstention is for reasons of a declared conflict of interest, in which case the vote shall read "abstain".
- 2.50. "**Regular Meeting**" means a regularly scheduled Council business meeting.
- 2.51. "**Recess**" means a short break taken during a Meeting, which may be permitted at the discretion of the Chairperson.
- 2.52. "**Rules of Procedure**" means the applicable regulations contained in this by-law.
- 2.53. "**Section**" means an enumerated section of this by-law.
- 2.54. "**Special Meeting**" means a Meeting called by the Mayor or Chairperson and not scheduled in accordance with the approved regular schedule of meetings.
- 2.55. "**Strong Mayor Powers**" means the additional powers and duties of the Head of Council as per Part VI.1 of the Act being s. 284.2 through 284.17.
- 2.56. "**Table**" means to postpone the consideration of a matter without setting a definite date for future discussion.
- 2.57. "**Township Website**" means the internet site maintained by the Township at www.tay.ca.
- 2.58. "**Veto**" means the use of veto powers granted to the Head of Council under the Act.
- 2.59. "**Veto Override**" means a vote of two-thirds of Council and not just the members present, requiring a total of 5 votes cast in favour to override a Veto of the Head of Council. The requirement of 5 votes in favour, in reference to a two-thirds vote, is only when the vote is associated with the strong mayor powers as indicated under Part VI.1 of the Act (Strong Mayor Powers).
- 2.60. "**Vote**" means a formal indication of a choice between being in favour of a question, motion, resolution or course of action, or opposed to same, which is typically expressed by a show of hands unless a recorded vote is requested.

3. Application

- 3.1. The Rules of Procedure contained in this by-law shall be observed in all proceedings of Council and shall be the rules for the order and dispatch of business in Council and, with necessary modification, to all Committees. A failure to strictly adhere to the procedural rules of this by-law shall not invalidate the action of Council or a Committee acting in good faith.

4. Suspension

- 4.1. Rules of procedure provided for in this Procedural By-law may be temporarily suspended by Council or a Committee by a vote of two-thirds of the Members present, with the exception of the following:
- a) Where required by law;
 - b) Contractual agreements binding the Township;
 - c) Quorum requirements.

5. Robert's Rules of Order

- 5.1. All Points of Order or procedure for which rules have not been provided in this by-law or its appendices shall be decided by the Chairperson in accordance with, as far as practicable, Robert's Rules of Order. This by-law takes precedence where a conflict exists with Robert's Rules of Order.

6. Interpretation

- 6.1. In this by-law, words in the singular include the plural and vice versa, and all references to gender are intended as gender neutral.
- 6.2. The business, by-laws and resolutions of the Corporation will be conducted and maintained in English.
- 6.3. Whenever any reference is made in this by-law to a statute of the Legislature of the Province of Ontario, such reference shall be deemed to include all subsequent amendments to such statute and all successor legislation to such statute.

7. Severability

- 7.1. Should any provision of this By-law be declared by a court of competent jurisdiction to be invalid, it shall not affect the validity of the remaining provisions.

PART II – ROLES AND DUTIES

8. Role of Council

- 8.1. It is the role of Council, pursuant to section 224 of the Act:
- a) To represent the public and to consider the well-being and interests of the municipality;
 - b) To develop and evaluate the policies and programs of the municipality;
 - c) To determine which services the municipality provides;
 - d) To ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
 - e) To ensure the accountability and transparency of the operations of the municipality, including the activities of the senior leadership of the municipality;
 - f) To maintain the financial integrity of the municipality; and
 - g) To carry out the duties of Council under this or any other Act.

- 8.2. Council develops regulations to be adopted in by-laws and passes resolutions, which serve the purposes outlined above in section 8.1(a).
- 8.3. Council appoints statutory officers to ensure that an appropriate management system is in place to administer the Township within the policies set by Council.

9. Role of the Mayor

9.1. It is the role of the Mayor as Head of Council, pursuant to sections 225 and 226.1 of the Act:

- a) To act as Chief Executive Officer of the municipality;
- b) To preside over Council meetings so that its business can be carried out efficiently and effectively;
- c) To provide leadership to Council;
- d) Without limiting the generality of Clause (c), to provide information and recommendations to Council with respect to the role of Council as described in section 8 of this By-law;
- e) To represent the municipality at official functions;
- f) To carry out the duties of the Head of Council under the Act or any other Act, with the exception of *MFFIPA* as noted in section 13.3;
- g) To uphold and promote the purposes of the municipality;
- h) To promote public involvement in the municipality's activities;
- i) To act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- j) To participate in and foster activities that enhance the economic, social, and environmental well-being of the municipality and its residents.

9.2. The Mayor shall be the official spokesperson on matters, although this provision does not release the Mayor from the confidentiality requirements of Closed Sessions.

9.3. The Mayor is a non-voting *ex-officio* member of all Committees and may count towards quorum if required and may participate in the discussion or debate. The Mayor may only vote if they have been appointed by Council as a voting member, or if they are acting as replacement for the Council representative(s)

10. Role of the Deputy Mayor

10.1. The Deputy Mayor shall act as the Head of Council and assume certain duties of the Mayor outlined in section 9 for the duration requested by the Mayor, should the Mayor be absent from the municipality, and notice is provided to the Clerk by the Mayor.

10.2. Notwithstanding the previous section, the Deputy Mayor shall act as the Head of Council and assume the necessary duties of the Mayor for the necessary duration, should the Mayor be unable to

perform his/her duties as a result of illness, incapacity, or the office of the Mayor becomes vacant.

- 10.3. The Deputy Mayor, in the absence of the Mayor is not considered the Head of Council for the purposes of Part VI.1 of the Act (Strong Mayor Powers).

11. Role of the Chair

- 11.1. Open the meeting by calling the meeting to order, and ensure that:

- a) Quorum is maintained throughout the course of the meeting;
- b) The business is announced in the order in which it is to be considered;
- c) Receive and submit, in the proper manner, all motions presented by the members;
- d) Direct discussion in such a manner that all questions and comments shall be presented through the Chair;
- e) Put to vote all motions which are moved, and seconded when necessary, or all motions that arise in the course of the proceedings, and announce the result of each vote;
- f) A Chairperson does not need to vacate the chair role for the purpose of taking part in the debate or otherwise, however should the Chairperson decide to vacate the Chair they shall call on the Deputy Mayor, or in the absence of the Deputy Mayor call on another Member, to temporarily fill the chair role;
- g) Decline to put to vote motions that infringe upon the rules under this By- law;
- h) Uphold on all occasions the rules and the observance of order and decorum amongst the members, and the conduct of members and attendees, in accordance with this By-law, Council policies and procedures, or any other applicable legislation;
- i) Undertake all matters required to permit the meetings to proceed in an orderly and efficient manner;
- j) Members take a recess to be known as a "health break" by announcing a minimum ten (10) minute recess after two (2) hours have passed since the last break or start of the meeting;
- k) Authenticate by signature, all applicable by-laws;
- l) Adjourn the meeting when the business is concluded, or at the designated time; and
- m) Adjourn the meeting without question or suspend the meeting to a time to be named by the Chair if they consider it necessary to establish order.

12. Role of the CAO

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

- 12.2. The CAO is a non-voting *ex-officio* member of all Committees unless they are appointed by Council as a voting member.
- 12.3. In addition to those roles and duties assigned by Council and specified in sections 227 and 229 of the Act, the CAO shall have the following responsibilities:
- a) Review and guide all policy recommendations prior to submission to Council;
 - b) Assist Council in discharging its responsibilities, and in a non-partisan manner, to aid Members in carrying out their duties;
 - c) Attend Council Meetings with the right to speak, subject to the consent of the Chairperson, but not to vote; and
 - d) Exercise general control and management of the affairs of the municipality to ensure its efficient and effective operation.

13. **Role of the Clerk**

- 13.1. The Clerk shall be appointed by by-law and shall be deemed a municipal officer in accordance with the Act, and for any other purpose as required.
- 13.2. The Clerk is a non-voting *ex-officio* member of all Committees unless they are appointed by Council as a voting member.
- 13.3. In addition to those roles and duties specified under section 228 of the Act, the Clerk (or their designate) shall have the following responsibilities:
- a) Retain the official records of the Township, including the minutes of the proceedings of Council, and Committees, original by-laws, and executed agreements;
 - b) Attend all Meetings (whether closed or open to the public) of Council and ensure that a record of the proceedings is kept and that all resolutions, decisions and other proceedings are recorded without note or comment;
 - c) Make such minor clerical, typographical or grammatical deletions, additions or other changes to any by-law, motion, resolution, or minutes as may be required for the purpose of ensuring correct and complete implementation of Council direction;
 - d) For the time period referenced in the Township's Records Retention By-law, retain any audio and/or visual recording made of Council and Public Meetings, which are not intended to replace the official public record adopted by Council;
 - e) Prepare an agenda for all meetings of Council;
 - f) Facilitate the efficient management of Council meetings by determining the suitability and eligibility of delegations on the basis of the presentation subject and/or request for action or support for Council;
 - g) Include all reports of committees on the agenda of the next Regular Meeting;

- h) Effect notice to each Member and the public of every Regular Meeting and Special Meeting of Council with the publication of the agenda;
- i) Provide administrative support to committees as required;
- j) Notify appropriate Staff of any resolution passed by Council that is to be acted or reported upon by Staff, as well as other individuals or groups that have expressed their desire to be notified of a particular subject matter and that have provided e-mail contact information for same;
- k) Appoint Deputy Clerk(s) and assign duties to same as required, pursuant to subsection 228(2) of the Act;
- l) All powers and duties under the *MFIPPA* are delegated to the Clerk including 'Head'; and
- m) Perform such other duties as are prescribed by law, regulation, by-law or by direction of Council.

PART III – MEETINGS

14. Location

- 14.1. Council Meetings shall be held in the Council Chamber at the Township Office located at 450 Park Street, Victoria Harbour, unless:
 - a) otherwise specified in this by-law;
 - b) an alternate location is passed by resolution of Council; or,
 - c) where a resolution is impractical, the Clerk may select an alternate location within the municipality.
- 14.2. Where a Meeting of Council is held at a location other than the Council Chamber, notice shall be provided to the public no later than the time of publication of the agenda.

15. Decorum

- 15.1. Members of the public attending a Meeting shall respect the formal and professional decorum of Council and its Committees.
- 15.2. Individuals shall refrain from public outburst, shouting, and any behaviour intended to disrupt the debate, discussion and general proceedings of Council or a Committee.
- 15.3. Individuals with placards, signs, posters, clothing and similar advertising devices, whether political or otherwise, that demonstrate a lack of respect for the formal nature of Council Meetings being held in Council Chamber, may be asked to leave or remove those items by the Clerk.
- 15.4. The Mayor or Chairperson may request that a member or members of the public vacate the location of a Meeting if their behaviour or actions are deemed disruptive to the business at hand. The Mayor or Chairperson may unilaterally suspend the meeting until order is restored.

15.5. No person shall use indecent, offensive, or insulting language or speak disrespectfully of any Member of Council or Committee or Township staff.

15.6. All present shall adhere to a business casual dress code.

15.7. No persons shall bring cellular telephones or other electronic devices into the Council Chamber or Committee meeting which emit a sound unless such devices are turned off or silenced.

16. Open to Public

16.1. All Meetings shall be open to the public and no person shall be excluded except where Council or a Committee meets for a Closed Session in accordance with this By-law and the Act.

16.2. Notice of all Meetings shall be provided to the public by posting at minimum the date, time, location, and topic(s) on the Township Website with the publication of the agenda.

16.3. Lack of receipt of notice shall neither affect the validity nor any action taken at the Meeting.

17. Staff Participation

17.1. Township staff in attendance at a Meeting may be recognized to speak at the discretion of the Mayor or Chairperson. Members shall, whenever possible, communicate their concerns to Township staff in advance of discussing them at a Meeting.

18. Inclement Weather

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

19. Livestream

19.1. All meetings of Council will be livestreamed whenever reasonably possible, however, some Special meetings or meetings held in alternative locations may not have the technical requirements available to provide livestream.

19.2. Members of the audience may be visible on the livestream.

19.3. All livestream recordings are retained on the Township of Tay YouTube Channel for a period of one year post-meeting.

20. Inaugural Meeting of Council

20.1. The inaugural meeting of Council shall be held at 7:00 p.m. in the Council Chambers on the first Thursday after the Council term commences, pursuant to the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, Sch.

20.2. The Mayor-Elect, CAO and Clerk shall be responsible for the format, agenda content, and arrangements for the inaugural meeting, but the agenda shall include the declaration of office, pursuant to the Act.

21. Regular Council Meetings

21.1. Schedule

- 21.1.1. Council shall hold its Regular Meetings on the fourth Wednesday of each month, commencing at 7:00 p.m., subject to the exceptions noted in this by-law. Council shall review the annual schedule of meetings and where an alternative meeting date may be required, and this shall be determined by resolution of Council.
- 21.1.2. Regular Meetings shall not be scheduled during the month of November in a municipal election year.
- 21.1.3. A member cannot be physically absent for more than three (3) consecutive meetings where physical attendance is required without the consent of Council.

21.2. Notice

- 21.2.1. Notice of a Regular Meeting shall be provided to the public through publication of the Agenda on the Township Website by Friday at 4:30 p.m. the week prior to the Regular Meeting.
- 21.2.2. Where a Regular Meeting is to be held at a time or day other than as set out in this by-law, the Clerk shall give at least one week's notice through publication on the Township Website to give the public reasonable notice of the changed meeting date and time.

21.3. Agenda

- 21.3.1. The Clerk shall have an Agenda prepared with the Order of Business generally outlined below for Regular Meetings.
- 21.3.2. In the event that the Clerk deems it necessary to amend the Order of Business for any given meeting Agenda, including the addition, deletion or amending of any heading title, the Clerk shall have the authority to make the appropriate changes to maintain procedural efficiency.

- (1) Call to Order
- (2) Moment of Reflection
- (3) Approval of the Agenda
- (4) Disclosure of Interest
- (5) Presentations/Delegations
- (6) Consent List
 - a) Adoption of Minutes
 - b) Reports of Various Committees
- (7) Staff Reports / Other Business
- (8) Delegation Follow-Up
- (9) Correspondence Received
- (10) Notice of Motions
- (11) Motions for which notice has been given
- (12) Council Announcements
- (13) Closed Session
- (14) Closed Session Reporting
- (15) By-laws
- (16) Confirming By-law
- (17) Adjournment

22. Special Council Meetings

22.1. Notice

- 22.1.1. The Mayor or Chairperson may call, or the Clerk shall convene a Special Meeting specifying the purpose with a minimum forty-eight (48) hours' notice to Members, staff, public and through posting on the Township Website.
- 22.1.2. Additional or extra items for which notice has not been given will not be entertained and are to be brought forward at the next regular meeting.
- 22.1.3. In an emergency situation, at the discretion of the Mayor in consultation with the CAO and Clerk, the notice requirements in Section 21.1.1. may be waived.

22.2. Agenda

- 22.2.1. The Clerk shall have an Agenda prepared with the Order of Business generally outlined below for Special Council Meetings. In the event that the Clerk deems it necessary to amend the Order of Business for any given meeting Agenda, including the addition, deletion or amending of any heading title, the Clerk shall have the authority to make the appropriate changes to maintain procedural efficiency.

- (1) Call to Order
- (2) Moment of Reflection
- (3) Approval of the Agenda
- (4) Disclosure of Interest
- (5) Presentations/Delegations
- (6) Staff Reports / Other Business
- (7) Delegation Follow-Up
- (8) Closed Session
- (9) Closed Session Reporting
- (10) By-laws
- (11) Confirming By-law
- (12) Adjournment

22.3. Workshops

- 22.3.1. Notwithstanding the previous Section of this by-law, where the purpose of a Special Meeting is to have a workshop to discuss matters that advance the business of the corporation, the Clerk in consultation with the Mayor or Chairperson may prepare a workshop agenda that reflects the informal setting of such a meeting.
- 22.3.2. The workshop is deemed to be a session of Council, although adherence to the provisions of this by-law related to Council meetings may be relaxed at the discretion of the Mayor or Chairperson.

23. Public Meetings Held Under An Act

23.1. Schedule

- 23.1.1. Council shall hold public meetings, as required, for purposes under the *Planning Act*, R.S.O. 1990, c. P.13, as amended; *Development Charges Act, 1997*, S.O. 1997, c. 27; or any other Act, on the fourth Wednesday of each month, as required,

commencing at 6:30 p.m. preceding regularly scheduled Council meetings, subject to exceptions noted in this by-law.

23.1.2. In the event that a Public Meeting held under an Act falls on a Holiday, Council shall meet at the same hour on the first day thereafter that is not a weekend or Holiday.

23.1.3. Where Township Staff are of the opinion that a particular Public Meeting held under an Act will require more than 60 minutes and therefore potentially impact the starting time of the Regular Council Meeting, Township Staff may request that the Clerk schedule the Public Meeting to commence prior to 6:30 p.m.

23.2. Notice

23.2.1. The Clerk shall provide notice of the time, date and location of Public Meetings by publication of the Agenda on the Township Website and other means as required by the relevant Act.

23.3. Public Input

23.3.1. A Delegation may address Council at a Public Meeting held under an Act regarding the subject matter at hand without prior notice.

23.3.2. Comments made by members of the public will be recorded within the Minutes and will form part of the public record.

23.3.3. Members of the public will be asked for their full name and address to be recorded within the Minutes.

23.4. Hearings

23.4.1. Notwithstanding anything in this By-law, where Council convenes for the purpose of holding a hearing as required by any statute, the provisions of the statute and the *Statutory Powers Procedure Act* R.S.O. 1990, c. 5.22, as applicable, shall govern the proceedings.

24. Budget Meetings

24.1. The budget may be considered by Council at a Regular meeting of Council or at a designated Special Council – Budget meeting.

24.2. As required by the Act, the Mayor shall prepare and propose a budget for Council to consider. The budget must be proposed on or before February 1 of each year.

24.3. If the Mayor does not propose a budget to Council by February 1, in accordance with that Act, Council shall prepare and adopt a budget.

24.4. After receiving the Mayor's proposed budget, Council may, within 30 days, pass motion(s) to amend the proposed budget.

a) Council may pass a resolution to reduce the 30-day amendment period.

b) If Council does not approve amendments within the 30-day amendment period, the budget is deemed to be adopted as proposed.

24.5. Within 10 days of the expiry of the Council amendment period, the Mayor may Veto any amendments by way of Mayoral decision.

a) The Mayor may shorten the 10-day Veto period.

24.6. Within 15-days of the expiry of the Mayor's veto period, Township Council may vote to override the Mayor's Veto and is subject to the requirements found under definitions within this By-law as indicated under Part VI.1 of the Act.

a) If multiple amendments have been vetoed, each Veto is to be considered and voted on separately.

b) Council may pass a resolution to reduce the 15-day Veto Override period.

c) An approved Veto Override cannot be further vetoed by the Mayor.

24.7. Once all processes have been satisfied, the budget is deemed to have been adopted.

25. Committee of the Whole Meetings

25.1. Composition

25.1.1. Committee of the Whole shall be composed of all members of Council with three (3) distinct Agenda sections. The Chairs and Vice-Chairs of each Agenda section are to be appointed by the Mayor. The three (3) Agenda Sections are as follows:

- a) Protective and Development Services
- b) Operational Services
- c) Corporate Services

25.2. Schedule

25.2.1. The Committee of the Whole shall meet virtually on the second Wednesday of each month beginning at 9:00 a.m. Meeting dates and times are subject to the exceptions noted in this by-law.

25.2.2. Meetings may occur on such other day as may be determined by resolution of Council. In the event that such a day is a Holiday, Committee of the Whole shall meet at the same hour on the first day thereafter that is not a weekend or Holiday.

25.2.3. Committee of the Whole meetings shall not be scheduled during the month of July, August or during the month of November of a regular municipal election year.

25.3. Notice

25.3.1. Notice of a Committee of the Whole Meetings shall be provided to the public through publication of the Agenda on the Township Website by Friday at 4:30 p.m. the week prior to the Meeting.

25.3.2. Where a Meeting is to be held at a time or day other than as set out in this by-law, the Clerk shall give notice by Friday at 4:30 p.m. the week prior to the Meeting through publication on the Township Website to give the public reasonable notice of the changed meeting date and time.

25.4. Agenda

25.4.1. The Clerk shall have an Agenda prepared with the Order of Business generally outlined below for Committee of the Whole Meetings. In the event that the Clerk deems it necessary to amend the Order of Business for any given meeting Agenda, including the addition, deletion or amending of any heading title, the Clerk shall have the authority to make the appropriate changes to maintain procedural efficiency.

- (1) Call to Order
- (2) Approval of the Agenda
- (3) Disclosure of Interest
- (4) Presentations/Delegations
- (5) Protective & Development Services – Staff Reports
- (6) Operational Services – Staff Reports
- (7) Corporate Services – Staff Reports
- (8) Other Business
- (9) Items for Information
- (10) Delegation Follow-Up
- (11) Correspondence Received
- (12) General Discussion
- (13) Closed Session
- (14) Closed Session Reporting
- (15) Adjournment

25.4.2. The Committee of the Whole structure is a mechanism to allow for freer debate and consideration of reports, by-laws, and other matters of concern for Members.

25.4.3. Recommendations resulting from deliberations during Committee of the Whole meetings will come forward to next available Regular Council meeting for confirmation in the form of Committee Minutes under the Consent List.

25.4.4. The Mayor may appoint any Member as Chairperson for a specific section of the Committee of the Whole meeting. While presiding, that chairperson has the same powers of the Head of Council with respect to the conduct of the meeting.

25.4.5. Chairpersons of each section of Committee of the Whole meetings will be responsible for introducing matters and staff will through the Chair of their respective sections, respond to questions from Council when the reports are being dealt with and provide other relevant information required for consideration by Council.

26. Special Town Hall Meetings

26.1. Special Council Town Hall meetings may be scheduled by request or resolution of Council.

26.2. The purpose of Special Council Town Hall meeting is to allow deputations on any municipal issue, receiving of petitions and questions by residents. The Mayor shall chair the meetings and the Department Heads shall attend to assist in answering all concerns raised.

Holding of and Participation in Electronic Meetings due to the activation of the Emergency Control Group, a declared emergency by any level of government, or as determined necessary by the Mayor, Clerk, or CAO.

- 26.3. Although members are encouraged to participate at meetings in person, they may participate in a meeting by electronic video as a result of:
- (a) the activation of the Township's Emergency Control Group;
 - (b) a declared emergency by any level of government where it is reasonable to believe that the emergency affects or could soon affect the Corporation; or
 - (c) as determined necessary by the Mayor, Clerk, or CAO.
- 26.4. In the event of a technical failure during the meeting, Council/Committee of the Whole may take a recess of not more than 10 minutes to allow staff to reinstate the electronic participation. If a member can no longer participate by electronic means, it will not affect the validity of the meeting or decisions made.
- 26.5. For certainty, electronic participants are permitted to participate in open portions of a meeting as well as, per section 238 (3.3) (b) of the *Municipal Act, 2001*, as amended, portions of a meeting closed to the public per the "Closed Session" provisions of this by-law provided that the participant complies with all provisions that would normally apply to a physical meeting.
- 26.6. Physical public access to meetings may be restricted when physical distancing is necessitated by a public health hazard or for other public safety reasons. The Mayor, Clerk, or CAO shall determine whether physical attendance of the public will be permitted at meetings, whether conducted with Members physically present or remotely, taking into account the advice of public health officials. When physical public access is restricted, a method of remote viewing of, or listening to, meetings open to the public shall be provided.
- 26.7. The provisions of Section 26 also apply to all Committees and Public Meetings held under an Act, with the necessary adjustments, except for where the Mayor is not the meeting chair, the Clerk, or CAO shall determine whether remote participation will be permitted and/or required and whether physical public access will be permitted.

PART IV – MEETING PROCEDURES

27. Call to Order and Quorum

- 27.1. The Mayor or Chairperson shall call the Members to order as soon after the hour of the Meeting as there is a Quorum present.
- 27.2. If a Quorum for a Meeting is not present within 15 minutes of the time fixed for the commencement of the Meeting, the Clerk or designate shall indicate that no Quorum is present and the Meeting shall stand adjourned until the next Meeting called in accordance with the provisions of this by-law.
- 27.3. The Mayor shall chair Council Meetings unless he/she is unavailable or has a conflict, in which case the Deputy Mayor will chair the Council Meeting. In the absence of the Mayor and the Deputy Mayor, and if a Quorum is present, the Clerk shall call the Members to order. An Acting Head of Council shall be chosen from

the Members by the Members, who shall preside during the meeting or until the arrival of the Mayor or the Deputy Mayor, and such person shall be the Chairperson.

27.4. While presiding, the Deputy Mayor or the Chairperson shall have all the powers of the Mayor for the purpose of conducting the Meeting.

27.5. If, during the course of a Meeting, Quorum is lost, the Chairperson shall declare that the meeting shall stand recessed temporarily or be adjourned until the date of the next Meeting called in accordance with the provisions of this by-law.

27.6. The Clerk and/or Deputy Clerk be present at all Regular Meetings, Closed Sessions, and Special Meetings.

28. Approval of the Agenda

28.1. Council shall approve the agenda at the commencement of every meeting.

28.2. The Clerk may receive supplementary items for the Agenda up until 2:30 p.m. the day before a Meeting. The Clerk has discretion to add those supplementary items to the Agenda where the Clerk is of the opinion that the matter is sufficiently urgent to violate the fundamental principle of providing public notice.

28.3. Notwithstanding the previous Section, Council shall consider the Clerk's request for supplementary items during the Approval of the Agenda part of the Meeting Agenda. A simple majority vote is required to approve an amended agenda that includes those supplementary items recommended by the Clerk, with the exception of matters under the authority of the Mayor to add under Part VI.1 of the *Municipal Act*, as no Council approval is required.

28.4. The Late Submission item(s) must meet one of the following time-sensitive conditions:

a) Provide additional information to an existing agenda item;

b) Required to meet government/agency deadlines;

c) Delay would have legal or financial implications; or

d) Matters under the authority of the Mayor to add under Part VI.1 of the *Municipal Act*.

28.5. Items approved for addition shall be added to their respective areas of the agenda with a notation to indicate that the item has been added.

28.6. Whenever possible, the Clerk shall endeavour to circulate supplementary items and supporting documentation to Council, senior management, and post them on the Township Website for consideration by the public as soon as practicable.

29. Disclosure of Pecuniary Interest

29.1. Where a Member, either on his own behalf or while acting for, by, with and/or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council

or Committee at which the matter is the subject of consideration, the member shall:

- (a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) not take part in the discussion of or vote on any question with respect to the matter; and,
- (c) not attempt in any way before, during and/or after the meeting to influence the voting on any such question.

29.2. Where a meeting is not open to the public (Closed Session) and a Member has a pecuniary interest in a matter, in addition to complying with the requirements of Section 28.1., the Member shall forthwith leave the meeting for the part of the meeting during which that matter is under consideration.

29.3. Where the interest of a Member has not been disclosed by reason of his/her absence from a particular Meeting, the Member shall disclose his/her interest and otherwise comply at the first meeting of Council or Committee attended by him/her after that Meeting.

29.4. Per the requirements of the Municipal Conflict of Interest Act, at a meeting at which a Member discloses an interest, or as soon as possible afterwards, the Member shall file a written statement of the interest and its general nature with the Clerk or the secretary of the committee or local board, as the case may be.

29.5. The Clerk shall record the particulars of any disclosure of interest made by a Member and any such record shall appear in the minutes of that particular Meeting. The Clerk shall also maintain a Registry of all disclosures of interest that shall be made available to the Public as required.

30. Correspondence & Petitions

30.1. Every correspondence, including a petition designed to be presented to the Council/Committee and filed with the Clerk, shall be legibly written or printed; shall not contain any obscene or improper matter or language; shall be signed and dated by at least one person; and shall include an address and telephone number where return correspondence or contact is to be directed and shall become part of the public record of the meeting at which it is received.

30.2. Petitions designed to be presented to the Council or Committee and filed with the Clerk, shall contain original signatures, and all information on the petition, including names, addresses and telephone numbers shall become part of the public record of the meeting at which it is received.

30.3. Items of correspondence addressed to, or received by Council, that are for information purposes only, shall be listed in a Council Information Package published weekly, in accordance with the Council Information Package Policy.

30.4. Members of Council may request that a Council Information Package item be placed on the next available agenda under the heading "Correspondence Received".

30.5. If, in the Clerk's opinion, correspondence is received that is of a time-sensitive nature, the Clerk may:

- distribute said correspondence to Council outside of the regularly scheduled Council Information Package. In this case, the correspondence will also be included on the next available CIP, so that it becomes part of the public record; or
- bypass the Council Information Package and bring forward such correspondence directly to an Agenda for Council consideration.

30.6. The Clerk may refuse to place correspondence or a petition on an agenda where the subject matter or its contents:

- a) Involve current or pending litigation;
- b) Involve insurance claims;
- c) Involve personnel matters;
- d) Is beyond the jurisdiction of Council; or
- e) Is contrary to *MFIPPA*.

31. **Delegations & Presentations**

31.1. Persons desiring to present information to Council shall make request to the Clerk by submitting a completed Delegation Request Form. The Clerk shall schedule the delegation to the next available Council or Committee of the Whole meeting;

31.2. The delegate must provide the subject matter that is going to be discussed when they request to book their delegation;

31.3. No more than two delegations relating to the same matter shall be scheduled for any Council or Committee of the Whole meeting;

31.4. The Clerk has the authority to limit the number of delegations for a particular meeting provided the reasoning for same is justifiable and the delegations have been rescheduled to a subsequent meeting;

31.5. Requests from delegates who have previously addressed Council or Committee of the Whole on a topic shall not be granted unless they have evidence that they have new information to present;

31.6. No delegation, other than those listed on the Agenda, shall be allowed to address Council or Committee of the Whole unless the majority of the members present grant approval;

31.7. Persons who are allowed to address Council or Committee of the Whole shall be limited in speaking for not more than 10 minutes;

31.8. During a meeting the Mayor or other authorized Presiding Officer has the right to limit the number of delegations when in their opinion the views are being repetitive and no new information is being brought forward;

31.9. Deputations shall not be received if the subject matter is of a personal and derogatory nature relating to any person including Municipal Officials or personnel in the employ of the Municipality. Such personal and derogatory deputations will be dismissed forthwith;

31.10. Where an individual making a delegation to Council does not adhere to the rules as outlined within this section, the Mayor or Chairperson has the right to require the delegation to cease and

has the authority to have the individual ejected from the Council Chambers.

31.11. In the event that a meeting is held virtually the Mayor or Chairperson has the right to require the delegation to cease and has the authority to have the individual ejected from the virtual meeting.

31.12. In the event of gross or repetitive misconduct, Council may by resolution suspend the privileges of attendance at Council Meetings for a specified time period.

31.13. Members may ask questions of the Delegate to obtain additional relevant information. Debate between Members is not permitted during the Delegation.

31.14. Presentations such as consultants reports or presentations at the request of Council are not considered to be the same as delegations under this section and are not subject to the prescribed time limit.

31.15. No delegate shall speak to Council about the following matters:

- a) Current or pending litigation;
- b) Insurance claims;
- c) Personnel matters;
- d) Items beyond the jurisdiction of Council; or
- e) Items contrary to *MFIPPA*.

32. Consent List

32.1. The Mayor or Chairperson shall review the Consent List at a Regular Meeting by providing Members with an opportunity to:

- a) ask brief questions or make limited comments; and
- b) clearly announce a request to refer an item for separate consideration.

32.2. Amendments, Deferral Motions, Tabling Motions, discussions, recorded votes, and other procedural motions are not permitted during the review of the Consent List but are permitted once the matter has been referred for separate consideration.

32.3. A Member's request to refer an item for separate consideration is neither optional nor debatable. For greater clarity, each Member has the right to have a matter referred and considered separately.

32.4. At the conclusion of the review of the Consent List, the remaining recommendations that have not been referred shall be adopted by one omnibus resolution. The Consent List recommendations are deemed to be resolutions of Council as if voted on individually.

33. Closed Session

33.1. A Meeting may be closed to the public pursuant to the Act only if the subject matter being considered involves one of the following:

- (a) the security of the property of the municipality or Board;
- (b) personal matters about an identifiable individual, including municipal or local board employees;

- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) 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 may hold a Closed Session under another Act;
- (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

33.2. A Meeting shall be closed to the public pursuant to the Act only if the subject matter being considered involves one of the following:

- a) a request under *Municipal Freedom of Information and Protection of Privacy Act*, if the Council, board, commission or other body is designated as head of the institution for the purposes of that Act; or
- b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13(1) of the Act, or the investigator referred to in subsection 239.2(1) of the Act.

33.3. A meeting of a Council or local board or of a committee of either of them may be closed to the public if it involves education or training of members where no member discusses or deals with a matter in a way that materially advances the business or decision-making of Council, local board, or committee.

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

- a) the fact of the holding of the Closed Session, including the date and time; and

b) the general nature of the matter to be considered at the Closed Session.

33.5. A Meeting may only be closed to the public during a vote if:

a) Sections 84 & 85 of this by-law 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 of the municipality or persons retained by or under contract with the municipality.

33.6. If the meeting location does not provide for a level of confidentiality to provide for Closed Session deliberations, the meeting may recess and reconvene in an alternate location.

33.7. Unfinished business of a Closed Session shall be automatically Tabled to the next Closed Session where the meeting is adjourned pursuant to the previous Section.

33.8. Following a Closed Session, the Clerk shall prepare a public record for Council or a Committee, detailing the date, duration, subject matter, and those Council members and Staff in attendance. This may be included as part of the meeting minutes.

33.9. Members shall ensure that confidential matters disclosed to them, and materials provided to them for a Closed Session are strictly confidential and are not to be discussed with or disclosed to any individual. The Clerk may collect any printed confidential material after the meeting or request confirmation that any confidential information circulated electronically has been deleted and removed from any of the Member's devices.

33.10. Members shall not release, make public or in any way divulge any confidential information or any aspect of Closed Session deliberations, unless expressly authorized or required by law.

34. **By-laws**

34.1. That every By-law shall be introduced together by way of one inclusive omnibus motion for all by-laws listed on the Agenda. Council shall, at the request of a member, deal separately with any By-law.

34.2. All by-laws shall be passed in a single motion, without three readings, unless readings are required under specific legislation.

34.3. All amendments to any by-law approved by the Council shall be deemed to be incorporated into the original by-law and if the amendment is enacted and passed by the Council, it shall be inserted therein by the appropriate Staff person in consultation with the Clerk, creating the consolidated version of the by-law.

34.4. Every by-law passed by Council shall be:

- a) Approved by Council resolution;
- b) Approved by Mayoral decision or in accordance with Part VI.1 of the Act;
- c) Numbered;
- d) Signed by the Mayor or the presiding officer;
- e) Signed by the Clerk;
- f) Sealed;

g) Indicate the date of passage

34.5. Council shall approve a by-law to confirm all actions taken by Council at each meeting of Council.

34.6. As required by the Act, a by-law will come into effect once it has been:

- a) Approved by Council resolution; and
- b) Approved by Mayoral decision.

or

- c) Approved by Council resolution; and
- d) Two days have passed following the date of the Council resolution without any Mayoral decision issued to the contrary.

or

- e) Approved by Council resolution; and
- f) Vetoed by Mayoral decision; and
- g) Overridden by a two-thirds (5 members) vote by Council.

34.7. As required by the Act, the following timelines will be in effect for a Council approved by-law:

34.7.1. The Mayor has two days to issue a Mayoral decision approving the By-law;

or

34.7.2. The Mayor has two days to issue a Mayoral decision noting their intention to Veto the By-law. If so, then:

34.7.2.1. The Mayor has 14 days from the date in which Council originally approved the by-law to issue a Mayoral decision to approve or Veto the By-law. If no decision is provided in 14 days, the By-law is deemed to be approved.

or

34.7.3. The Mayor has two days to issue a Mayoral decision to Veto the By-law. If so, then:

34.7.3.1. The Clerk must provide notice of the mayoral decision to Veto the by-law to Council by the next business day.

34.7.3.2. Council has 21 days after the day the Clerk provides notice to override Mayoral decision to Veto. This override vote requires two-thirds (5 members) of Council to be approved.

34.8. As required by the Act, Part VI.1, the Mayor may propose by-law(s) for adoption that could potentially advance a prescribed provincial priority. Such by-laws must be voted on by Council and are passed if more than one-third of the members of Council (4 members) vote in favour of the by-law.

34.9. The Mayor solely determines if a by-law potentially advances a prescribed provincial priority.

34.10. Where a by-law is required to be considered and voted on by Council, the following motions are not permitted:

- a) A motion to adjourn the meeting;
- b) A motion to refer without direction or instructions;
- c) A motion to defer;
- d) A motion to suspend the Rules of Procedure;
- e) A motion to table the questions with direction or instruction;
- and
- f) A motion to amend.

35. Adjournment

- 35.1. Adjournment for evening Regular Meetings shall be no later than 11:00 p.m., unless this rule is temporarily suspended by a two-thirds majority vote of the Members present, in which case the motion to extend the meeting shall stipulate the time to which the meeting is being extended.
- 35.2. Unfinished business as a result of an adjournment pursuant to the previous Section shall be automatically tabled to the next Regular Meeting.

PART V – COMMITTEES, BOARDS, AUTHORITIES & COMMISSIONS

36. General

- 36.1. As required by the Act, the Mayor has the power to establish, dissolve, assign functions and appoint chairs and vice-chairs to Committees where all members are members of Council. This power may be delegated to Council through a Mayoral decision.
- 36.2. Council may, from time to time, appoint certain Council Members, ratepayers, staff, professionals or others, to serve on committees, board, authorities and commissions and report to Council. These appointments may be made by resolution unless specifically required to be passed by by-law.
- 36.3. Appointed Council Members for each Board, authority or commission shall attend those meetings, take part in its committee and sub-committee meetings, and report to Council.
- 36.4. When a Committee is composed of Council Members or a Council vacancy occurs on a Committee, the Mayor shall nominate Council Members for that Committee and such nominations shall be confirmed by resolution of Council prior to final approval.
- 36.5. The Mayor shall be an ex-officio Member of each Committee, and have the same rights as the other Committee Members, including the right to vote.
- 36.6. When a Committee is established and comprised of public members, or a vacancy of a public member occurs on a Committee, Council may review any applications containing personal matters about an identifiable individual during a Closed Session prior to deciding on the nominations, which are then adopted at a Regular Meeting.
- 36.7. Reports of Committee Meetings shall be received and the recommendations considered by Council in the Consent List.
- 36.8. The term of office of the Committee members shall be for the term of Council or on the date that their successors are appointed.

36.9. The location of the meetings will be at the Municipal Office, except as otherwise decided by the Committee and denoted on the agenda, and any Committee meeting may be held in an electronic format.

36.10. Notice for all Committee meetings shall be deemed to be the publication of the agenda.

37. Committee Chairperson

37.1. The Chairperson of the Committee, unless otherwise prescribed by Council resolution or set out in the Committee's Terms of Reference, is chosen by the members of the Committee.

37.2. The Chairperson shall preside over the conduct of the Meeting as outlined in this by-law and Committee Members shall respect the Chairperson's efforts to do so. A Chairperson's ruling on a Point of Order is subject to an appeal by any Committee Member to Council.

37.3. If the Chairperson desires to vacate the chair role for the purpose of taking part in the debate or otherwise, the Chairperson shall call on the Vice Chairperson, or in the absence of the Vice Chairperson on another Member, to temporarily fill the chair role.

38. Ad-Hoc & Advisory Committees

38.1. The Clerk shall maintain a list of Ad-Hoc and Advisory Committees and the resolution or by-law that appoints same, as well as their Terms of Reference.

38.2. Ad-Hoc Committees may be established by Council or a Committee to consider a specific matter.

38.3. Once the task has been completed, Ad-Hoc Committees will present a final report to Council.

38.4. When an Ad-Hoc Committee has made its final report to Council, it shall be deemed to be dissolved, unless otherwise determined by Council.

PART VI – DEBATE

39. Conduct of Members

39.1. Members shall:

39.1.1. Abide by the Council Code of Conduct;

39.1.2. discharge with integrity all responsibilities to Council, the Township, and the public, in keeping with approved corporate policies;

39.1.3. not leave their seat or make any noise or disturbance while a vote is being taken and until the result is declared;

39.1.4. respect the decision of the Mayor, Chairperson or Council on a question of a Point of Order, practice or interpretation related to this by-law;

- 39.1.5. when a Member is speaking, no other Member shall pass between the member speaking and the Mayor or Chairperson, or interrupt the member except to raise a Point of Order;
- 39.1.6. any Member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a member while he/she is speaking; and,
- 39.1.7. ask a succinct question only for the purpose of obtaining facts relevant to the matter under discussion and necessary for a clear understanding, not as a means of making statements or assertions.
- 39.1.8. In addition, Council members shall:
- 39.1.9. act in accordance with their Oath of Allegiance and Oath of Elected/Appointed Office;
- 39.1.10. serve their constituents in a conscientious and diligent manner;
- 39.1.11. not speak more than once to a motion or to the same question, or in reply for longer than three minutes. The Mayor or Chairperson has discretion to provide latitude under this Section, but where such latitude is granted, the Mayor or Chairperson will endeavour to provide it equally to all Members.

40. **Motions**

- 40.1. All motions shall be moved and seconded before being read and then debated. There is no requirement to stand to read resolutions. Whenever possible, wording of motions should be provided to the Clerk in advance of the Meeting.
- 40.2. After a motion has been read and the wording confirmed, it shall be deemed to be in the possession of Council or the Committee and therefore the mover need not vote in favour of the motion.
- 40.3. When a motion is under debate, no other motion shall be received, except a motion to amend, Defer, Table, Divide the Question, or call the question.
- 40.4. After the question is called, no Member shall speak to the question nor shall any other motion be made until after the result of the vote has been declared.
- 40.5. Resolutions shall require a Majority in order to be valid and binding on Council or a Committee, unless otherwise specified in this by-law.
- 40.6. Should the Mayor or Chairperson desire to move a motion or by-law, the Deputy Mayor or Vice Chairperson, or in their absence another Member, shall temporarily chair the meeting.
- 40.7. Motion to Call the Question
 - 40.7.1. A motion to call the question shall take precedence over any other motion. It is only proper after all Members wishing to speak to the matter have had an opportunity to speak at least once.

40.8. Motion to Adjourn

40.8.1. A motion to adjourn the meeting shall be put immediately without debate, but requires that be moved and seconded and voted on.

40.9. Withdrawal of Motion

40.9.1. A motion may be withdrawn at any time before decision with the consent of the mover, seconder, and a majority of Members. A withdrawn motion does not finally determine a matter and therefore does not trigger reconsideration.

40.10. Ultra Vires

40.10.1. A motion in respect to a matter which is beyond the scope of power (i.e. *ultra vires* the jurisdiction) of Council or a Committee shall not be in order except regarding a matter which, in the opinion of the majority of the Members, the question has to do with the welfare of the Township's citizens generally.

40.11. Ruling Challenge

40.11.1. The ruling of the Mayor or Chairperson on a procedural matter, including a Point of Order and Point of Personal Privilege, may be overturned by a two-thirds vote of the Members. Such a vote is conducted by the Clerk.

40.12. Notice of Motions

40.12.1. All notices of motions shall be in writing, with written notice (most commonly through the Agenda package notice), with the following exceptions that may be introduced without notice:

- (a) Point of Order;
- (b) Point of Personal Privilege;
- (c) to suspend a rule of procedure in this by-law;
- (d) for a ruling by the Mayor or Chairperson as to whether an action is in compliance with a rule of procedure;
- (e) to overturn a ruling by the Mayor or Chairperson with respect to a matter of procedure;
- (f) to call the question, which is not debatable; and,
- (g) to adjourn, which is not debatable.

40.12.2. In addition, the following motions may be introduced without notice, but such motions shall be in writing or spoken and provided to the Clerk in advance of the Meeting:

- (a) to Defer (Table);
- (b) to Divide the Question;
- (c) to Amend (Note: This is different than a Friendly Amendment);

40.12.3. Once Notice of a Motion is provided pursuant to this by-law, the Clerk shall automatically add it to the next Regular Council Meeting agenda under the heading Motion for Which Notice has Been Given, unless advised otherwise by the Member who gave notice of an alternate date.

40.13. Dispensing with Notice

40.13.1. Any motion may be introduced without notice if the Members, without debate, dispense with notice with a two-thirds majority vote of the Members present.

40.14. Motion to Divide the Question

40.14.1. Any Member may request that the Mayor or Chair divide the question (also known as "splitting the motion") where there are separate propositions contained in a motion.

40.14.2. If there is no objection, the Mayor or Chair shall facilitate the debate and the vote shall be called on each proposition separately.

40.14.3. If a Member objects to the division, the Mayor or Chair will call the vote on the question of whether the motion should be divided. In that case, a simple majority is required to divide the question.

40.14.4. A motion to divide the question is not debatable.

40.15. Friendly Amendment

40.15.1. After discussion, a motion duly moved and seconded may be altered by friendly amendment with the approval of the mover and the agreement of a majority of Council, Committee or local Board.

40.15.2. If a majority do not indicate their support of a friendly amendment, a formal motion to amend the main motion may be brought forward.

40.16. Motion to Amend

40.16.1. A motion to amend the main motion shall:

- a) be moved, seconded and then the amending portion(s) to the main motion shall be dictated in a manner that highlights the change(s);
- b) receive disposition of Council or the Committee before a previous amendment or the question;
- c) not be further amended more than once, although further amendments may be made to the main motion;
- d) be relevant to the main motion;
- e) not propose a direct negative to the main motion, although it may propose a separate and distinct disposition of a question; and,
- f) be put to a vote in the reverse order to that in which amendments were moved.

40.16.2. The vote on a motion to amend determines only whether the amendment is adopted. If the motion to amend is carried, a vote is taken on the amended main motion. If the motion to amend is defeated, a vote is taken on the original main motion.

40.17. Motion to Table (Defer)

40.17.1. A motion to Table requires a mover and seconder. It takes precedence over a motion to amend.

- 40.17.2. A motion to Table the main motion is debatable, but only with respect to the issue of whether to Table the matter.
- 40.17.3. A motion to Table the main motion may not be brought more than once during the same debate.
- 40.17.4. Once the motion is marked Tabled the said motion shall appear on the next Regular Meeting unless directed to a different meeting by Council.

40.18. Reconsideration

- 40.18.1. After any question has been decided the following shall prevail:
 - a) no question shall be reconsidered within the Council term, including at the same meeting it is originally passed;
 - b) notwithstanding paragraph (a) above, reconsideration of the question may occur with two-thirds majority vote; and,
 - c) no discussion of the main motion shall be allowed until the motion for reconsideration is carried.
- 40.18.2. A motion to reconsider suspends any action on the motion to which it applies until it has been decided.
- 40.18.3. If the action approved in the main motion has been acted upon, such as but not limited to monetary expenditure or executed agreements and cannot be reversed, the motion cannot be reconsidered.
- 40.18.4. Where a member has been named in any legal action related to a matter for reconsideration, no vote for reconsideration shall be taken until the legal action has been resolved.

41. **Recess**

- 41.1. Council or a Committee may, without motion, recess for a short period deemed appropriate by the Mayor or Chairperson

42. **Voting**

- 42.1. Unless otherwise described within this Procedural By-law, the Act or other legislation, a motion of Council is approved when the majority of the members (more than 50%) present at a meeting vote in the affirmative. In some cases, a two-thirds vote may be required and may have different requirements as per the Act and this By-law.

The following chart may be used to determine if the requirements have been met.

Members Present	Majority	Two-Thirds	Veto by Council
5*	3	4	5
6	4	4	5
7	4	5	5

* This vote would fail regarding Veto Override as per Part VI.1 of the Act as it does not meet the minimum two-thirds of Council.

42.2. Every Member, including the Mayor and Chairperson, shall have one vote.

42.3. Every Member present at a Meeting who is required to vote on a question, but in fact does not vote thereon, shall be deemed to be voting in the negative and, when required, shall be so recorded, subject to the provisions of this by-law.

42.4. When a vote is called, every Member shall immediately:

42.4.1. occupy their seat and shall remain there until the result of the vote has been declared;

42.4.2. not traverse the room;

42.4.3. cease all discussion on the matter immediately; and,

42.4.4. not speak to any other member or make any noise or disturbance.

42.5. Any question on which there is a tie vote result shall be deemed to be lost.

42.6. The Mayor or Chairperson shall not announce the number of Members in favour and or opposed after each and every vote, unless it is by way of a recorded vote or it is unanimous.

43. **Recorded Vote**

43.1. Any member present at a Meeting may ask for a recorded vote at the time of a vote or immediately after the taking of the vote so that the vote may be recorded in the minutes. The Clerk shall call out the names of the Members, at random, who will then announce their vote, and the Clerk shall record the same and then announce the result of the vote. The Member requesting the recorded vote shall vote first. The Clerk shall announce the results of the vote.

43.2. Where a Member abstains, the recorded vote shall read "opposed", except where the abstention is for reasons of a declared conflict of interest, in which case the vote shall read "abstain".