



**THE CORPORATION OF THE TOWNSHIP OF HORTON  
COUNCIL MEETING – JULY 2<sup>ND</sup>, 2024 – 4:00 P.M.  
HORTON MUNICIPAL CHAMBERS  
2253 JOHNSTON RD.**

**1. CALL TO ORDER**

**2. LAND ACKNOWLEDGEMENT**

*“As we gather today, I would like to acknowledge, on behalf of Council and our community that we are meeting on the traditional territory of the Algonquin People. We would like to thank the Algonquin People and express our respect and support for their rich history, and we are extremely grateful for their many and continued displays of friendship. We also thank all the generations of people who have taken care of this land for thousands of years.”*

**3. DECLARATION OF PECUNIARY INTEREST**

**4. CONFIRMATION OF COUNCIL AGENDA**

**5. DELEGATIONS &/OR PUBLIC MEETINGS – NONE**

**6. MINUTES FROM PREVIOUS MEETINGS**

6.1 June 18<sup>th</sup>, 2024 – Regular Council

**PG.3**

**7. BUSINESS ARISING FROM MINUTES**

**8. COMMITTEE REPORTS:**

**8.1 PLANNING COMMITTEE**

▪ **CHAIR CAMPBELL**

8.1.1 June Building Report

**PG.6**

8.1.2 Planning Files Report

**PG.7**

**8.1 COMMUNITY COMMITTEES / COUNTY COUNCIL**

8.1.1 Renfrew & Area Seniors Home Support

D. Humphries

8.1.2 Chamber of Commerce

D. Humphries

8.1.3 County Council

D. Bennett

Staff Report – County Representative Alternative

**PG.9**

**9. CORRESPONDENCE SUMMARY**

**9.1 INFORMATION CORRESPONDENCE – NONE**

**9.2 ACTION CORRESPONDENCE – NONE**

**10. BY-LAWS**

10.1 2024-24 Procedural By-law

**PG.14**

10.2 2024-25 Encroachment Agreement – Curley

**PG.33**

**11. NOTICE TO FILE MOTION FOR NEXT COUNCIL MEETING**

**12. COUNCIL/STAFF MEMBERS CONCERNS**

**RETURN TO AGENDA**

- 13. RESOLUTIONS
- 14. IN CAMERA (Closed) SESSION (as required) – NONE
- 15. CONFIRMING BY-LAW 2024-26
- 16. ADJOURNMENT

**PG.42**

**THE CORPORATION OF THE TOWNSHIP OF HORTON**

REGULAR COUNCIL MEETING  
JUNE 18<sup>TH</sup>, 2024

There was a Regular Meeting of Council held in the Council Chambers on Tuesday June 18<sup>th</sup>, 2024. Present were Deputy Mayor Daina Proctor, Councillor Glen Campbell, Councillor Doug Humphries, and Councillor Tom Webster. Staff present was Hope Dillabough, CAO/Clerk, Nathalie Moore, Treasurer, and Nichole Dubeau, Executive Assistant – Recording Secretary.

Mayor David Bennett sent his regrets.

**1. CALL TO ORDER**

Deputy Mayor Proctor called the meeting to order at 4:00 p.m.

**2. LAND ACKNOWLEDGEMENT**

Deputy Mayor Proctor read the Land Acknowledgement in its entirety.

**3. DECLARATION OF PECUNIARY INTEREST**

There was no declaration of pecuniary interest.

**4. CONFIRMATION OF COUNCIL AGENDA**

Moved by Councillor Humphries

**RESOLUTION NO. 2024-81**

Seconded by Councillor Webster

**THAT** Council adopt the amended Agenda for the June 18<sup>th</sup>, 2024 Regular Council Meeting to include item 10.2 By-law 2024-22 Canada Community-Building Fund.

**Carried**

**5. DELEGATIONS &/or PUBLIC MEETINGS – NONE**

**6. MINUTES**

6.1 June 4<sup>th</sup>, 2024 – Regular Council

Moved by Councillor Webster

**RESOLUTION NO. 2024-82**

Seconded by Councillor Humphries

**THAT** Council approve the following Minutes:

- June 4<sup>th</sup>, 2024 – Regular Council

**Carried**

**7. BUSINESS ARISING FROM MINUTES**

There was no business arising from the minutes.

**8. COMMITTEE REPORTS:**

**8.1 GENERAL GOVERNMENT COMMITTEE**

Public Advisory Member Spencer Hopping was present.  
Public Advisory Member Susan Humphries sent her regrets.

8.1.1 Staff Report – Website Updates & Modernization

CAO/Clerk Hope Dillabough reviewed the report.

8.1.2 Staff Report – Treasurer's Report

Treasurer Nathalie Moore reviewed the report. There was discussion regarding the 2025 preliminary budget.

8.1.3 Staff Report – CAO/Treasurer's AMCTO Conference Report

CAO/Clerk Hope Dillabough reviewed the report.

**8.2 TRANSPORTATION & ENVIRONMENTAL SERVICES COMMITTEE**

**RETURN TO AGENDA**

8.2.1 Chair's Report – June 5<sup>th</sup>, 2024  
Councillor Humphries reviewed the report.

### **8.3 RECREATION COMMITTEE**

8.3.1 Chair's Report – June 13<sup>th</sup>, 2024  
Councillor Humphries reviewed the report.

## **9. CORRESPONDENCE SUMMARY**

### **9.1 INFORMATION CORRESPONDENCE – NONE**

### **9.2 ACTION CORRESPONDENCE – NONE**

## **10. BYLAWS – NONE**

## **11. NOTICE TO FILE MOTION FOR NEXT COUNCIL – NONE**

## **12. COUNCIL/STAFF MEMBERS CONCERNS – NONE**

## **13. RESOLUTIONS**

Moved by Councillor Webster **RESOLUTION NO. 2024-83**  
Seconded by Councillor Campbell  
**THAT** Council approve staff recommendation to update and modernize the Township's website from the current provider;

**AND THAT** it be funded from the Modernization Reserves.

**Carried**

Moved by Councillor Humphries **RESOLUTION NO. 2024-84**  
Seconded by Councillor Campbell  
**THAT** Council receive the following reports as information:

- Staff Report – Treasurer's Report
- Staff Report – CAO/Treasurer's AMCTO Conference Report
- TES Chair's Report – June 5<sup>th</sup>, 2024
- Recreation Chair's Report – June 13<sup>th</sup>, 2024

**Carried**

Moved by Councillor Webster **RESOLUTION NO. 2024-85**  
Seconded by Councillor Humphries  
**THAT** upon recommendation from the TES Committee, Council direct Staff to explore what is required for the Township to implement a donation and re-use program at the Township's Landfill site;

**AND THAT** if the Ministry of Environment Conservation and Parks will allow the Township to implement this program under the current ECA that the program be implemented as soon as practicable;

**FURTHER THAT** if the Ministry of Environment Conservation and Parks will not allow the Township to implement this program under the current ECA that the program be implemented included in the revised ECA for the landfill expansion and be implemented as soon as practicable afterward.

**Carried**

Moved by Councillor Webster **RESOLUTION NO. 2024-86**  
Seconded by Councillor Humphries  
**THAT** upon recommendation from the TES Committee, Council direct staff to set a reserve bid of \$50,000 for the sale of the 2004 Volvo EW180B Excavator.

**Carried**

**RETURN TO AGENDA**

Moved by Councillor Campbell  
Seconded by Councillor Webster

**RESOLUTION NO. 2024-87**

**THAT** Council enact the following by-laws:

- 2024-21 Appoint Renfrew OPP Police Service Board Members
- 2024-22 Canada Community-Building Fund

**Carried****14. IN CAMERA (Closed) SESSION – NONE****15. CONFIRMING BY-LAW**

Moved by Councillor Campbell  
Seconded by Councillor Humphries

**RESOLUTION NO. 2024-88**

**THAT** Council enact By-law 2024-23– Confirming By-Law.

**Carried****15. ADJOURNMENT**

Deputy Mayor Proctor declared the meeting adjourned at 4:33 p.m.

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 MAYOR David M. Bennett

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 CAO/CLERK Hope Dillabough

Township Of HortonJUNE 2024 BUILDING REPORT

| Month         | No. of Permits | 2024 Value of Permits | 2023 Value of Permits | 2022 Value of Permits | Renos/Add Comm/Res | Garages/Storage Bldg Comm/Res | New Res | New Comm | Demos | Total SQ. FT | Stop Work Orders Issued |
|---------------|----------------|-----------------------|-----------------------|-----------------------|--------------------|-------------------------------|---------|----------|-------|--------------|-------------------------|
| January       | 1              | \$ 15,000             | \$ -                  | \$0                   | 1                  |                               |         |          |       | 78           | 0                       |
| February      | 2              | \$ 365,000            | \$ 1,258,600          | \$1,635,000           | 1                  | 1                             |         |          |       | 1,380        | 0                       |
| March         | 2              | \$ 110,000            | \$ 663,000            | \$1,083,200           | 1                  | 1                             |         |          |       | 1,472        | 0                       |
| April         | 15             | \$ 2,016,000          | \$ 1,865,000          | \$879,000             | 5                  | 1                             | 5       |          | 4     | 13,749       | 0                       |
| May           | 12             | \$ 1,083,500          | \$ 614,000            | \$1,765,000           | 4                  | 7                             | 1       |          |       | 9,252        | 0                       |
| June          | 1              | \$ 250,000            | \$ 1,802,000          | \$2,220,400           | 1                  |                               |         |          |       | 1,390        | 0                       |
| July          |                |                       | \$ 4,870,000          | \$149,000             |                    |                               |         |          |       |              |                         |
| August        |                |                       | \$ 550,000            | \$641,000             |                    |                               |         |          |       |              |                         |
| September     |                |                       | \$ 1,316,000          | \$1,500,000           |                    |                               |         |          |       |              |                         |
| October       |                |                       | \$ 183,000            | \$825,000             |                    |                               |         |          |       |              |                         |
| November      |                |                       | \$ 910,000            | \$0                   |                    |                               |         |          |       |              |                         |
| December      |                |                       | \$ -                  | \$0                   |                    |                               |         |          |       |              |                         |
| <b>TOTALS</b> | <b>33</b>      | <b>\$ 3,839,500</b>   | <b>\$ 14,031,600</b>  | <b>\$10,697,600</b>   | 13                 | 10                            | 6       | 0        | 4     | 27,321       | 0                       |

RETURN TO AGENDA

## Open Planning Files as of June 27, 2024

| File Name                        | File No.                      | No. of Severances | Date Rec'd by County | Date Deemed Complete by County       | Date Rec'd by Township | Date of Last Item Sent to County | Status of File  |
|----------------------------------|-------------------------------|-------------------|----------------------|--------------------------------------|------------------------|----------------------------------|---|
| Jamie Prince & Tina Hunt         | B188/21<br>B189/21<br>B190/21 | 3                 | 18-Nov-21            | Nov 18, 2021 but signed Mar 29, 2022 | 31-Mar-22              | 06-Apr-22                        | B189/21 & B190/21 Complete<br>Notice of Decision rec'd Nov 24/22 - applicant to complete conditions for B188/21 |
| Ila Ferguson                     | B104/22<br>B105/22<br>B106/22 | 3                 | 19-May-22            | 17-Jun-22                            | 15-Sep-22              | 27-Sep-22                        | Notice of Decision rec'd Nov 29/22 - applicant to comeplete conditions  |
| Danny Leblanc & Karen Sholea     | B124/22<br>B125/22            | 2                 | 15-Jun-22            | 15-Jun-22                            | 18-Oct-22              | 04-Nov-22                        | Notice of Decision rec'd April 20/23 - applicant to complete conditions   |
| D.C. Hawkins Holdings Ltd        | B02/23<br>B03/23<br>B04/23    | 3                 | 01-Jan-23            | 07-Feb-23                            | 16-Mar-23              | 12-May-23                        | Notice of Decision rec'd Oct 11/23- applicant to complete conditions  |
| Lloyd & Val Hisko                | B45/23<br>B46/23              | 2                 | 06-Mar-23            | 06-Mar-23                            | 16-May-23              | 17-May-23                        | Notice of Decision rec'd Sept 8/23 - applicant to complete conditions   |
| Cayla McNulty                    | B72/23<br>B73/23              | 2                 | 14-Apr-23            | 14-Apr-23                            | 12-Jul-23              | 25-Jul-23                        | Notice of Decision rec'd Dec 12/23 - applicant to complete conditions   |
| Eric & Marion Draper             | B76/23<br>B77/23<br>B78/23    | 3                 | 20-Apr-23            | 20-Apr-23                            | 18-Jul-23              | 28-Jul-23                        | Planning Reports rec'd Oct 20/23 B77 Decision rec'd Dec 18/23 OPA passed Apr 30/24                              |
| 2865875 Ontario Inc.             | B88/23<br>B89/23              | 2                 | 18-May-23            | 14-Aug-23                            | 12-Oct-23              | 03-Nov-23                        | Notice of Decision rec'd Apr 29/24 - applicant to complete conditions   |
| Robert & Lois Jamieson           | B97/23<br>B98/23              | 2                 | 02-Jun-23            | 02-Jun-23                            | 16-Aug-23              | 05-Sep-23                        | Notice of Decision rec'd Dec 5/23 - applicant to complete conditions  |
| Gary & Karen Carty               | B114/23                       | 1                 | 19-Jul-23            | 19-Jul-23                            | 12-Oct-23              | 10-Jan-24                        | Notice of Decision rec'd Apr 29/24 - applicant to complete conditions   |
| Marjorie Doering                 | B116/23                       | 1                 | 24-Jul-23            | 24-Jul-23                            | 18-Oct-23              | 07-Nov-23                        | Notice of Decision rec'd May 21/24 - applicant to complete conditions   |
| Thomas Cavanagh Construction Ltd | B118/23                       | 1                 | 01-Aug-23            | 01-Aug-23                            | 18-Oct-23              | 10-Jan-24                        | Notice of Decision rec'd Apr 29/24 - applicant to complete conditions   |
| Meghan Brohart                   | B121/23                       | 1                 | 23-Nov-23            | 10-Aug-23                            | 10-Aug-23              | 02-Feb-24                        | Notice of Decision rec'd Apr 29/24 - applicant to complete conditions   |
| Michael & Shawnalee Enright      | B127/23<br>B128/23<br>B129/23 | 3                 | 21-Aug-23            | 21-Aug-23                            | 26-Oct-23              | 03-Nov-23                        | Notice of Decision rec'd Jan 15/24 - applicant to complete conditions   |

RETURN TO AGENDA

**Open Planning Files as of June 27, 2024**

| File Name                                  | File No.                      | No. of Severances | Date Rec'd by County | Date Deemed Complete by County | Date Rec'd by Township | Date of Last Item Sent to County | Status of File   |
|--|-------------------------------|-------------------|----------------------|--------------------------------|------------------------|----------------------------------|--|
| Cobus Homes Inc                            | B137/23<br>B138/23            | 2                 | 20-Nov-23            | 24-Aug-23                      | 20-Nov-23              | 15-Dec-23                        | Notice of Decision rec'd May 7/24 - applicant to complete conditions   |
| Elizabeth & Ian Nesbitt                    | B168/23                       | 1                 | 20-Oct-23            | 23-Oct-23                      | 19-Dec-23              | 15-Jan-24                        | Notice of Decision rec'd Feb 27/24 - applicant to complete conditions  |
| Derek McGrimmon & Jennifer Sholea          | B184/23                       | 1                 | 23-Nov-23            | 28-Nov-23                      | 04-Jan-24              | 15-Jan-24                        | Notice of decision rec'd Apr 2/24 - applicant to complete conditions   |
| Leah Clifford & Mark Benoit                | B190/23<br>B191/23<br>B192/23 | 3                 | 20-Dec-23            | 20-Dec-23                      | 16-Jan-24              | 02-Feb-24                        | Notice of Decision rec'd Apr 29/24 - applicant to complete conditions  |
| Thompson's Septic Pumping                  | B196/23<br>B197/23            | 2                 | 22-Dec-23            | 22-Dec-23                      | 18-Jan-24              | 29-Jan-24                        | Notice of Decision rec'd May 27/24 - applicant to complete conditions  |
| Peter & Glenda Tippins                     | B08/24                        | 1                 | 17-Jan-24            | 17-Jan-24                      | 23-Feb-24              | 29-Feb-24                        | Notice of Decision rec'd June 14/24 - applicant to complete conditions |
| Brian Vander Ploeg & Mireya Morano Aguilar | B12/24<br>B13/24<br>B14/24    | 3                 | 26-Jan-24            | 26-Jan-24                      | 01-Mar-24              | 19-Mar-24                        | Planning Reports rec'd June 11/24                                      |
| 629995 Ontario Inc                         | B24/24<br>B25/24              | 2                 | 12-Feb-24            | 12-Feb-24                      | 21-Mar-24              | 26-Apr-24                        | Notice of Decision rec'd June 20/24 - applicant to complete conditions |
| Morgan Snow                                | B31/24                        | 1                 | 28-Feb-24            | 28-Feb-24                      | 09-Apr-24              | 26-Apr-24                        | Municipal documents sent to Cty  |

| File Name      | File Type               | File Status             |
|----------------|-------------------------|-------------------------|
| Tomlinson Ltd. | Zoning By-law Amendment | Appeal proccess started |

**RETURN TO AGENDA**





## Township of Horton COUNCIL / COMMITTEE REPORT

|   |                           |                             |
|---|---------------------------|-----------------------------|
| <b>Title:</b><br><br>Appointment of Alternate<br>Council Member to County of<br>Renfrew | <b>Date:</b>              | July 2 <sup>nd</sup> , 2024 |
|   | <b>Council/Committee:</b> | Council                     |
|   | <b>Author:</b>            | Hope Dillabough             |
|   | <b>Department:</b>        | Administration              |

### RECOMMENDATIONS:

THAT Council of the Township of Horton appoint Deputy Mayor Daina Proctor as the “Alternate Member” to County of Renfrew Council for the remainder of the 2022-2026 Term of Council;

AND THAT an Appointment By-law be brought forward at the next Regular Council Meeting for adoption.

### BACKGROUND:

The purpose of this report is to provide Council with information regarding the opportunity to appoint an Alternate Member of Council to attend Renfrew County Council Meetings in the place of the Mayor, should they be unable to attend a meeting. The County of Renfrew adopted By-Law 113-18, as attached, which provides for the appointment of alternate members of County Council.

Bill 68, *Modernizing Ontario’s Municipal Legislation Act, 2017*, received Royal Assent May30, 2017. Among several other changes to the Municipal Act, is the inclusion of Section 268 “Temporary Replacement of Upper-Tier Council”. Section 268 provides that a lower tier council may appoint one of its members as an alternate to the upper-tier council to act in place of a person who is a member of both the upper and lower tier councils when a person is unable to attend a meeting of the upper-tier Council for any reason. The appointment of an Alternate Council Member is not mandatory.

The Alternate Member appointment is for the full term of Council (or the remainder thereof). The Alternate cannot act as the alternate for the Warden of the County, nor act as the position of Chair or Vice Chair of any Committee. The County of Renfrew would be the primary contact for all alternate appointments and future training, declarations and communication relating to this appointment.

Benefits of appointing an alternate include:

- Ensuring a level playing field when voting at the County; and
- Additional experience gained by the Alternate Member

It Council wishes to appoint an alternate member for the remainder of this Term, it’s staff’s recommendation that Council pass a resolution to appoint the Deputy Mayor as an Alternate Member to Renfrew County Council with a term to run concurrent with the term of Council. Following the resolution being passed, Staff will further bring a By-law to the next Regular Council

RETURN TO AGENDA

Meeting with the Appointment to be adopted.

In summary, the Alternate Member does not take over the role at County Council, however, sets the Township up in a better position that if the Mayor is unable to attend County Council, the Alternate is in place and Horton remains to have a voice at the County Council table.

**ATTACHMENTS:**

(1) County of Renfrew By-Law 113-18 – A By-Law to Provide for the Appointment of Alternate Members to County Council

(2) DRAFT By-Law to Appoint Alternate Member to Renfrew County Council

**Prepared by:** Hope Dillabough, CAO/Clerk

**County of Renfrew****BY-LAW NUMBER 113-18****A BY-LAW TO PROVIDE FOR THE APPOINTMENT OF ALTERNATE MEMBERS  
TO COUNTY COUNCIL**

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WHEREAS Bill 68, Modernizing Ontario's Municipal Legislation Act, 2017 received Royal Assent on May 30, 2017, and amends the Municipal Act, 2001, S.O. 2001, c. 25, herein referred to as the "Act"; and

WHEREAS Section 268(1) of the Act provides that the Council of a local municipality may appoint one of its members as an Alternate Member of the upper-tier Council, to act in place of a person who is a member of the Council of the local municipality and its upper-tier municipality, when the person is unable to attend a meeting of the upper-tier Council for any reason.

NOW THEREFORE the Council of the Corporation of the County of Renfrew hereby enacts as follows:

**Definitions:**

**"Alternate Member"** means an elected member of a local municipality in Renfrew County that has been appointed under section 268 of the Municipal Act to attend meetings of Renfrew County Council on behalf of the local municipality's County Councillor when the County Councillor is unable to attend a meeting of Renfrew County Council. Where appropriate, when reference to a "member" is cited, it may also be read to include "Alternate member" in the execution of their prescribed duties;

**"Member"** means a Member of Council and includes the Head of Council. See also "Alternate member";

1. An Alternate Member may take their seat on County Council upon the County Clerk receiving a certified appointment by-law passed by a lower-tier municipality which names the Alternate Member, and the Alternate Member has taken the Oath of Office as administered by the County Clerk.
2. An Alternate Member's appointment shall be for the term of the Council that appointed them, or until their appointment by-law is rescinded, or November 14<sup>th</sup> in the year of a Regular Election, or until such time as the Alternate Member's seat is declared vacant in accordance with section 259 of the Municipal Act.
3. An Alternate Member may, in the absence of the elected member, participate at meetings of County Council and its committees; however membership and voting rights are limited only to those privileges held by the County Councillor for whom they are deemed to be the Alternate Member.

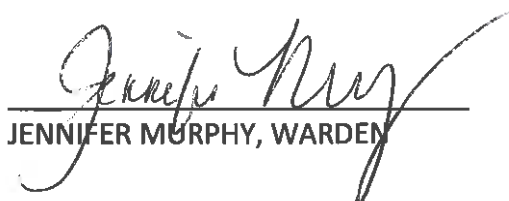
**RETURN TO AGENDA**

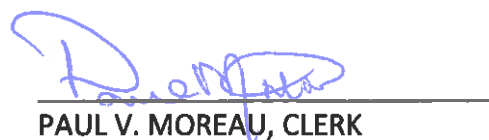
4. An Alternate Member shall not represent a County Councillor at an Inaugural Meeting, or any board or agency to which the Council appoints a member. (e.g. Health Unit, Ottawa Valley Tourist Association, FCM, AMO).
5. An Alternate Member shall not be eligible for election to the County' Head of Council (Warden), or to the position of Chair or Vice Chair of any Committee, nor shall an Alternate Member assume the role of the Warden, Chair or Vice Chair when attending meetings of County Council.
6. An Alternate Member shall have the same number of weighted votes as the County Councillor who he/she is representing.
7. An Alternate Member shall be remunerated at the per diem meeting rate in accordance with the County's By-law to Provide for the remuneration of members of the Council of the County of Renfrew (2018). The absent County Councillor will experience a reduction in their regular monthly salary equal to the total per diem paid to their alternate member for each monthly pay period.
8. An Alternate Member shall not be eligible to be reimbursed for a convention or seminar, or training.
9. An Alternate member while acting in their capacity, shall be governed by all the applicable policies of County Council, such as but not limited to the Council Code of Conduct, Council Procedural By-law, and shall have access to applicable support resources such as but not limited to the Integrity Commissioner.
10. An Alternate member will not be eligible to receive an electronic device from the County of Renfrew.
11. The County Clerk shall be notified of an Alternate Member's participation one week prior to the date of the meeting where possible.
12. THAT any by-laws or parts of by-laws contrary to or inconsistent with this by-law are hereby repealed.
13. THAT this by-law shall come into force and take effect on the date of its passing.

READ a first time this 28<sup>th</sup> day of November, 2018.

READ a second time this 28<sup>th</sup> day of November, 2018.

READ a third time and finally passed this 28<sup>th</sup> day of November, 2018.

  
\_\_\_\_\_  
JENNIFER MURPHY, WARDEN

  
\_\_\_\_\_  
PAUL V. MOREAU, CLERK

**RETURN TO AGENDA**

# CORPORATION OF THE TOWNSHIP OF HORTON

## **DRAFT** BY-LAW NO. 2024-XX

### BEING A BY-LAW TO APPOINT AN ALTERNATE MEMBER TO THE COUNCIL OF THE COUNTY OF RENFREW DURING AN ABSENCE OF THE MAYOR

**WHEREAS** Bill 68, *Modernizing Ontario's Municipal Legislation Act, 2017* received Royal Assent on May 30<sup>th</sup>, 2017, and amends the Municipal Act, 2001, S.O. 2001, c. 25, herein referred to as the "Act";

**WHEREAS** Section 268(1) of the Act provides that the Council of a local municipality may appoint one of its members as an Alternate Member to the upper-tier council, to act in place of a person who is a member of the councils of the local municipality and its upper-tier municipality, when the person is unable to attend a meeting of the upper-tier for any reason;

**NOW THEREFORE** the Council of the Corporation of the Township of Horton hereby enacts the following:

1. That Deputy Mayor Proctor is hereby appointed as the Alternate Member to County Council for the term of the council ending in 2026, or until this appointment by-law is rescinded or until such time as the Alternate Member's seat is declared vacant in accordance with section 259 of the Act.
2. And that the Alternate Member appointed herein shall not sit on behalf of the Mayor at an Inaugural Meeting of Renfrew County Council.
3. And further that this by-law shall come into force on the day it's passed, and take effect on the day the Alternate Members takes the Oath of Office as administered by the County Clerk

READ a first and second time this \_\_\_\_<sup>th</sup> day of July, 2024.

READ a third time and passed this \_\_\_\_<sup>th</sup> day of July, 2024.

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MAYOR David Bennett

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CAO/CLERK Hope Dillabough

**RETURN TO AGENDA**

# The Corporation of the Township of Horton

## By-Law Number 2024-24

### A By-Law to govern the proceedings of the Council of the Township of Horton

**WHEREAS**, Section 238(2) of the Municipal Act, 2001, S.O. 2001, c. 25 requires every municipality to adopt a procedure by-law for governing the calling, place and proceedings of meetings; and

**WHEREAS**, it is necessary and expedient to enact rules governing the order and procedure of the Council and its meetings;

The Council of the Corporation of the Township of Horton enacts as follows:

### **PART I – General**

#### **1. Applicability**

- 1.1. The rules and regulations contained in this By-Law shall be observed in all proceedings of the Council of the Corporation of the Township of Horton, Committees, and shall be the rules and regulations for the order and conduct of business therein.
- 1.2. Any procedure not specified in this By-Law, or in any Act, shall have reference to the rules of order set out in the most current edition of Robert's Rules of Order.
- 1.3. Despite subsection 1.1, the rules and regulations contained in this by-law may be suspended by a vote of two-thirds of the Council members present and voting.

#### **2. Interpretation**

- 2.1. Wherever this by-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the by-law with the gender applicable to the circumstances.
- 2.2. References to items in the plural include the singular, as applicable.
- 2.3. The words "include", "including", and "includes" are not to be read as limiting the phrases or descriptions that precede or follow them.
- 2.4. Headings and the index are included for ease of reference only and are not to be used as interpretation aids.
- 2.5. Specific references to legislation in this by-law are meant to refer to the current laws applicable within the Province of Ontario as at the time the by-law was enacted, as they are amended from time to time. In all cases, the reference includes the statute, as amended from time to time, including successor legislation.

**RETURN TO AGENDA**

### 3. Definitions

- 3.1. “Ad Hoc Committee” means a special purpose committee of limited duration, created by Council to inquire and report on a particular matter or concern and which dissolves automatically upon submitting its final report, unless otherwise directed by Council.
- 3.2. “CAO/Clerk” mean the Chief Administrative Officer /Clerk of the Corporation of the Township of Horton or designate in the absence of the CAO/ Clerk.
- 3.3. “Chair” means the Head of Council or Acting Head of Council or chairperson of any Committee.
- 3.4. “Committee” means a Committee of Council and includes Standing Committees, Ad Hoc Committees and Local Board Committees, advisory or other committee, subcommittee or similar entity as created and appointed by Council.
- 3.5. “Council” means the Council of the Corporation of the Township of Horton.
- 3.6. “Council Chambers” means the Council Meeting Room located at the Municipal Office, 2253 Johnston Road, Renfrew, Ontario.
- 3.7. “Delegation” means a presentation to the Committee or Council by an individual or group.
- 3.8. “Head of Council” means the Mayor, or in the absence of the Mayor, the Deputy Mayor or, in the absence of both, another member of Council appointed by Council.
- 3.9. “Improper Conduct” means conduct that obstructs in any way the deliberations and/or proper action in a meeting and includes but is not limited to conduct that negatively affects the observance of order and decorum among members and the attending public.
- 3.10. “Interest” means a matter potentially relating to or connected with money or a financial matter pursuant to relevant conflict of interest legislation.
- 3.11. “Meeting” means a meeting when a quorum of members is present, and members must discuss or otherwise deal with any matter in a way that materially advances business or decision-making.
- 3.12. “Member” means a Member of Council, including the Mayor, or of a committee.
- 3.13. “Municipality” means The Corporation of the Township of Horton.
- 3.14. “Presiding Officer”
  - a) Council Meetings – The Mayor shall preside at all meetings. In his/her absence the Deputy Mayor shall preside. If both the Mayor and Deputy Mayor are absent from the meeting, then a Member of Council shall be appointed from among the Members in attendance to preside at the meeting. In this instance, the CAO/Clerk shall open the meeting and call for nominations from among the Members of Council to select a Presiding Officer for the meeting or until the arrival of the Presiding Officer.
  - b) Committee Meetings – The appointed Chairperson shall preside at all meetings. In the absence of the Chairperson, then a Chair for the meeting shall be selected by the Membership by having the Staff Person present call for nominations from among the Members present.

- 3.15. "Publish" means posting on the Municipal website and posting in the Municipal Office. Publish may also include publishing in a weekly newspaper that, in the opinion of the CAO/Clerk, has such circulation within the Municipality as to provide reasonable notice of those affected thereby, and includes broadcasting on a local radio station. "Publishing, published, publication and posting" have corresponding meanings.
- 3.16. "Recommendation" means a decision of a Committee, or sub-committee thereof that is being forwarded to Council for consideration and approval.
- 3.17. "Resolution" means a formal determination made by Council on the basis of a motion debated and passed.

## **PART II – Duties and Conduct**

### **4. Duties of the Presiding Officer**

The Presiding Officer shall:

- a) open the meeting by taking the chair and calling the members to order;
- b) make such remarks as is fitting for the information or assistance of the council;
- c) to receive and submit, in the proper manner, all motions presented by the members;
- d) to put to a vote all motions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result and, in so doing, to ensure that the mover and seconder are clearly identified;
- e) to decline to put to a vote motions which infringe the rules of procedure;
- f) to vote on all matters, which are moved and seconded, or necessarily arise in the course of the proceedings;
- g) to permit questions to be asked through the Chair of any officer in order to provide information to assist in any debate when the Chair deems it proper;
- h) to provide information to members on any matter touching on the business of the Municipality;
- i) to receive all petitions and communications and announce them at the meeting;
- j) to inform the members of the proper procedure to be followed;
- k) to enforce on all occasions, the observance of order and decorum among the members and those in attendance;
- l) to call, by name, any member or attendee persisting in a breach of the Rules of Procedure and order the member to vacate the Council Chamber;
- m) to authenticate, by signature, when necessary, all By-Laws and Minutes.

### **5. Expulsion for Misconduct**

- 5.1. Behaviour that constitutes improper conduct, such as heckling, use of inappropriate language, display of any offensive or partisan political material, or signs or plaque cards, is not permitted.
- 5.2. The Chair may expel or exclude from the meeting, any person, who, in the opinion of the Chair, has behaved improperly, if the Chair is satisfied that



evidence exists to support expulsion or exclusion and states the reason for the expulsion or exclusion.

## 6. Conduct of Council Members

- 6.1. Any Code of Conduct applicable to Council Members adopted by Council shall apply during a meeting held pursuant to this by-law.
- 6.2. A Council Member shall have the following duties:
  - a) to deliberate on the business before it;
  - b) to vote when a motion is put to a vote;
  - c) to respect the Rules of Procedure.
- 6.3. No Council Member shall:
  - a) use offensive words or unparliamentary language in or against Council or against any member of staff or the public;
  - b) speak on any subject other than the subject in debate;
  - c) criticize any decision of Council or continue to debate the matter after it has been decided, except for the purpose of moving that the question be reconsidered;
  - d) disobey the Rules of Procedure or a decision of the Chair or of Council on questions of order or practice or upon the interpretation of the rules of Council;
  - e) disclose any information that is deemed to be confidential pursuant to the Municipal Freedom of Information and Privacy Act;
  - f) display any offensive or partisan political material, including buttons.
- 6.4. Where a Member persists in any disobedience of the Rules of Procedure after having been called to order by the Chair, the Chair shall forthwith put the question, no amendment, adjournment or debate being allowed, "that such Member be ordered to leave their seat for the duration of the meeting of Council", but if the Member apologizes they may be permitted to retake their seat.
- 6.5. Vacancies
  - 6.5.1. In accordance with Section 259 of the Municipal Act, 2001 the office of a member of Municipal Council becomes vacant if the member:
    - a) Becomes disqualified from holding the office of a member of Council under Section 256, 257 or 258 of the Municipal Act, 2001;
    - b) Fails to make the Declaration of Office before the deadline in Section 232 of the Act;
    - c) The office of a member of Council becomes vacant if the member has been absent from meetings of the Council for three (3) successive months without being authorized to do so by a resolution of Council unless otherwise permitted by Section 259(1) of the Act;
    - d) Resigns from his or her office, and the resignation is effective under Section 260 of the Act;

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- e) Is appointed or elected to fill any vacancy in any other office on the same Council;
- f) Has his or her office declared vacant in any judicial proceedings;
- g) Forfeits his or her office under this or any other Act, or;
- h) Dies, whether before or after accepting office, and making the prescribed declarations.

6.5.2. A member of a Municipal Council may resign from office by providing notice, in writing, to be filed with the CAO/Clerk. Exception to the above, a resignation is not effective if it would reduce the number of members of the Council to less than a quorum, and if the member resigning from office is a member of the Upper-tier Council, the resignation is not effective if it would reduce the number of members of either Council to less than a quorum.

6.5.3. A member is permitted to be absent from meetings if it is a result of a member's pregnancy, the birth of the member's child or adoption of a child by the member for 20 consecutive weeks or less.

### **PART III – Meetings**

#### **7. Inaugural Meeting**

- 7.1. The inaugural meeting of the newly elected Council, after a regular election, shall be held on the first Monday of the term.
- 7.2. The meeting shall take place at such location and time determined by the person who has been certified by the CAO/Clerk to be elected as Mayor.
- 7.3. At the Inaugural Meeting of Council, the only business to be brought before the meeting shall be the following:
  - a) Oaths, affirmations and Declarations of office;
  - b) Inaugural Address by the Mayor; and
- 7.4. Membership of all Council Committees and Council appointments to various Boards and Committees.

#### **8. Open Meetings**

- 8.1. All meetings must be open to the public.

#### **9. Closed Meetings (In-Camera)**

- 9.1. Notwithstanding Section 9.0 above,
  - a) A meeting may be closed to the public if the subject matter being considered relates to:
    - i. the security of the property of the Municipality or local board;
    - ii. personal matters about an identifiable individual including municipal or local board employees;

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- iii. a proposed or pending acquisition or disposition of land by the municipality or local board;
- iv. labour relations or employee negotiations;
- v. litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality or Local Board;
- vi. the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- vii. a matter in respect of which the meeting may be closed as authorized by statute;
- viii. 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;
- ix. 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 with the contractual or other negotiations of a person, group of persons, or organization;
- x. 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
- xi. a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

b) A meeting may be closed to the public if the meeting is held for the purpose of educating or training the members, and, at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision of the council, local board or committee.

c) Council may, by resolution, close a meeting or part of a meeting to the public where the subject matter to be considered is an ongoing investigation respecting the municipality, a local board, or a municipally controlled corporation by the Ombudsman.

9.2. Before all or part of a meeting is closed to the public, the body proposing to hold the meeting shall state, by resolution:

- a) the time of the meeting at which the closed session began;
- b) the fact of holding of the closed meeting;
- c) the general nature of the matter to be considered at the closed meeting.

9.3. Subject to subsection 9.1, a meeting shall not be closed to the public during the taking of a vote unless the vote is for a procedural matter or for giving direction or instructions to officers, employees or agents of the Municipality or local board, or persons retained by or under contract with the Municipality or local board.

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- 9.4. A motion to move out of closed session shall specify the time at which the meeting resumed in open session.
- 9.5. Upon resuming in open session, the Chair shall state:
- a) the matters which were considered; and
  - b) confirmation that no motions were carried in closed session other than procedural motions or direction to staff.

#### **10. Regular Meeting Times – Council, Standing Committees, Ad Hoc Committees**

- 10.1. The regular meetings of Council shall generally be held twice per month on the first and third Tuesdays at 4:00 p.m.
- 10.2. A meeting commencing at 4:00 p.m. shall adjourn no later than 8:00 p.m.
- 10.3. Despite clause 10.2, Council can extend the meeting time beyond the adjournment time specified by a two-thirds vote.
- 10.4. There will be no meetings held in the month of August.
- 10.5. A meeting of Council, in respect to matters requiring a Statutory Public Meeting (Planning Act) shall be held at 4:00 p.m. on the first Tuesday, and as required, the third Tuesday of each month, except for the month of August. Planning matters heard at a Public Meeting shall proceed through the normal process, that being reintroduction of the item at the next Council meeting.
- 10.6. Standing Committee Meetings shall be held in the Council Chambers, once a month as follows:
- |   |  |
|---|--|
| General Government                        | Part of Regular Council<br>(if required) |
| Planning                                  | Part of Regular Council<br>(if required) |
| Transportation and Environmental Services | Call of the Chair                        |
| Protective Services                       | Call of the Chair                        |
| Recreation                                | Call of the Chair                        |
| Economic Development                      | Call of the Chair                        |
- 10.7. All recommendations arising from a Standing Committee Meeting shall be included for ratification at a Regular Council Meeting.
- 10.8. Council may, by resolution, alter the date and/or time of a Regular Meeting or Committee provided that adequate notice of the change is published.
- 10.9. In the event municipal business dictates the requirements for additional meetings in any month, such meetings shall be Special Meetings of Council, in accordance with the provisions within this By-Law.
- 10.10. The CAO/Clerk, or his/her designate, shall be in attendance at all Regular and Special Meetings of Council.
- 10.11. A municipal staff member shall be in attendance at all Committee meetings as directed by the CAO/Clerk to record the minutes of said meeting without comment.

- 10.12. Managers who have Agenda items to present shall attend the Council Meetings, as directed by the CAO/Clerk.
- 10.13. If a Member wishes a Manager or Staff member to be present at a Council Meeting, the Member shall so notify the CAO/Clerk by 12:00 noon on the working day prior to the meeting.

### **11. Place of Meetings**

Meetings of Council and Committee shall be held in the Council Chambers situated at 2253 Johnston Road (Renfrew) or at such other place specified on the agenda.

### **12. Seating and Persons within Council Horseshoe**

- 12.1. Seating of Members of Council shall have the Mayor seated at the head of the table with the CAO/Clerk to their immediate left. The Deputy Mayor shall sit at the first seat on the left side from the Mayor. Other members of Council shall be seated alternating sides beginning with the Councillor receiving the most votes during the election seated to the immediate right side from the Mayor.
- 12.2. No person, except Council Members and appointed officials of the Township, shall be allowed to come within the horseshoe during the meetings without the permission of the Chair.
- 12.3. No person, except Council Members and appointed officials of the Township, shall place on the desks of the members or otherwise distribute any material unless such person has received the approval of the Chair or the CAO/Clerk.
- 12.4. Seating of Members of Committees shall have the Chair seated at the head of the table with the appropriate staff member to their left.

### **13. Public Notice of Meetings**

Public notice shall be given for all meetings of Council and committees by means of the municipal website with the posting of the agenda.

### **14. Special Meetings**

- 14.1. The Mayor and/or CAO/Clerk may at any time summon a special meeting of Council on 48 hours e-mail notice by the CAO/Clerk or designate to the Members of Council. The agenda shall be circulated to members by email and posted on the municipal website at least 24 hours in advance of the meeting.
- 14.2. Upon receipt of the petition of the majority of Council, the CAO/Clerk or designate shall summon a special meeting for the purpose and at the time mentioned in the petition.
- 14.3. The only business to be dealt with at a special meeting is that which is listed in the notice of the meeting.
- 14.4. In circumstances of an emergency, the Mayor and/or CAO/Clerk may summon a special meeting of Council on less than 48 hours' notice. All

Council Members shall be notified of the special meeting either personally or by email, or by any other means necessary. An agenda will be provided at the meeting.

- 14.5. In keeping with clause 14.4 above, an emergency meeting shall proceed with the consent of two-thirds of the Council Members present, recorded in the minutes.

### **15. Calling a Meeting to Order**

As soon after the hour fixed for the holding of the meeting, the Chair shall take the chair and call the meeting to order.

### **16. Arrival and Departure of Council Members**

- 16.1. Late arrivals and early departures will be noted in the minutes.
- 16.2. If a Member arrives late at a meeting, any prior discussion shall not be reviewed without the unanimous consent of all Council Members present.

### **17. No Quorum**

- 17.1. If no quorum is present twenty minutes after the time appointed for a meeting, the CAO/Clerk shall record the names of the Council Members present and the meeting shall stand adjourned until the same time of commencement on the following Tuesday.
- 17.2. If, in the Mayor's opinion, it is not essential that the matters on the agenda be dealt with before the next regularly scheduled meeting, then the Mayor shall announce that the business will be taken up at the next regularly scheduled meeting.

### **18. Electronic Meeting Participation**

- 18.1. Electronic Meeting participation is permitted for Council & Delegations;
- 18.2. Electronic participation is allowed in open and closed meetings of Council and members who participate in open and closed meetings electronically be counted for the purpose of quorum as per Subsections 238 (3.1) (3.3) (3.4) and (3.5) of the Municipal Act, as amended, or as provided for under other provincial statute;
- 18.3. A Member of Council who participates electronically shall have the same rights and responsibilities as if they were in physical attendance, including the right to vote;
- 18.4. A Member of Council participating electronically must be able to be heard and place themselves on mute and un-mute. The raised hand feature can only be utilized to be added to the speakers list. The chat function will not be used for the purpose of debate;
- 18.5. Members of Council shall identify themselves:
- a) at the beginning of the meeting for the purposes of determining quorum; and;

- b) upon the call of the vote of each motion or by-law to determine the vote;
- 18.6. At the discretion of the Presiding Officer, in consultation with the CAO/Clerk, a meeting may be held entirely electronically due to health, adverse weather, emergency or other considerations;
- 18.7. Members of Council must physically attend in person at a Council meeting at least once every 60 days or as approved by Council;
- 18.8. The CAO/Clerk shall be responsible for any additional procedures associated with the conduct of the electronic meeting;
- 18.9. Delegations are permitted to be virtual and will have to follow the same regulations that are currently in place;
- 18.10. If participating in a closed session, the participant must ensure and declare that they are in a private location where others cannot hear or participate in the meeting if not authorized to do so.

#### **PART IV – Order of Proceedings – Agenda and Minutes**

##### **19. Preparation of Agenda**

- 19.1. Prior to each regular Council meeting of Council, the CAO/Clerk shall prepare an Agenda of all business to be brought before such meeting. No matter shall be placed on the Agenda of a Regular meeting unless it is authorized by the CAO/Clerk and approved by Council.
- 19.2. Planning matters heard at a Statutory Public Meeting shall proceed through the next regular meeting.
- 19.3. The Agenda and reports for Regular Council Meetings shall be distributed (as much as feasibly possible) to Members by 4 p.m. on the Friday before the meeting date and will be made available to media and the general public 48 hours before the scheduled meeting date with the exception of any In Camera Agendas or items.

##### **20. Minutes**

- 20.1. The CAO/Clerk or delegate shall record minutes of all Council Meetings and shall record:
  - a) The place, date and time of the meeting;
  - b) The names of the Presiding Officer, and of Members, parties to Statutory Public Meetings, Delegations, and Presentations/Award Recipients.
  - c) The correction, if any, and adoption of the minutes of the prior meetings.
  - d) All motions, resolutions, decisions and other statutory proceedings of the Council Meetings without note or comment.
  - e) Notes of Committee Meetings shall be recorded by the member of staff designated by the CAO/Clerk.

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## 21. Order of Business for Council Meetings

### Council Agenda

1. Call to Order
  2. Land Acknowledgement
  3. Declaration of Pecuniary Interest and the General Nature Thereof
  4. Confirmation of Council Agenda
  5. Delegation/Public Meeting
  6. Adoption of Previous Council Minutes
  7. Business Arising from Previous Minutes
  8. Standing Committee Reports
    - i. General Government
    - ii. Planning
    - iii. Transportation and Environmental Services
    - iv. Recreation
    - v. Economic Development
    - vi. Protective Services
  9. Correspondence
    - i. Information
    - ii. Action
  10. By-Laws
  11. Notice of Motion
  12. Council and/or Staff Members Concerns
  13. Resolutions
  14. In-Camera (as required)
  15. Confirming By-Law
  16. Adjournment
- 21.1. Agendas for Committees or sub-committees shall be a combination of the above Council agenda.
  - 21.2. Once Agendas are distributed to Members, additions to the Agenda must be authorized by a motion of Council.
  - 21.3. The business of Council shall be taken up in the order and as listed on the Agenda unless changed as authorized by a motion of Council.
  - 21.4. The CAO/Clerk shall be responsible for the preparation of Agendas of Council meetings as required.
  - 21.5. All written reports for inclusion on the Council Agendas must be approved by the CAO/Clerk. Written report shall be forwarded to the CAO/Clerk for approval no later than 12 noon on the Thursday prior to the Council Meeting for inclusion on the agenda. Items received after 12 noon on the Thursday prior to the Council meetings will be referred to the next regular Council

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Meeting, as the case may be, unless the item is considered to be of an emergency nature, in which case the CAO/Clerk may, as his/her sole discretion, recommend to Council that the item be considered at that meeting. Such consideration of these items will be subject to subsection 21.2 above.

## **22. Declaration of Disclosure of Pecuniary Interest**

- 22.1. In accordance with the Municipal Conflict of Interest Act, R.S.O. 1990, any member, who, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council or local board at which the matter is to be considered, a pecuniary interest in a matter is one where there is a reasonable likelihood or expectation of financial loss or gain of the individual or related persons as per the Act.
- 22.2. The onus to declare a pecuniary interest rests with the member and time for this process is allocated on every meeting agenda, the member:
- a) shall, prior to any consideration of the matter at the meeting, disclose that they have an interest and the general nature of the interest;
  - b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
  - c) shall not attempt in any way before, during or after the meeting, to influence the voting on such matter and vacate the council chambers.
- 22.3. Members of Council will submit disclosures of Pecuniary Interest in writing (Appendix A) to the CAO/Clerk as well as state verbally their Disclosure of Pecuniary Interest and the General Nature Thereof. The CAO/Clerk will record the statement in the minutes of the meeting and create a registry to provide interested parties with access to past disclosures of pecuniary interest.
- 22.4. Where a Member is absent from a meeting, and where such Member realizes that there is an agenda item for which the Member would have declared a Pecuniary Interest, the Member shall declare interest at the next Regular Council meeting following the Member becoming aware of the Pecuniary Interest.

## **23. Standing Committees**

- 23.1. The following Standing Committees are hereby established by Council to deal with the business of the municipality in a monthly Committee and/or Council meeting:
- a) Transportation and Environmental Services
  - b) Recreation
  - c) Economic Development
  - d) Protective Services
  - e) General Government (in Council)
  - f) Planning (in Council)

23.2. The membership of the Committees will be as follows:

| Committee                               | Members of Council     | Public Advisory Members |
|---|------------------------|-------------------------|
| Transportation & Environmental Services | Chair + one member     | Up to 3                 |
| Recreation                              | Chair + one member     | Up to 3                 |
| Economic Development                    | Chair + one member     | Up to 3                 |
| Protective Services                     | Chair + one member     | Up to 3                 |
| General Government                      | Chair + All of Council | Up to 3                 |
| Planning                                | Chair + All of Council | Up to 3                 |

23.3. Standing Committees shall be as outlined in subsection 10.6 of this By-Law, at the call of the Chair or upon recommendation by the CAO/Clerk.

23.4. Notice of Standing Committee Meetings shall be posted on the municipal website at least one week prior to the date of the meeting, where possible and shall be posted in the Municipal Office.

23.5. Notice of Standing Committee Meetings may be advertised in a local newspaper, at the discretion of the CAO/Clerk.

23.6. The Municipal Staff Member assigned to the Standing Committee shall prepare Agendas for the Standing Committees a minimum of three days prior to the date of the meeting. Information packages shall be distributed to Members two days prior to the date of the meeting. Agendas shall be posted on the Municipal website.

23.7. A member of Municipal staff, as directed by the CAO/Clerk, must be in attendance at every Standing Committee Meeting and shall record the minutes of said meetings without comment.

23.8. The Mayor is ex-officio on every Standing Committee of Council. The Mayor may participate fully in the meeting business, however, shall not be counted as part of the quorum.

23.9. Public Advisory Members are chosen by Council through an application-based system. Members must re-apply every new term of Council.

## 24. Delegations

24.1. Individuals or groups wishing to appear before Council and/or Committee as a delegation shall advise the CAO/Clerk at any time prior to, but no later than 12:00 Noon on the Thursday prior to the scheduled date of the Meeting.

24.2. Requests for Delegations shall be in writing (Appendix B) and must generally describe the topic or issue to be discussed. Presentations of Certificates and/or Awards by Council shall be dealt with at a Council meeting.

24.3. Notwithstanding subsection 22.1, any person wishing to speak to a matter on a Council Meeting Agenda may do so at that meeting without a formal request to be a delegation, subject to the approval of Council.

24.4. Individuals or groups who are listed on the Agenda as a Delegation, or are speaking to a matter on the Agenda, shall be limited to not more than fifteen minutes to make their presentation. This time limit may be extended subject to approval by Council.

- 24.5. In consideration of time restraints, the number of Statutory Public Meetings, Presentations or Delegations shall be limited to a maximum of three.
- 24.6. The submission of a written request to be a Delegation does not guarantee the request will be approved. The municipality reserves the right to schedule or deny a request for Delegation. The CAO/Clerk shall have final authority to schedule or deny a Delegation request.
- 24.7. In the case of a group Delegation, only one person of the group shall be permitted to address the Members, at a time.
- 24.8. The time allotted for a Delegation is either at 4 p.m. or 6 p.m. and at the sole discretion of the CAO/Clerk.

## **25. Conduct of Guests/Delegations**

No Guest or Delegation shall:

- 25.1. Speak disrespectfully of the Reigning Sovereign, the Royal Family, the Governor-General, the Lieutenant Governor, any Member of the Senate, any Member of the House of Commons or any Member of the Legislative Assembly of the Province of Ontario.
- 25.2. Use indecent, offensive, or insulting words, profanity or unparliamentary language in or against the Council or against any Member, staff, guest or individual.
- 25.3. Disturb a Member, staff member, guest or individual by any disorderly conduct disconcerting to the Council.
- 25.4. Be allowed to address Council or Committees or speak in debate without permission of the Mayor or Presiding Officer who, may consult with Council or Committees regarding permission.
- 25.5. Resist the rules of Council or disobey the decision of the Presiding Officer or of Council or Committees on questions of order, practice or upon the interpretation of the rules of Council.
- 25.6. Unless authorized by the Mayor or Presiding Officer, all guests shall address Council and Committees through the Chair and only when recognized to do so.

## **26. Motions, Rules of Debate, Voting on Motions**

- 26.1. All motions must be moved and seconded before any discussion can take place and before the question can be put or a motion recorded in the minutes.
- 26.2. All motions shall be presented to Council, in writing.
- 26.3. All formal motions shall be read by the Mayor and/or Presiding Officer. The Mayor or Presiding Officer may designate the reading of formal motions to the CAO/Clerk.
- 26.4. Motion to Amend:
  - a) An amendment shall be relevant and germane to the principle of the report or motion under consideration.

- b) A motion to amend may propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue which was the subject matter of the question.
  - c) Amendment motions shall be put in the reverse order to the order in which they were moved.
- 26.5. If the original mover and seconder of the motion do not agree with the amendments, they may, without further discussion withdraw their support for the original motion as amended and a new mover and seconder would be required to move the motion as amended. If the amendments are carried, then the original motion as amended would be put to the vote.
- 26.6. Once a motion is moved and seconded and read by the Mayor or Presiding Officer, it cannot be withdrawn without the consent of the mover and seconder. If the motion is withdrawn, it shall be entered into the minutes and noted as being "WITHDRAWN".
- 26.7. Immediately prior to voting on a motion, the Mayor or Presiding Officer shall state the question in the precise form it is to be recorded in the minutes, including any amendments to the question.
- 26.8. After a motion as amended is finally put, no Member shall speak the question nor shall any other motion be made until after the vote is taken and the result is declared.
- 26.9. A Member shall not speak more than once to the same question without the consent of the Mayor or Presiding Officer, except:
- a) In explanation of a material part of their speech which may have been interpreted incorrectly, or
  - b) With leave of the Mayor or Presiding Officer, after all other Members so desiring have spoken; or
  - c) To reply by leave of the Mayor or Presiding Officer to the Member who presented the motion to Council or Committee.
- 26.10. On an unrecorded vote, the manner of determining the decision on a motion shall be by show of hands. Any failure to vote by a Member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.
- 26.11. No Member shall speak on any subject other than the subject under debate.
- 26.12. No Member shall interrupt a Member who has the floor except to raise a point of order or personal privilege.
- 26.13. At a meeting, no Member shall reflect upon, review, discuss, recount, or criticize any decision of Council or Committee except for the purpose of moving that the question be reconsidered.
- 26.14. Recorded Vote:
- a) A request by a Council Member for a recorded vote shall be made immediately prior to the commencement of the vote being taken or immediately thereafter, prior to proceeding to the next item on the agenda.

- b) When a recorded vote is requested, or is otherwise required, the CAO/Clerk shall call the names and record the vote in the following order:
- i. the requester shall be called first;
  - ii. to be followed by the Councillors in order of the greatest number of votes received during the election;
  - iii. with the Mayor voting last;
  - iv. if the requester is the Mayor, the requester shall vote first.
- 26.15. The Mayor or Presiding Officer votes with Council or Committee over which they are presiding.
- 26.16. Except where expressly provided in Statute, any question on which there is a tie vote shall be deemed to be lost.
- 26.17. No vote shall be taken by ballot or by any other method of secret voting, except as provided in legislation.
- 26.18. Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.
- 26.19. Motion to Reconsider:
- a) Council shall not reconsider a substantive motion or By-Law until a Motion to Reconsider has been approved by Council.
  - b) A motion to reconsider may only be moved by a Member on the prevailing side.
  - c) After a substantive motion or By-Law has been decided, it shall be in order for any Member to move for reconsideration and such motion requires a seconder. If carried, the matter shall be reconsidered at the next regular meeting of Council or a Special Meeting of Council after the motion to reconsider was approved by Council.
  - d) A motion for reconsideration shall not be in order if Council is made aware that the motion or By-Law has been implemented resulting in legally binding commitments as of the date the motion to reconsider is moved.
  - e) Debate on a motion to reconsider shall be limited and confined to discussion that new information has come forward, errors in documentation were presented, incorrect statements were made during the original debate, or other brief and concise statements were made during the original debate, or other brief and concise statements outlining the reasons for reconsideration. Debate on the original motion or By-Law proposed for reconsideration shall be prohibited until the motion to reconsider has been disposed of.
  - f) If a motion to reconsider is disposed of in the affirmative, it shall not be in order to reconsider the original motion or By-Law until the next regular meeting of Council or a Special Meeting of Council if so directed by Council by a two-thirds majority vote.
  - g) A motion to reconsider shall not be reconsidered.

- h) Once a substantive motion or By-Law is reopened, it is reopened in its entirety unless the motion to reconsider specifies otherwise. The original motion or By-Law being reconsidered shall be subject to the rules of debate and amendment outlined herein.
- i) After a substantive motion or By-Law has been reconsidered and decided, either in the negative or positive, it may not be further reconsidered within the calendar year following the meeting at which the motion or By-Law is reconsidered.

26.20. Adoption in a Single Motion

- a) One or more report items on a Council or Committee Agenda may be adopted by use of a single motion. If a Member present at the meeting request that an item be discussed, or if a Member declares an interest pursuant to the provisions of The Municipal Conflict of Interest Act, then that item shall be withdrawn from the single motion and dealt with separately on the Agenda.

26.21. Notice of Motion

- a) Notices of Motion shall be submitted in writing and delivered to the CAO/Clerk before 12 Noon on the day of the Council Meeting. The CAO/Clerk shall read the Notice into the record and no seconder is required. The Notice is not debatable at that time. The issue/subject matter of the Notice of Motion shall be dealt with at the next regularly scheduled Council Meeting.

## 27. Points of Order and Privilege

27.1. The Mayor or Presiding Officer shall preserve order and decide questions of order and may consult with the CAO/Clerk on rules of order.

27.2. Point of Order:

- a) A Member may interrupt the person who has the floor to raise a point of order when such Member feels that there has been:
  - i. A deviation from or a breach of the Rules of Procedure or the Municipal Act, 2001, as amended; or
  - ii. A deviation from the matter under consideration and the current discussion is not within the scope of the proposed motion.
- b) Upon hearing such a point of order, the Chair shall decide and state the point of order.
- c) Thereafter, a Member shall only address the Chair for the purpose of appealing the Chair's decision to Council.
- d) If no Member appeals, the decision of the Chair shall be final.

27.3 Any Member may appeal to Council or Committee on a decision of the Mayor or Presiding Officer on a point of order.

27.4 The Council or Committee, if appealed to, shall decide the question without debate and its decisions shall be final. The question so interrupted shall be resumed at the point where it was suspended.

## **28. By-Laws**

- 28.1. Every By-Law presented to Council shall have three readings. Unless otherwise required by any act of statutory procedure, all by-laws shall be given first, second and third reading at one meeting in a single motion.
- 28.2. Every By-Law shall be numbered and signed by the Head of Council and the CAO/Clerk, sealed and recorded in the By-Law book.
- 28.3. The CAO/Clerk or designate is hereby authorized to make such minor deletions, additions or other changes in form to any By-Law before same is signed and sealed, for the purpose of ensuring correct and complete implementation of the actions of Council.
- 28.4. Council shall employ a Confirmatory By-Law immediately prior to adjournment for the purpose of validating decisions made in a resolution or direction given at the same meeting and which are not set out in another By-Law. The Confirmatory By-Law shall be read three times at the meeting for which it is being employed.
- 28.5. The CAO/Clerk shall include on all By-Laws enacted by Council the date(s) of its readings.
- 28.6. Upon passage, By-Laws shall be signed by the Mayor or Presiding Officer and the CAO/Clerk and embossed with the seal of the Corporation.

## **29. Adjournment**

No item of business may be dealt with at any meeting after 4 hours of deliberations without the unanimous approval of those present.

## **PART V – Other Committees, Advisory Committees and External Boards**

### **30. Council Representation on External Boards**

- 30.1. The Township shall be represented on all external board and committees for whom appointments are sought or required, at the discretion of Council.
- 30.2. At the beginning and mid-point of each term of Council, the Mayor may request, with assistance of the CAO/Clerk or designate, a list of boards and committees each member of Council is interested in serving on for their Council term.
- 30.3. The Mayor shall submit, for Council, consideration a list of external boards and committees accompanied by one or more Council Members to be appointed to each of these bodies. The list may be debated at time of consideration.
- 30.4. Appointments shall be made through Resolution of Council.

### **31. Other Internal Committees or Advisory Committees**

Council may create, appoint and dissolve any committee through by-law including Terms of Reference. Where no specific rules of procedure are specified, these Rules of Procedure shall apply.



**PART VI – Other Matters****32. Conflict with another By-Law**

In the event of any conflict between any provisions of this By-Law and any other By-Law hereto are passed; the provisions of this By-Law shall prevail.

**33. Short Title**

This By-Law shall be known as the “Procedural By-Law”.

**34. Effective Date**

- 34.1. That By-Law 2019-41 is hereby repealed.
- 34.2. This By-Law shall come into full force and shall take effect on July 2<sup>nd</sup>, 2024

READ a first and second time this 2<sup>nd</sup> day of July, 2024.

READ a third time and passed this 2<sup>nd</sup> day of July, 2024.

---

MAYOR David M. Bennett

---

CAO/CLERK Hope Dillabough



**CORPORATION OF THE TOWNSHIP OF HORTON****BY-LAW NO. 2024-25****Being a by-law to authorize an Encroachment Agreement  
between the Corporation of the Township of Horton  
and Melanie and Christopher Curley**

**WHEREAS** pursuant to Section 9 of the Municipal Act, 2001, S.O. 2001, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**AND WHEREAS** pursuant to Section 5.3 of the Municipal Act, 2001, S.O. 2001, c.25, the powers of every Council shall be exercised by by-law;

**NOW THEREFORE** the Council of the Corporation of the Township of Horton enacts as follows:

1. **THAT** the Mayor and CAO/Clerk be authorized to enter into the Encroachment Agreement attached hereto as 'Schedule A' and Survey Sketch attached hereto as 'Schedule B' and forming a part of this by-law with Melanie and Christopher Curley.
2. **THAT** a copy of said Agreement marked as 'Schedule A' and Survey Sketch marked as and 'Schedule B' shall remain attached to and form part of this by-law.

READ a first and second time this 2<sup>nd</sup> day of July, 2024.

READ a third time and passed this 2<sup>nd</sup> day of July, 2024.

---

MAYOR David M. Bennett

---

CAO/CLERK Hope Dillabough

**RETURN TO AGENDA**

THIS ENCROACHMENT AGREEMENT made this    day of June, 2024.

B E T W E E N:

THE CORPORATION OF THE TOWNSHIP OF HORTON

(the "Municipality")

-and-

OF THE FIRST PART

CHRISTOPHER CURLEY AND MELANIE CURLEY

(the "Owners")

OF THE SECOND PART

WHEREAS the Owners are the Owners of those lands municipally known as 2013 Thomson Road, Horton and more particularly described in Schedule "A" to this Agreement (the "Owners' Land");

AND WHEREAS certain existing structures of the Owners, being a deck, aboveground pool, frame shed and well encroach onto a portion of Unopened Road Allowance between Concession 9 and Concession 10, Township of Horton and, more particularly described in Schedule "A" to this Agreement (the "Road Allowance") and as depicted in a sketch attached hereto as Schedule "A-1" of this Agreement (the "Encroachments");

AND WHEREAS the Road Allowance is owned by and is under the jurisdiction of the Corporation of the Township of Horton pursuant to sections 26 and 28 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended;

AND WHEREAS the Owners have applied to the Municipality so that they may be permitted to maintain and use the Encroachments for an indefinite period;

AND WHEREAS the Township of Horton has agreed to enter into this Encroachment agreement to permit the Owners to use the Road Allowance in accordance with the terms of this Agreement;

AND WHEREAS the Owners have agreed that the Municipality shall not be liable for the maintenance, improvement or use of the portion of the Road Allowance upon which the Encroachments exist;

AND WHEREAS the Owners have agreed that the Municipality may enforce the terms of this Agreement pursuant to sections 445 and 446 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, including the authority to order remedial work to be completed at the Owners' sole cost;

NOW THEREFORE WITNESSETH that in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree with each other as follows:

1. The Parties hereby acknowledge and agree that:
  - a. The Encroachments are the sole responsibility of the Owners;
  - b. The Owners acknowledge that no representation has been made by the Municipality of any authority to grant the privilege to use and maintain the Encroachment and such use and maintenance by the Owners shall at all times be at the Owners' risk.
  - c. Notwithstanding the existence of the Encroachments, the public shall continue to enjoy an unfettered right to access the Road Allowance without restriction, save where such access is impossible because of the Encroachments;

**RETURN TO AGENDA**

- d. The Owners shall not request that the Encroachments or such portion of the Road Allowance be maintained or operated by the Municipality;
  - e. This Agreement does not confer any rights, title or interest in the Road Allowance other than as provided in this Agreement;
  - f. The Municipality is not responsible for obtaining any approvals necessary at law to permit any construction relating to the Encroachments, said obligation being that solely of the Owners; and
  - g. The Owners are solely responsible for complying with all permits and approvals issued by any approval authority for the Encroachment.
2. The Municipality hereby grants to the Owners a non-exclusive licence for the existing structures to encroach on the Road Allowance, and for this purpose the Municipality hereby grants permission to the Owners to undertake reasonable maintenance necessary to use and enjoy those portions of the structures encroaching on the Road Allowance.
  3. Notwithstanding any permission granted pursuant to this Agreement the Owners acknowledge and agree that the Municipality does not, by virtue of entering this Agreement, assume or incur any responsibility or liability for the design, construction or use of the structures located on the Encroachments, such responsibility and liability being expressly that of the Owners.
  4. The Owners covenant and agree:
    - a. To accept the Road Allowance in a completely "as is" condition and not to require the Municipality to pay for or do any work or supply any equipment or services in connection with the Encroachment;
    - b. That all of the Owners' obligations under this Agreement shall be deemed to include the words "at the Owners' expense";
    - c. To obtain all necessary permits and approvals as may be required by any authority having jurisdiction prior to undertaking any work on the Encroachments;
    - d. To not interfere with, obstruct or impede in any way the use of the Road Allowance (save for the existing Encroachments) by the public or of any adjacent public highway or lands owned by the Municipality;
    - e. To not carry on any activity or do or keep anything on the Road Allowance which is or may be a nuisance, or that causes or is likely to cause damage to the Road Allowance or any abutting land, or that obstructs or interferes with the right of the public to travel on and use the Road Allowance (save for the existing Encroachments). Without limiting the generality of the foregoing, the Owners agree to maintain the Road Allowance and the Owners' land to ensure an unobstructed flow of surface water and to ensure that any other activities of the Owners do not cause flooding of adjacent properties;
    - f. To undertake all measures necessary to ensure to the Municipality's satisfaction that use of the Road Allowance will not damage, impair, destroy or result in the loss of any municipal or other services or utilities that are now or may in future be located on, under or adjacent to the Road Allowance;
    - g. To ensure that no inflammable or explosive substances, contaminants, pollutants, or hazardous or environmentally sensitive materials are brought on to the Road Allowance, other than motor vehicle fuel while contained in normal fuel tanks;
    - h. To not register this Agreement or a notice of this Agreement or any other notice of the Owners' interest in the Road Allowance against title to the Road Allowance;
    - i. To indemnify and save harmless the Municipality from and against any and all manner of claims, demands, losses, costs, charges, actions, regulatory orders and prosecutions and other proceedings made or brought against, suffered by or imposed on the Municipality in respect of any loss, damage or injury to any person or land or breach of any legal requirement directly or indirectly arising out of, resulting from or sustained as a result of the Owners' use of the Encroachments or the use of the Encroachments by any member

of the public, whether said use is as invitee, guest or trespasser;

- j. Without limiting the generality of the foregoing, to indemnify and save harmless the Municipality from and against any and all claims, demands, losses, costs, charges, actions and other proceedings under the *Construction Lien Act* in connection with construction of any other work done by or at the request of the Owners on the Road Allowance, and to promptly attend at the Owners' expense to the removal of every claim for lien or certificate of action having to do with such work within fourteen (14) days of being notified in writing by the Municipality, failing which the Municipality may attend to such removal and recover the expense and all attendant legal and other costs from the Owners;
  - k. To take out and maintain in force at all times, a comprehensive policy of public liability and property damage insurance acceptable to the Municipality, that provides insurance coverage in respect of any one occurrence to a limit of not less than two million dollars (\$2,000,000.00) exclusive of interest and costs, against loss or damage resulting from bodily injury to, or death of one or more persons and loss of or damage to property, and that names the Municipality on the policy as an additional insured;
  - l. To ensure the Municipality is provided with a Certificate of Insurance in a form satisfactory to the Municipality together with such proof as the Municipality may require that all premiums on the policies of insurance have been paid and that they are in full force and effect. If the Owners fail to pay premiums or otherwise keep the policies in force, the Municipality may pay the premiums or take out additional policies as it considers necessary, and the Owners shall pay all costs; and
  - m. To comply with any direction, instruction or order of the Municipal Engineer issued pursuant to this Agreement.
5. The Owners further acknowledge and agree that:
- a. This Agreement does not give the Owners any right to obtain a building permit or otherwise develop the Owners' Land without first complying with the requirements of the Municipality's Official Plan, zoning by-law and any other applicable law;
  - b. Notwithstanding the improvements to the Road Allowance, the Municipality will have no obligation to provide any services whatsoever to the Owners' Land including, without limiting the foregoing, garbage collection, water, sewer, storm drainage or any other public utility; and
  - c. In the event the Encroachments or any part of the Encroachment is or are demolished, destroyed or otherwise removed from the Road Allowance, this Agreement shall be terminated and the Owners shall not be entitled to reconstruct the Encroachments on the Road Allowance.
6. The Owners shall be in default of this Agreement where any of the following occur:
- a. Construction or existence of the Encroachments creates or may create a danger to users of the Road Allowance, in the sole discretion of the Municipal Engineer;
  - b. Construction on the Road Allowance occurs without the Owners first having obtained written permission from the Municipality, which permission may be unreasonably withheld;
  - c. Construction on the Road Allowance occurs without the Owners first having obtained all necessary approvals from any agency having jurisdiction;
  - d. Construction on the Road Allowance is not in accordance with the terms and conditions of any approval or permit issued to permit such construction;
  - e. The Owners fail to comply with any direction, instruction or order from the Municipality or the Municipal Engineer;
  - f. The existence of the Encroachments or the condition of the Encroachments causes or contributes to flooding of adjacent properties; or
  - g. The Owners fails to comply with any obligation under this Agreement.

**RETURN TO AGENDA**

- 7. If the Owners are in default of any obligation under this Agreement and such default is not remedied to the satisfaction of the Municipality within fourteen (14) days of notice of the default delivered to the Owners, the Municipality shall have the right in addition to any other remedies available to it and without further notice to the Owners to perform all such work as is deemed necessary by the Municipal Engineer to remedy any default or safety concern. The Owners shall remain liable to the Municipality for all amounts owing pursuant to this.
- 8. Notwithstanding anything else to the contrary in this Agreement, the Municipality may terminate this Agreement upon providing twelve (12) months' notice in writing to the Owners, including the reason for the termination. The Owners agree that the reasons that the Municipality may terminate this Agreement include, but are not limited to: where the Owners are in breach of this Agreement; or where the Municipality requires the Road Allowance for any reason. Upon termination the Owners hereby irrevocably waive any rights to claim damages or loss as against the Municipality.
- 9. Upon receipt of notice of termination of this Agreement, the Owners shall remove the Encroachments and/or any/all structures or any other improvements on or made to the Road Allowance, or any parts thereof, and return the Road Allowance to a condition where it may be used safely by the public, prior to termination of this Agreement.
- 10. The Owners shall reimburse the Municipality for its costs in connection with the enforcement of this Agreement, and such costs may be recoverable by action against the Owners together with interest calculated at the rate of 1.25% per month (15% per annum) being the same rate of interest payable on account of tax arrears from the due date to the date of payment.
- 11. This Agreement shall be binding upon and enure to the benefit of the parties and their respective successors and assigns.
- 12. Any notices required to be given herein shall be given to the parties in writing at the addresses provided below, or to such other address as the parties may hereafter substitute by written notice.

If to The Corporation of the Township of Horton:

2253 Johnston Rd,  
Renfrew, ON  
K7V 3Z8

Attention: Chief Administrative Officer

Facsimile: 613-432-7298

If to the Owners:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Each party hereto agrees that such notices shall be deemed to have been received, if sent by mail, on the fifth (5th) day following the date of mailing and, if delivered personally, by facsimile, by registered mail, by courier, or by electronic means, on the day they were delivered.

- 13. This Agreement, together with the schedules thereto, if any, constitutes the entire agreement between the parties as to the subject matter hereof and this Agreement replaces and supersedes any prior understandings or agreements made between the parties as to the subject matter hereof. There are no representations, warranties, forms, conditions, undertakings, covenants or other promises or undertakings outside the written terms of this Agreement.
- 14. Upon request from either party, the parties to this Agreement will from time to time, at their own expense and without further consideration, execute and deliver such other documents and take such further action as the other party may reasonably require to more effectively complete any matter provided for herein.
- 15. This Agreement may not be modified or amended except in writing and with the written consent of all the parties.

16. This Agreement shall be governed by and interpreted in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein, and shall for all purposes be considered to be an Ontario contract, excluding any rule or principle of conflict of laws that may provide otherwise. The parties irrevocably agree to attorn to the courts of the Province of Ontario.
17. No waiver by the parties of any term of this Agreement shall constitute a waiver of any other term or any of the parties' rights. Any waiver by any party of a breach of any provision contained herein shall be in writing, and no such waiver shall be construed as a waiver of any succeeding breach of such provisions or a waiver of the provision itself.
18. Any headings used in this Agreement are for convenience only and are not to be considered a part of this Agreement and do not in any way limit or amplify the terms of this Agreement. In this Agreement, unless the context otherwise requires, any reference to gender shall include both genders and any reference to the singular number shall include the plural and vice versa.
19. Rights and obligations under this Agreement which by their nature should survive will remain in effect after termination or expiration hereof.
20. If any term of this Agreement is invalid under applicable statute or rule of law or held invalid by a court of competent jurisdiction, the term shall to that extent be omitted or severed therefrom without effect on the remainder of the Agreement.
21. This Agreement may be executed in one or more counterparts, the aggregate of which shall constitute a single agreement. The parties hereto agree that facsimile and .pdf signatures shall be sufficient to bind the parties.

**THIS AGREEMENT** has been executed by the parties on the \_\_\_\_ day of \_\_\_\_\_, 2024, effective as of the Effective Date.

THE CORPORATION OF THE TOWNSHIP OF  
HORTON

Per: \_\_\_\_\_

Name: David M. Bennett

Title: Mayor

Per: \_\_\_\_\_

Name: Hope Dillabough

Title: CAO/Clerk

*We have authority to bind the corporation.*

OWNERS

\_\_\_\_\_  
Christopher Curley

\_\_\_\_\_  
Melanie Curley

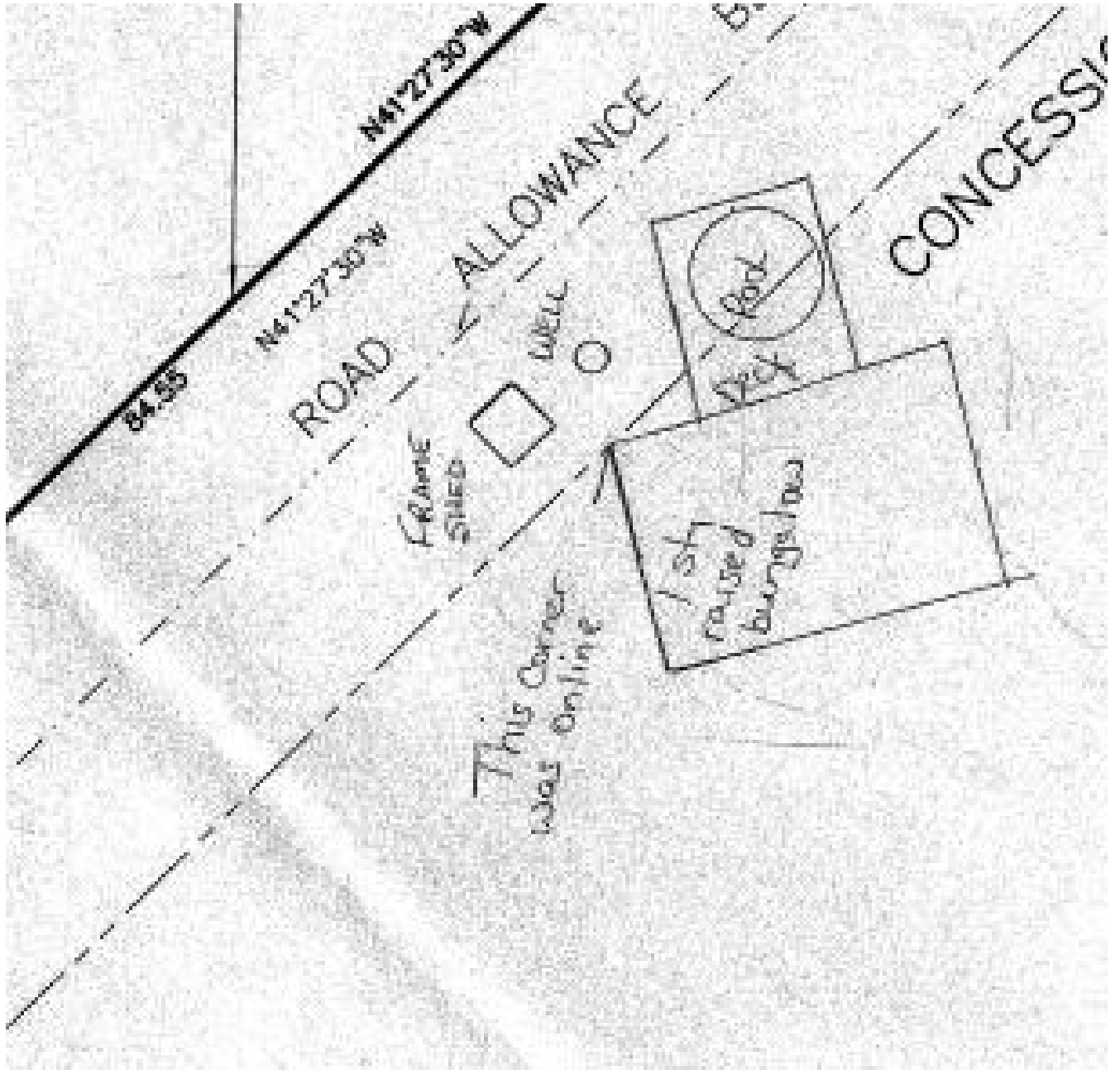
**SCHEDULE "A"****OWNERS' LAND**

PT LT 5, CON 9, HORTON, AS IN R314511(SECONDLY); TOWNSHIP OF HORTON;  
Being all of PIN 57298-0124 (LT)

**ROAD ENCROACHMENT**

That part of the Public Highway known as PT RDAL BTN CONS 9&10, LYING SE OF COUNTY RD  
3 & NW OF RDAL BTN TWPS HORTON & MCNAB; HORTON encroached upon by the existing  
structures depicted in Schedule A-1;  
Being part of PIN 57298-0113 (LT)

SCHEDULE "A-1"





COUNTY ROAD 1  
(Known as) RIVER ROAD  
PART 2, PLAN 49R-5959

PART 3,  
PLAN 49R-1836

PART 1,  
PLAN 49R-1836

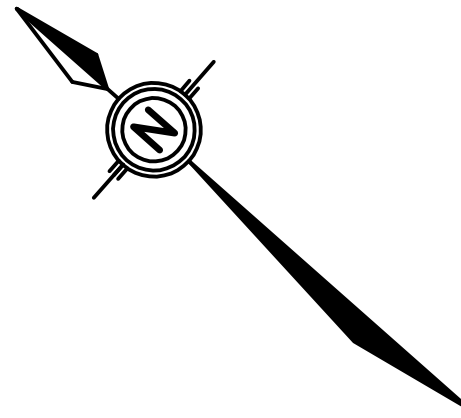
PART 4,  
PLAN 49R-1836

PART 1, PLAN 49R-19668

PART 2,  
PLAN 49R-1836

LOT 5,

CONCESSION 10



SKETCH ILLUSTRATING  
LANDS IN  
**PIN 57298-0124 (LT)**  
**GEOGRAPHIC TOWNSHIP OF HORTON**  
COUNTY OF RENFREW  
SCALE 1 : 400  
ADAM KASPRZAK SURVEYING LTD.

**METRIC NOTE:**  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

ROAD ALLOWANCE BETWEEN CONCESSIONS 9 & 10 (NOT TRAVELLED)

PIN 57298 - 0113 (LT)

(THE CORPORATION OF THE TOWNSHIP OF HORTON)

Raised Garden  
Frame Shed  
Patio  
Wood Platform  
Well 3.3  
Patio Stairs  
Walkway

5.5

Swimming Pool

Pool Deck

Eave 9.1  
Ridge 9.3

Frame Shed

2.6

0.2 SW

LOT 5,

CONCESSION 9

One Storey Dwelling  
w/ Vinyl Siding &  
Concrete Foundation  
No. 2013  
Dwelling 0.2 NE  
Eave 0.8 NE

PIN 57298-0124 (LT)  
(MELANIE LYSETTE CURLEY &  
CHRISTOPHER JOSEPH CURLEY)

TRAVELLED ROAD (Known as) THOMPSON ROAD

PART 1,  
PLAN 49R-10067

PART 1,  
PLAN 49R-9727

PART 1, PLAN 49R-11724

PART 1,  
PLAN 49R-1888

PART 1,  
PLAN 49R-8848

**AK** ADAM KASPRZAK SURVEYING LTD.  
ONTARIO LAND SURVEYORS  
29 BRIDGE ST., P.O. BOX 633  
RENFREW ONTARIO K7V 4E7  
PHONE (613) 432-3048

SCALE: 1 : 400 REF: 22-2178 E  
FILE No :

# CORPORATION OF THE TOWNSHIP OF HORTON

## BY-LAW NO. 2024-26

### A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE TOWNSHIP OF HORTON AT THE REGULAR COUNCIL MEETING HELD JULY 2<sup>ND</sup>, 2024

**WHEREAS** Subsection 5(1) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

**AND WHEREAS** Subsection 5(3) of the said Municipal Act provides that the powers of every Council are to be exercised by by-law;

**AND WHEREAS** it is deemed expedient and desirable that the proceedings of the Council of the Corporation of the Horton at this meeting be confirmed and adopted by by-law;

**THEREFORE** the Council of the Township of Horton enacts as follows:

1. That the actions of the Council at the meeting held on the 2<sup>nd</sup> day of July, 2024, and in respect of each motion, resolution and other action passed and taken by the Council at its said meetings, is, except where the prior approval of the Ontario Municipal Board or other body is required, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this by-law.
2. That the Head of Council and proper officers of the Corporation of the Township of Horton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain appropriate approvals where required, except where otherwise provided, and to affix the Corporate Seal of the Corporation of the Township of Horton to all such documents.
3. That this By-Law shall come into force and take effect upon the passing thereof.

READ a first and second time this 2<sup>nd</sup> day of July, 2024.

READ a third time and passed this 2<sup>nd</sup> day of July, 2024.

---

MAYOR David M. Bennett

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CAO/CLERK Hope Dillabough

**RETURN TO AGENDA**