

# 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.

### 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;

- 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;

- 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.

- 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 (if required)
Planning	Part of Regular Council (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.

## 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

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.

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MAYOR David M. Bennett

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CAO/CLERK Hope Dillabough