

**CORPORATION OF THE
TOWNSHIP OF EDWARDSBURGH CARDINAL**

BY-LAW NO. 2023-

**“BEING A BY-LAW TO GOVERN THE PROCEEDINGS
OF COUNCIL AND COMMITTEES OF COUNCIL”**

WHEREAS pursuant to Section 238(2) of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, every Council shall pass a procedure by-law for governing the calling, place and proceedings of meetings,

NOW THEREFORE be it enacted that:

1. The rules and regulations contained in this by-law as set out in Schedule ‘A’ attached hereto and forming part of this by-law, shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business in the Council and in the Committees thereof. The Clerk shall ensure that a copy of this procedural by-law shall be available at every Council meeting.
2. That by-law 2019-15 and all other bylaws previously passed that are inconsistent with the provisions of this bylaw are hereby repealed.
3. This by-law shall come into force and effect upon the date of enactment.

Read a first and second time in open Council this 27 day of February, 2023.

Read a third and final time, passed, signed and sealed in open Council this _____ day of _____, 2023.

Mayor

Clerk

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DEFINITIONS

1. In this by-law
 - (a) “Chair” and “Presiding Officer” can be used interchangeably to mean the individual conducting a meeting.
 - (b) “Chief Administrative Officer” means the individual appointed by Council who is responsible for exercising general control and management of the affairs of the municipality, as outlined in *Section 229 of the Municipal Act, 2001 (SO 2001, c. 25)* and who’s authority is further defined by the delegation of authority bylaw as adopted by Council from time-to-time.
 - (c) “Chief Executive Officer” means the Head of Council.
 - (d) “Clerk” means the individual appointed to perform the statutory duties outlined in *Section 228 of the Municipal Act, 2001 (SO 2001, c. 25)*, or in the absence of the Clerk, the Deputy Clerk, of the Township of Edwardsburgh/ Cardinal.
 - (e) “Committee” means any committee, sub-committee, advisory committee, or ad hoc committee established by the Council of the Township of Edwardsburgh/Cardinal.
 - (f) “Committee of the Whole” shall be any committee comprised of all members of Council.
 - (g) “Consent Agenda” means the portion of the agenda that may be approved by Council or Committee without debate.
 - (h) “Council” means the Council of the Township of Edwardsburgh/ Cardinal.
 - (i) “Councillor” means a member of Council other than the Mayor or Deputy Mayor.
 - (j) “Deputy Mayor” is the member of Council who has been elected to act in the absence of the Mayor.
 - (k) “Electronic Participation” means telephone, video or audio conferencing or other interactive methods whereby meeting participants are able to hear and be heard by all participants.
 - (l) “Head of Council” means the Mayor.
 - (m) “Improper Conduct” means any conduct which causes disruption of a meeting.
 - (n) “Inaugural Meeting” is the first meeting of a newly elected Council following each quadrennial election or any by-election.
 - (o) “In Camera” is a meeting closed to the public to allow Council or Committee to consider business that, in accordance with the *Municipal Act*, may be kept confidential.
 - (p) “Mayor” means Head of Council
 - (q) “Meeting” means any regular, special or other meeting of a council, of a local board, or of a committee of either of them where,
 - i) A quorum of members is present, and

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- ii) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

- (r) "Motion" is a formal proposal put to Council by an individual member.

- (s) "Municipal Act" means the *Municipal Act, 2001 (SO 2001, c.25)* and its regulations as amended.

- (t) "Notice of Motion" means a written notice, including the name of the mover, the purpose of the motion, the date and such other information as may be required, advising Council or Committee that the motion described therein will be brought forward at the subsequent Council or Committee meeting.

- (u) "Pecuniary Interest" means relating to or connected with money, pursuant to the *Municipal Conflict of Interest Act, RSO 1990, c.M.50* as amended.

- (v) "Quorum" shall be a majority of the total number of the Voting Members of the Council or Committee.

- (w) "Recorded Vote" means the recording of the name and vote of every member on any motion or question at any Member's request that the vote be recorded.

- (x) "Rules of Order" shall be the rules to regulate debate and the conduct of members of Council, staff and public during an actual meeting of the Council or Committee. Where this by-law is silent on a matter of procedure, Robert's Rules of Order will apply.

- (y) "Special Meeting" is a meeting called by the Mayor or a majority of members of Council for any purpose in accordance with the Township of Edwardsburgh/Cardinal's notice policy.

- (z) "Township" means the Corporation of the Township of Edwardsburgh/Cardinal and includes its geographical area.

- (aa) "Ultra vires" means beyond the legal power or authority of the corporation.

COUNCIL MEETINGS

- 2. The Inaugural Meeting following each quadrennial election shall be held at the Township Office, Spencerville, in the Council Chambers, unless otherwise stipulated to accommodate the public gallery, at 11:00 a.m. on the third Monday in November.

- 3. The Clerk, or designate, shall be responsible for the content of the agenda for the Inaugural Meeting and the arrangements for the inaugural proceedings. The contents of the agenda shall be as follows:
 - a. Opening of the Meeting
 - b. Mayor's Declaration of Office and Oath of Allegiance
 - c. Deputy Mayor's Declaration of Office and Oath of Allegiance
 - d. Councillor's Declaration of Office and Oath of Allegiance
 - e. Councillor's Inaugural Address
 - f. Deputy Mayor's Inaugural Address
 - g. Mayor's Inaugural Address
 - h. Adjournment

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4. Every member of Council shall make and subscribe to a Declaration of Office and an Oath of Allegiance at the Inaugural Meeting of Council as per Section 232(1) of the *Municipal Act, 2001*, S.O., c.25, as amended.
5. If a member of Council is absent, the Declaration of Office and Oath of Allegiance shall take place at the next subsequent Meeting of Council
6. Council shall meet on the last Monday of each month at the hour of 6:30 p.m. In the month of December, the regular meeting of Council shall be held on the second Monday of the month. Where the last Monday of the month falls on a Statutory holiday, the meeting will be moved to the Tuesday immediately following.
7. No item of business may be dealt with at a Council Meeting after 10:00 p.m. except by majority vote of all Members present, and providing that quorum can be maintained.
8. Special meetings for any purpose may be called at any time by the Mayor in accordance with the municipality's notice policy.
9. A majority of the members of Council may call a special meeting at any time in accordance with the *Municipal Act*.
10. Notice of the holding of a special meeting shall be given by the CAO or Clerk, or designate to all members by telephone and by e-mail, such notice to specify the date, time and location of such meeting and the object thereof, in accordance with the municipality's notice by-law.
11. As soon after the hour of meeting as there shall be a quorum present, the Mayor shall take the Chair and call the Members to order. A majority of the Members of the Council shall constitute a quorum. In the event that there shall be no quorum present within half an hour, the Clerk shall take the names of those present and the meeting shall stand adjourned.
12. The Mayor, or in their absence the Deputy Mayor, shall preserve order and decorum. They may speak to points of order, and shall decide all questions of order which can be subject to an appeal to the Council on a motion regularly seconded and which must be carried by majority.

ABSENCE OF HEAD OF COUNCIL FROM A COUNCIL MEETING

13. Subject to the provisions of the *Municipal Act*, and where no Presiding Officer has been appointed, in case the Mayor does not attend within fifteen (15) minutes after the time appointed for a meeting of the Council, the Deputy Mayor shall act in their stead. However, if neither is present the Clerk or Deputy Clerk shall call the Members to order if a quorum is present, and an acting Head of Council shall be appointed from among the Members present by a majority vote and they shall preside until the arrival of the Head of Council, and while so presiding the acting Head of Council shall have all the powers of the Head of Council.

CONDUCT OF PROCEEDINGS AT MEETINGS OF COUNCIL

14. It shall be the duty of the Mayor or other Presiding Officer:
 - (a) to open the meeting of Council by taking the Chair and calling the meeting to order,
 - (b) to ensure that each member of Council has received a copy of the Agenda for the meeting,

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- (c) to receive and submit, in the proper manner, all motions presented to the Members of Council,
- (d) to put to vote all questions which are regularly moved and seconded or necessarily arise in the course of proceedings, and to announce the result.
- (e) to decline to put to vote motions which infringe upon the rules of procedure.
- (f) to restrain the Members, within the Rules of Order, when engaged in debate.
- (g) to enforce on all occasions the observance of order and decorum among the Members, in accordance with the established code of conduct for Council.
- (h) to call by name any Council Member persisting in breach of the Rules of Order of the Council, and to order them to vacate the Council Chamber, and if necessary, to exercise their authority to adjourn the meeting.
- (i) to receive all messages and other communications and announce or cause them to be announced to the Council.
- (j) to authenticate, by their signature when necessary, all by-laws, resolutions and minutes of the Council.
- (k) to inform the Council, when necessary, or when referred to for the purpose, on a point of order or usage.
- (l) to ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of Council.
- (m) to record the vote of each member present when any member requests that the vote be recorded. The request must be made immediately prior to the taking of the vote. When a recorded vote is taken, each member present, except a member who is disqualified from voting by any Act, shall announce their vote openly. Any failure to vote by a member who is not disqualified shall be deemed to be a negative vote. The Clerk, or designate, shall record each vote in the minutes.
- (n) to adjourn the meeting when the business is concluded.
- (o) to adjourn the meeting without a vote in the case of grave disorder arising in the Council Chamber.

COUNCIL AGENDA

- 15. The agenda for a meeting of Council shall be drafted by the CAO or Clerk, or designate, under the direction of the Mayor.
- 16. The Mayor shall ensure that all agendas are balanced and organized and may stand down an agenda item if they feel it is appropriate to do so.
- 17. The CAO or Clerk, or designate, shall have an agenda prepared and produced for the use of the Members at the regular meetings of Council and cause such agenda and background materials to be delivered to the members not less than three (3) days before the meeting.
- 18. Items may be added to the agenda which arise between preparation of the agenda package and the meeting date if approved by the Mayor prior to the

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commencement of the meeting and approved as an amendment to the agenda by unanimous consent of Council during the course of the meeting.

19. The following shall be the General Order of Business at each Council meeting.
 1. Call to Order
 2. Approval of Agenda
 3. Disclosure of Pecuniary Interest
 4. Delegations or Presentations
 5. Consent Agenda
 6. Minutes of the Previous Council Meeting
 7. Business Arising from Previous Council Meeting
 8. Committee Minutes
 9. Action and Information Items from Committees
 10. Correspondence
 11. Approval of Disbursements
 12. By-laws
 13. CAO's Administrative Update
 14. Councillor Inquiries or Notices of Motion
 15. Mayor's Report
 16. Question Period
 17. Closed Session (if required)
 18. Report Out of Closed Session (if required)
 19. Confirmation By-law
 20. Adjournment

20. If a statutory public meeting is required, and in the opinion of the staff in consultation with the Mayor it can be accommodated prior to a regular meeting of Council or Committee, the regular meeting of Council or Committee will be delayed if necessary.

DELEGATIONS AND PRESENTATIONS

21. To ensure that Council is aware of public sentiment pertaining to agenda items, delegations will be afforded the opportunity to address Council before decisions are made.

22. Any individual, corporation, organization, agency or group wishing to present an item or viewpoint to Council shall request a delegation by 12:00 p.m. on the Thursday preceding the meeting through the office of the CAO or Clerk, or designate, in writing by delivering the request by hand, email or facsimile with confirmation of receipt. The requestor shall include their name, reasons for the delegation/presentation request, if they are representing any organization, the name of the organization or other such body. If the item already appears on the Council agenda, such requests will be accommodated up to and including 4:00 p.m. on the day of the Council meeting. If the item does not appear on the agenda, the delegate may be referred to a later Council or committee meeting.

23. Where a delegation appears before a Committee of Council composed of fewer than three members of Council, that same delegation may appear before Council at a regular Council meeting.

24. Where a delegation appears before Committee of the Whole that same delegation may appear before Council at a regular Council meeting a maximum of one time if they have new or additional information to present.

25. Delegations shall confine their remarks to the stated business, and shall have a maximum of ten (10) minutes to address Council, excluding follow-up questions by members of Council.

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26. There shall be a maximum of two spokespersons per delegation, whose combined speaking time shall not exceed ten (10) minutes.
27. Presentations are organized to present information to Council. Where a presentation appears before a Committee, that same presenter may be requested to appear to present to Council at a regular meeting.
28. Where a presentation is made to Council, presenters will be allotted fifteen (15) minutes to make the presentation, excluding follow-up questions by members. Allotted time may be extended upon approval of the Mayor.
29. The CAO or Clerk, or designate, shall list delegations and presentations in the order which they are received. Not more than three delegations or presentations in each Council or Committee meeting shall be booked. The Mayor, with the support of Council, may accommodate additional delegations prior to approval of agenda.
30. Delegations shall not:
 - (a) address members directly without permission;
 - (b) Interrupt any speaker or action of the members, or any other person addressing the members;
 - (c) display or have in their possession picket signs or placards in the Council Chambers or any other place that a Council or Committee meeting may take place;
 - (d) speak disrespectfully to any person;
 - (e) use offensive words;
 - (f) disobey a decision of the presiding officer;
 - (g) enter into cross debate with other delegations, presenters, members of the general public, staff members, members of council, or the presiding officer.

CONSENT AGENDA

31. Matters listed under the Consent Agenda are to be considered routine and shall be enacted by one motion.
32. Council and Committee consent agendas shall be drafted by the CAO or Clerk, or designate, under the direction of the Chair.
33. The Presiding Officer shall ask for the item(s) on the consent agenda in the order in which it appears if any member wishes to hold an item. If the answer is no, then the Presiding Officer will confirm that the item(s) listed can be carried on consent. If the answer to the item(s) is yes, then the Presiding Officer will make note of the item and move onto the next item in the order it appears on the consent agenda.
34. Bylaws shall not be considered on the consent agenda.
35. During the progression through the consent agenda in accordance with section 33, no debate, questions, comments or recorded votes shall be permitted, but declaration of interest and dissents may be recorded.
36. Any member of Council may request that an item be held for debate, question or comment and the item will not appear on the consent agenda. The Presiding Officer shall declare whether the item(s) is carried or will be held.
37. The item(s) carried on consent will be listed on a motion and such motion shall be put to a vote.
38. Upon completion of the progression through the consent agenda in accordance with section 33, Council shall then proceed to consider, in accordance with the regular agenda, the items that have not yet been adopted or carried.

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MINUTES

39. Minutes shall record:
- (a) the place, date and time of meeting;
 - (b) the names of the Presiding Officer or Officers and record of attendance of the Members;
 - (c) the reading, if requested, correction if necessary, and adoption of the minutes of previous meetings; and
 - (d) all other proceedings of the meeting without note or comment.
40. It shall be the duty of the CAO or Clerk, or designate to ensure that the minutes of the last regular meeting and the minutes of all special and committee meetings held more than five (5) days prior to a regular meeting are made available to each member of Council, not less than three (3) days before the hour appointed for the regular meeting.

MOTIONS - MEMBERS OF COUNCIL

41. A Council member may bring a motion forward under Council Inquiries/Notices of Motion in respect of an emergency, time sensitive (as determined by the Chair), congratulatory or condolence nature, or any other matter.
42. The Council Member introducing the notice of motion must indicate at which future Committee or Council meeting the motion is to be discussed.
43. Motions must be presented in writing; however, it is not necessary for the motion to be in the handwriting of the mover.

PRESENTATION AND DISPOSITION OF MOTIONS

MOTIONS – GENERAL

44. A motion must be formally seconded before the Presiding Officer can put the question.
45. When a motion is passed during Council it becomes a resolution.
46. A motion in respect of a matter beyond the jurisdiction of the Council shall not be in order and shall be considered to be “ultra vires”.

MAIN MOTIONS

47. Motions shall be called in the order in which they appear on the agenda and must indicate the mover and seconder. All motions must be made in the affirmative.
48. When called by the presiding officer, the mover of the motion shall state the names of members moving and seconding the motion and read the motion. A motion so put shall be considered the main motion.
49. After a motion has been duly moved, seconded, and read, it shall immediately be open to debate or amendment. The mover shall have the opportunity to make the introductory remarks.

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50. Any member of Council may request that any motion under debate be repeated by the presiding officer for the benefit of clarification, but not so as to interrupt a member while speaking.

SECONDARY MOTIONS

51. When a main motion is under debate, it shall be in order for any member to present the following secondary motion:
- (a) Withdrawal
A motion to withdraw:
 - (1) Need not be in writing;
 - (2) Shall only be put forward by the mover of the main motion;
 - (3) Shall receive disposition prior to any other secondary motion being presented;
 - (4) Shall not be debatable.

 - (b) Refer
A motion to refer a matter under debate:
 - (1) Need not be in writing;
 - (2) Shall receive disposition of Council before the main motion;
 - (3) Shall state the committee to which the matter shall be referred;
 - (4) Can be amended as to the method of disposition, Committee or other similar instructions;
 - (5) Shall preclude all amendments to the main motion until it is decided;
 - (6) Shall be debatable.

 - (c) Defer
A motion to defer:
 - (1) Need not be in writing;
 - (2) Shall receive disposition of Council before the main motion;
 - (3) Shall state the specific date upon which the motion shall again be put;
 - (4) Shall be debatable.

 - (d) Divide
A motion to divide:
 - (1) Shall be presented in writing;
 - (2) Shall receive disposition of Council before the main motion;
 - (3) Shall be in order only when the motion to be divided contains two or more separate and distinct proposals;
 - (4) Shall be debatable.

 - (e) Amend
A motion to amend:
 - (1) Shall be presented in writing;
 - (2) Shall receive disposition of Council before the main motion;
 - (3) Shall be relevant and not contrary to the main motion received;
 - (4) May be to add or insert certain words or phrases or to strike out certain words or phrases;
 - (5) A primary amendment or a sub-secondary amendment to a question at any one time. When both have been dealt with, the Presiding Officer may entertain a further amendment or sub-amendment, as the case may be;
 - (6) Shall be voted on in reverse order to their introduction. The secondary amendment (amendment to the amendment) must be disposed of before the primary amendment and the primary amendment must be voted on before the main motion.
 - (7) Shall be debatable.

 - (f) Postpone Indefinitely or to a Certain Day
A motion to postpone indefinitely or to a certain day:

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- (1) Shall only be applied to the main motion and can therefore be made only while the main motion is immediately pending;
- (2) Shall not be amendable;
- (3) Shall clearly state the day if it is postponed to a certain day;
- (4) An affirmative vote on the motion may be reconsidered, however, a negative cannot be reconsidered;
- (5) Shall be debatable.

(g) Move the Previous Question

A motion to move the previous question purpose is to immediately close debate and bring Council to a vote on the pending motion.

- (1) Shall not be amendable;
- (2) May be applied to any immediately pending debatable or amendable motions; to an entire series of pending debatable or amendable motions;
- (3) Prevents the making of any other secondary motions;
- (4) Requires a 2/3's vote for approval;
- (5) If a motion to move the previous question is resolved in the affirmative, the Presiding Officer shall forthwith put the main motion;
- (6) If a motion to move the previous question is resolved in the negative, debate shall continue on the main motion;
- (7) Shall not be debatable;

(h) Reconsideration

A motion to reconsider is to reconsider a matter decided by Council:

- (1) Shall be ruled out of order if any change to the previous decision would interfere with legally binding commitments of the Township existing as of the date the motion to reconsider is moved;
- (2) Shall be brought forward during the Council Inquiries/Notices of Motion portion of the meeting at which it was passed and the notice shall include reasons for doing so;
- (3) Shall be moved by a member who voted on the prevailing side;
- (4) Shall be supported by majority vote of the members of council before the matter to be reconsidered can be debated;
- (5) No question upon which a notice of reconsideration has been accepted shall be considered more than once, nor shall a vote to reconsider be reconsidered;
- (6) Debate on the question shall be confined to such matters as new information that has come forward, an error in documentation presented or incorrect statements made during the original debate;
- (7) If a motion for reconsideration is carried in the affirmative:
 - i. No action shall be taken in respect of the matter under reconsideration until the next subsequent meeting;
 - ii. The matter shall be stated in the same manner in which it was first disposed/decided by Council; and
 - iii. The matter shall be subject to the rules of debate and amendment outlined herein.

(i) Rescind

A motion to rescind is to repeal an action Council has previously taken when it is too late to reconsider the vote.

- (1) If necessary to rescind a motion that has passed, notice of intention to do so can be given at one meeting;
- (2) Shall be introduced and dealt with at a subsequent meeting;
- (3) Action of Council may be rescinded at any time;
- (4) A negative vote on the motion can be reconsidered, but not an affirmative vote;
- (5) Shall be debatable.

(j) Point of Order and Privilege

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When a member thinks that the rules of the Council are being violated, they can make a point of order/privilege, thereby calling upon the chair for a ruling and enforcement of the regular rules:

- (1) The Presiding Officer shall preserve order and decide questions of order;
- (2) A member shall ask leave of the Presiding Officer to raise a point of order and the Member state the point of order for the Presiding Officer's determination.
- (3) The Presiding Officer shall rule on the point of order without debate. No vote is taken unless the Presiding Officer is in doubt or their ruling is appealed.
- (4) Council, if appealed to, shall decide the question without debate and its decision shall be final.
- (5) Can be applied to any breach of the rules and is in order when another shall have the floor, even interrupting a person speaking or reading a report if the point genuinely requires attention at such a time.
- (6) Shall not be amendable;
- (7) Shall not be reconsidered;
- (8) Shall not be debatable – however, with the Presiding Officer's consent, a member may be permitted to explain their point and knowledgeable or interested members can be heard by way of explanation.

DISBURSEMENTS

52. All accounts submitted for payment shall be received by Council. Payments for budgeted items to a maximum of \$10,000 may be paid forthwith for emergency purposes or to avoid interest charges.
53. The Treasurer shall provide a list of all accounts to be paid to Council for review and approval prior to the release of funds, together with a list of those accounts paid in accordance with section 52 above.

READING OF BY-LAWS AND PROCEEDINGS THEREUPON

54. Every by-law when introduced shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any Act and shall be complete with the exception of the number and date thereof.
55. Every by-law shall have three readings prior to it being passed.
56. Unless otherwise provided, the confirmation bylaw shall receive all three (3) readings at the same time during the same meeting.
57. "Reading" in its present usage means "stage of consideration" and does not mean actual reading aloud.
58. The first reading of a by-law shall be decided without amendment or debate. It indicates approval of placing the matter before Council (introduction).
59. The second reading of a by-law indicates approval in principal of the proposed by-law.
60. First and second reading of any by-law may be held at the same meeting of Council and may be considered on the same motion.
61. If no amendments are proposed following first and second reading of a by-law and it has received unanimous support, said by-law may be given third and final reading at the same meeting as first and second reading.
62. If Council determines that a by-law is to be considered in Committee it shall be so considered after second reading and before third reading.

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63. If a Committee is used for discussion of a by-law, then any changes to the by-law recommended by the Committee shall be reported by the Chairperson of the Committee to Council. After the report has been received by Council the by-law shall be open to debate and amendment before it is ordered for third reading.
64. The Clerk, or designate, shall set out on all by-laws enacted by Council the date of the several readings thereof.
65. Every by-law enacted by the Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Clerk, or designate, and the Presiding Officer and shall be deposited by the Clerk, or designate, in their office for safekeeping.

COUNCIL INQUIRIES/NOTICES OF MOTION

66. Any member of Council may request follow-up information of any nature or give notice of a motion to be brought forward at the next regular Council meeting.
67. Specifics regarding names and addresses related to by-law enforcement or animal control issues will not be discussed in open session.

QUESTION PERIOD

68. Persons in the gallery or media representatives may ask questions for clarification with respect to items on the agenda as approved by Council. Each individual present shall be afforded time to ask one question during question period, but may also follow up with staff or the Mayor for additional information after the meeting. A maximum of twenty (20) minutes in total shall be allowed for question period.
69. Questions shall be directed to the Chair.
70. The Chair may terminate question period at any time, if they deem it necessary.

UNFINISHED BUSINESS

71. The items listed in the order of the topics set out in the agenda, as amended, if the case may be, if not disposed of by Council before the end of the meeting shall be noted and brought forward on each subsequent agenda until disposed of by Council, or removed from the agenda by a majority vote of the Council.

OTHER FINANCIAL REPORTING

72. The Treasurer will submit quarterly budget-to-actual summaries to Committee of the Whole – Administration and Operations within 60 days of the end of the quarter.
73. In the event that the annual budget has not yet been approved, municipal accounts can be processed provided that the expenses are comparable with the previous year's budget authority.

RULES OF DEBATE

74. Robert's Rules of Order shall be followed at all Council and Committee of the Whole meetings.

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75. The Presiding Officer may at any time state relevant facts and their position on any matter without leave.
76. The presiding officer may not move a motion without first taking leave of the chair.
77. No Member, without leave of the Council, shall speak on the same question, or in reply, for longer than ten minutes, with an additional five minute rebuttal period.
78. Where a Member considers that their integrity or the integrity of the Council as a whole has been questioned, they may as a matter of personal privilege rise at any time, with the consent of the Presiding Officer, for the purpose of drawing the attention of the Council to the matter.

CONDUCT OF MEMBERS OF COUNCIL

79. The Mayor, as the Head of Council is Chief Executive Officer of the Township is elected to ensure, to the best of their ability, that the roles prescribed by the *Municipal Act, SO 2001*, as amended are adhered to and followed.
80. The Deputy Mayor, shall act as the Head of Council to the best of their ability in place of the Mayor where the Mayor is unable to act.
81. Councillors are elected to represent their respective wards to the best of their ability and shall act to the best of their ability to ensure that all aspects of the Township are considered in deliberation.
82. All members shall be respectful of each other, staff and the general public while fulfilling their roles.
83. No member shall speak disrespectfully of the Reigning Sovereign, or of any member of the Royal family, or of the Governor General, or the Lieutenant Governors, Provincial Parties or Leaders, Federal Parties or Leaders or of their representatives.
84. No member shall speak disrespectfully, use offensive words, language or gestures.
85. No member shall speak on any subject other than the subject under debate at any meeting.
86. No member shall disobey the rules of the Council or a decision of the Presiding Officer or of the Council on questions of order or practice or upon the final interpretation of the rules of the Council;
87. Where a matter has been discussed in camera, and where the matter remains confidential, no member shall disclose the content of the matter or the substance of the deliberations of the in camera session.
88. No member shall exhibit any improper conduct over the course of any meeting.

PENALTIES FOR MISCONDUCT

89. Where a member has been called to order by the Presiding Officer for failing to observe the rules of conduct and persisting such conduct, the Presiding Officer may put the question, “that (Name of Council or Committee Member) be ordered to leave their seat for the duration of the meeting”. However, if the Member apologizes and regains proper conduct they, by majority vote, will be permitted to retake their seat.

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90. Where a Member has been permitted to retake their seat and improper behaviour is resumed by said Member, they will be ordered to leave the meeting by the Presiding Officer. No further opportunity to remain will be extended.

CONDUCT OF MEMBERS OF PUBLIC

91. Where a delegate, presenter or other member of the public behaves in a manner deemed to be improper conduct, they will be asked to leave the meeting. However, if the individual apologizes and regains proper conduct they, with the permission of the Presiding Officer, will be permitted to remain at the meeting.

COMMITTEE MEETINGS

IN GENERAL

92. Committees shall generally be governed by Proceedings of Council as established herein. Further terms of reference may be established by by-law from time-to-time.
93. There shall be five types of Committee meetings:
- (a) Committees of the Whole
 - (b) Committees of the Whole with citizen volunteers
 - (c) Committees of a majority of members of Council with citizen volunteers
 - (d) Committees of a minority of members of Council plus citizen volunteers to constitute membership.
 - (e) Ad hoc committees
94. (a) Committees of the Whole are meetings where the whole of Council is listed as members and are generally to be conducted in a manner similar to Council meetings. The CAO, Clerk or Deputy Clerk is required to be present.
95. (b) Committees of the Whole plus citizen volunteers may include, but are not limited to, matters involving Administration, Finance, Public Works, Environmental Services, Recreation Facilities, Land Use Planning, Economic Development, and Recreation Programming. The meetings are generally to be conducted in a manner similar to Council meetings. Citizen volunteers shall declare an oath of confidentiality in order to be included when matters are discussed in camera, and where the matter remains confidential in nature. The CAO, Clerk or Deputy Clerk are required and other senior staff may be required to be present.
96. (d) Committees of a minority of members of Council plus citizen volunteers to constitute membership may be conducted in an open discussion forum or in a manner similar to a Council meeting, as determined by the Presiding Officer. Such committees may include matters involving recreation programming, citizen concerns, public libraries, etc. The majority of representation shall be non-elected citizens. No staff resources are required.
97. (e) Ad Hoc Committees may be established from time-to-time to address specific matters. Council shall appoint members and set the terms of reference for such Committees by resolution.
98. All committees shall make recommendations to Council by way of motions brought forward by Committee members and duly voted upon.
99. Council shall, at the start of their term, establish or confirm Committees of Council and their terms of reference, as well as the nature and number of members, by by-law.

COMMITTEE PROCEEDINGS

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100. The Presiding Officer shall call the meeting to order, ensure that all members have copies of an agenda and/or supporting information, adjourn the meeting if unruly, or request individuals behaving in an unruly or rude manner to leave the meeting place, in accordance with sections 78 through 90 above.
101. Where a Committee is comprised of a minority of members of Council, quorum is not required for discussion to take place; however, quorum is required for votes to be called on recommendations to Council.
102. Where Committee is comprised of three or more elected members of Council, the Committee shall be served by appointed staff in accordance with the *Municipal Act, SO 2001* as amended.
103. Minutes of Committees shall record:
- The place, date and time of the meeting;
 - The names of the presiding officer and those voting and non-voting persons in attendance;
 - A synopsis of discussion, without mention of names associated with the opinions offered;
 - Motions and/or recommendations duly moved, seconded and voted upon;
 - The reading and review of previous meeting minutes;
 - All other proceedings without note or comment.
104. The Mayor shall be ex-officio to all Council Committees. Ex-officio is defined as having the right to attend, participate and vote at the meeting, but not forming part of the quorum.

GENERAL PROVISIONS

RECORDING OF COUNCIL OR COMMITTEE SESSIONS

105. The recording or live-streaming of meetings is permitted by members of the public, media, and staff.

AMENDMENT

106. No amendment or repeal of this by-law or any part thereof shall be considered at any meeting of the Council without notice of proposed amendment or repeal having been given at a previous regular meeting of the Council, and the waiving of this notice by the Council is prohibited.

AUTHORITY

107. Roberts – “Rules of Order” shall be the final authority for any rules governing business procedures not covered in this by-law.
108. Any procedure required by this by-law may be temporarily suspended with the consent of a majority of the Council present.

NOTICE

109. Public notice of all regular meetings of Council and Committee will be provided to the public by means of posting on the municipal website at least forty-eight (48) hours in advance of the meeting. Notice for cancellation of a meeting shall also be made on the municipal website in the same location as that used for the posting of meeting notices.

MEETINGS OPEN TO THE PUBLIC

**Schedule A
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110. Subject to Schedule B, the meetings of Council and Committee shall be open to the public and no person shall be excluded therefrom except for improper conduct.

ABSENCE OF HEAD OF COUNCIL FROM THE MUNICIPALITY

111. In the case of the absence of the Mayor from the Municipality, or if they are absent through illness, or they refuse to act, or their office is vacant, the Deputy Mayor will act in their place. However, if both are absent, a Councillor shall be appointed by the majority of members present to act from time to time in the place and stead of the Head of the Council and they shall have all the rights, powers and authority of the Head of Council, while so acting. This does not extend to membership on Counties Council.

PETITIONS AND COMMUNICATIONS (CORRESPONDENCE)

112. Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed and shall not contain any obscene or improper matter or language and shall be signed and dated by at least one person and filed with the CAO or Clerk.
113. Every communication received by the CAO or Clerk shall be forwarded to members of Council on a weekly basis.
114. Any member of Council may request that the CAO or Clerk bring forward any communication to a Committee or Council meeting for debate or direction.

ELECTRONIC PARTICIPATION IN MEETINGS

115. In-person participation shall remain the primary method of participation by members, electronic participation is available to members who deem it necessary due to:
- (a) It is not safe or possible to attend in-person due to natural extreme weather event;
 - (b) Health and safety restrictions or guidelines that may be outlined by the Health Unit, Provincial/Federal government or the Township's Emergency Control Group;
 - (c) Provincial government orders restricting in person meetings/public gatherings/stay at home orders;
 - (d) Activation of the Emergency Control Group or a declared emergency by any level of government or health unit;
 - (e) Medical absences (illness, isolation, or other health issues);
 - (f) Parental leave;
 - (g) Travel on official municipal business;
116. As per Section 238(3.1) of the *Municipal Act, 2001*, members of Council, of a Local Board or of a Committee, can participate electronically in a meeting.

A member of Council, of a Local Board or of a Committee, who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any time in time.

A member of Council, of a Local Board or of a Committee can participate electronically in a meeting that is open and closed to the public. Members participating electronically in a closed session shall ensure that they are in a private room, where no other persons can overhear the deliberations and that all reasonable measures have been taken to ensure confidentiality and internet security. It is highly recommended that all members participating electronically in a closed session wear a headset.

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A member of Council, of a Local Board or of a Committee participating electronically shall notify the Presiding Officer of the meeting and the Clerk, or their designate, of their intention, prior to the meeting if they wish to participate via electronic means.

A member of Council, of a Local Board or of a Committee shall verbally inform the Presiding Officer of their intention to leave the meeting. If the member is returning to the meeting, the member shall verbally notify the presiding officer at the time of their return.

A member of Council, of a Local Board or of a Committee making a motion shall not be required to be made in writing during electronic participation of the meeting. The member that has brought a motion forward during their electronic participation shall supply the Clerk with a copy of said motion, within 48 hours, of said meeting.

A member of Council, of a Local Board or of a Committee shall notify the Clerk, or designate, of their intention to participate electronically as soon as possible, or not later than 6 hours before the scheduled start of the meeting in order for electronic participation preparations to be made.

All members participating electronically shall vote by show of hands or by verbal consent (yea or nay).

All requested recorded votes shall be recorded during electronic participation. Each member present, including the presiding officer, except a member who is disqualified from voting by any Act, shall announce their vote verbally (yea or nay) when called by the presiding officer or Clerk, and the Clerk, or designate, shall record each member's vote.

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Schedule B

CLOSED MEETINGS

1. Council and Committee may close a meeting or part of a meeting to members of the public if the subject matter to be considered is:
 - (a) The security of the property of the municipality or local board;
 - (b) Personal matters about an identifiable individual, including municipal or local board employees;
 - (c) A proposed or pending acquisition or disposition of land by the municipality or local board;
 - (d) Labour relations or employee negotiations;
 - (e) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - (f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - (h) Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
 - (i) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - (j) A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
 - (k) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

2. Council and Committee shall close a meeting or part of a meeting to members of the public where the subject matter to be considered is:
 - (a) A request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of the institution for the purposes of that Act; or
 - (b) An ongoing investigation respecting the municipality, a local board or a municipality-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13(1) of the Act, or the investigator referred to in subsection 239.2(1).

3. A meeting of Council and Committee may also be closed to members of the public if the following conditions are both satisfied:
 - (a) The meeting is held for the purpose of educating or training the members.
 - (b) At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council or Committee.

4. A motion to close a meeting or part of a meeting to the public shall state:
 - (a) The fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
 - (b) In the case of a meeting under section 3 of this schedule, the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that section.

5. Where a meeting or part of a meeting is closed to the public, all persons not specifically invited to remain by Council or Committee shall retire from the meeting.

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6. A vote shall not be taken during a meeting or part of a meeting that is closed to the public where to do so would be in contravention of any Act.

7. Despite section 6, a meeting may be closed to the public during a vote if the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.

8. Upon resuming in open session, the Presiding Officer shall state:
 - a. The matters which were considered;
 - b. Directions provided; and
 - c. Confirmation that no motions were carried in camera other than procedural motions or directions to staff.

Recording of Closed Meetings

9. All closed meetings of Council and Committee shall be recorded for the purposes of any closed meeting investigation. Only one copy of the recording will be kept in a secure location.