

THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY

BY-LAW NO. 2009-05-017

BEING A BY-LAW GOVERNING THE CALLING, PLACE AND PROCEEDINGS OF COUNCIL, COMMITTEE-OF-THE-WHOLE, COMMITTEES OF COUNCIL AND LOCAL BOARDS

WHEREAS Section 238(2) of the Municipal Act, 2001, as amended, states that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings; and

WHEREAS Section 238(2.1) of the Municipal Act, 2001, as amended states that the procedure By-Law shall provide for public notice of meetings;

NOW THEREFORE, the Council of the Corporation of the Township of Laurentian Valley enacts as follows:

1. **DEFINITIONS**

- 1.1 "CAO/Clerk" means the Chief Administrative Officer/Clerk of The Corporation of the Township of Laurentian Valley or designate in the absence of the CAO/Clerk.
- 1.2 "Council Chambers" means the Council Meeting Room located at the Municipal Office, 460 Witt Road, R R #4, Pembroke Ontario.
- 1.3 "Committee" means any advisory or other committee, subcommittee or similar entity as created and appointed by Council of which at least 50% of the members are elected Members
- 1.4 "Committee-of-the-Whole" (COTW) means all Members acting as a committee.
- 1.5 "Council" means the Council of The Corporation of the Township of Laurentian Valley.
- 1.6 "Delegation" means a presentation to the Committee-of-the-Whole or Council by an individual or group.
- 1.7 "Mayor" means the "Head of Council" of the Council of The Corporation of the Township of Laurentian Valley or Deputy Mayor in the absence of the Mayor.
- 1.8 "Local newspaper" means a newspaper having general circulation in the Municipality, and may include the "on-line" version posted on the Internet.
- 1.9 "Local radio station" means a radio station which can be locally received using AM or FM frequencies.
- 1.10 "Meeting" means any meeting with proper notice and includes meetings designated as "Regular", "Special", "Statutory Public", "Standing Committee", "Committee-of-the-Whole", other meetings of Council or a committee or a sub-committee of any of them that has the authority to and furthers the business of Council.
- 1.11 "Member" means a Member of Council, including the Mayor, or of a committee.
- 1.12 "Municipality" means The Corporation of the Township of Laurentian Valley.

- 1.13 “Presiding Officer” means the person appointed by a majority of the members present to preside over the meeting in the absence of the Mayor and Deputy Mayor.
- 1.14 “Publish” means posting on the Municipal website and posting in the Municipal Office. Publish may also include publishing in a daily or 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.
- 1.15 “Recommendation” means a decision of a Standing Committee, Committee-of-the-Whole or sub-committee thereof that is being forwarded to Council for consideration and approval.

2. **APPLICABILITY**

- 2.1 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 Laurentian Valley, Committee-of-the-Whole, Standing Committees of Council, and shall be the rules and regulations for the order and conduct of business therein.
- 2.2 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 **ROBERTS RULES OF ORDER**.
- 2.3 This By-Law does not apply to the following committees and boards:
- (a) Pembroke Library Board
 - (b) Committees established by Council from time to time that are not subject to The Municipal Act, 2001, as amended, Section 238(2.1)
 - (c) Boards and Committees not reporting directly to Council

3. **SCHEDULING/CALLING/NOTICE OF COUNCIL MEETINGS**

- 3.1 **First (Inaugural) Meeting**
- 3.1.1 The First (Inaugural) Meeting of the new Council of the Municipality after a regular election shall be held within the first two weeks of December in election year, however, under extenuating circumstances, no later than 31 days after its term commences.
- 3.1.2 At the Inaugural Meeting of the new Council, the Mayor shall propose the membership of all Council Standing Committees, Council appointments to various Boards and Committee and shall designate the order of rotation for Deputy Mayor appointments for approval of Council.
- 3.2 **Regular Committee-of-the-Whole/Council Meetings**
- 3.2.1 Public notice of all meetings of Council, Committee-of-the-Whole, and Standing Committees shall be by publishing notice on the municipal website and shall be posted in the Municipal Office. Notice may also include advertisement in a local newspaper and/or broadcast on a local radio station, where practical, as determined by the CAO/Clerk of the municipality.
- 3.2.2 A meeting of Council in respect to matters requiring a Statutory Public Meeting shall be held at 5:00 p.m. on the second Monday and third Tuesday of each month, except July and August.

- 3.2.3 COTW Meetings shall be held in Council Chambers and shall start at 5:30 p.m. on the second Monday of the month.
- 3.2.4 Regular Meetings of Council shall be held in the Council Chambers the third Tuesday of every month commencing at 5:30 PM.
- 3.2.5 Council may, by resolution, alter the date and/or time of a Regular Meeting provided that adequate notice of the change is published. Published means posting notice on the municipal website, in the Municipal Office and may also include advertisement in a local newspaper or broadcast on a local radio station as per Subsection 3.2.1 of this By-Law.
- 3.2.6 All recommendations arising from a COTW Meeting shall be included on the agenda of the Regular Council Meeting immediately following the COTW Meeting.
- 3.2.7 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.
- 3.2.8 Notwithstanding Subsections 3.2.3 and 3.2.4 of this By-Law, Council, Committee-of-the-Whole and Standing Committees shall not meet during the months of July or August except at the call of the Mayor or Presiding Officer.
- 3.2.9 The CAO/Clerk or his/her designate shall be in attendance at all Regular and Special Meetings of Council, and Committee-of-the-Whole meetings.
- 3.2.10 A municipal staff member shall be in attendance at all Standing Committee meetings as directed by the CAO to record the minutes of said meeting without comment.

3.3 Special Council Meetings

- 3.3.1 Subject to the provisions of this By-Law, the Mayor, or CAO/Clerk may, at any time, call a Special Meeting.
- 3.3.2 The CAO/Clerk shall call a Special Meeting upon receipt of a petition of the majority of the Members for the purpose and at the time mentioned in the petition.
- 3.3.3 Public notice of Special Meetings of Council, as determined, shall be by advertisement on the Municipal website, may be posted in the Municipal Office and may also include broadcast on a local radio station and, if time permits, in the local newspaper as determined by the CAO/Clerk of the municipality.
- 3.3.4 In either case of 3.3.1 or 3.3.2 above, the Special Meeting shall be held no sooner than 48 hours following the Mayor's summons or receipt of the petition, as the case may be, and the Clerk shall provide public notice and provide the Members with written or verbal notice of the Special Meeting immediately following receipt of the summons or petition as outlined in subsection 3.3.3.

- 3.3.5 Notwithstanding the notice requirement set out above in subsection 3.3.3, in the event of a bona fide emergency, the meeting may be held as soon as practicable and notice of Members may be given by telephone or personal contact as determined by the CAO/Clerk. The CAO/Clerk shall endeavor to provide public notice as much as possible in advance of the meeting.
 - 3.3.6 Unless otherwise specified in the notice described in 3.3.3 above, a Special Meeting shall be held in the Council Chambers.
 - 3.3.7 The notice of a Special Meeting shall specify the purpose of the meeting and only business that shall be dealt with at a Special Meeting is that which is listed in the notice of the meeting.
- 3.4 Statutory Public Meetings
- 3.4.1 Unless notice is provided otherwise, Statutory Public Meetings shall be held at 5:00 p.m. on the second Monday and third Tuesday of the month (July and August excepted), as required and shall be held in Council Chambers.
 - 3.4.2 Planning matters heard at a Public Meeting shall proceed through the normal process, that being reintroduction of the item at the next COTW Meeting.
- 3.5 Staff Attendance at Council Meetings
- 3.5.1 Managers who have Agenda items to present shall attend the Committee-of-the-Whole Meetings.
 - 3.5.2 If a Member wishes a Manager 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.

4. **OPEN & CLOSED MEETINGS**

- 4.1 Except as provided in Section 239 of the *Municipal Act, 2001*, all meetings shall be open to the public.
- 4.2 A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the Council, Committee-of-the-Whole or Committee of Council is the head of an institution for the purposes of that Act.
- 4.3 Before holding a meeting or part of a meeting that is to be closed to the public, the Council, Committee of Council or committee shall state by resolution:
 - 4.3.1 in the case of a meeting under Subsections 4.2.1 to 4.2.7 of this By-Law, the fact of the holding of the closed meeting and the general nature of the matter(s) to be considered at the closed meeting, and that the meeting is to be closed under Subsection 239 (2) of the *Municipal Act, 2001*, as amended; or
 - 4.3.2 in the case of a meeting under subsection 4.2.1 to 4.2.7 of this By-Law, the fact of the holding of the closed meeting, the general nature of its subject matter and that it is to be closed under Subsection 239(3.1) of the *Municipal Act, 2001*, as amended; or
 - 4.3.3 in the case of a meeting under Subsection 4.3 of this By-Law, the fact

of the holding of the closed meeting, the general nature of its subject matter and that it is to be closed under Subsection 239(3) of the Municipal Act 2001, as amended.

- 4.4 A meeting shall not be closed to the public during the taking of a vote except as follows:
 - 4.4.1 when Subsection 4.2 above permits or requires a meeting to be closed to the public, and
 - 4.4.2 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 them or persons retained by or under contract with the municipality or local board.
- 4.5 Meetings or sessions which are closed to the public may be referred to as “In Camera” meetings or sessions.
- 4.6 For all Regular, Special Council and Committee of the Whole Meetings the Chair of the In Camera meeting shall be the Deputy Mayor or in the absence of the Deputy Mayor the Presiding Officer as selected by the Members.
- 4.7 When Council, Committee-of-the-Whole, or Standing Committees rise from In Camera sessions, the Chair of the Closed Meeting shall report on the matters discussed.

5. PREPARATION OF AGENDA

- 5.1 Prior to each regular 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 has been considered by Committee-of-the-Whole at a previous meeting or by Council at a Statutory Public Meeting, unless authorized by the CAO and approved by Council.
- 5.2 Planning matters heard at Statutory Public Meetings shall only be placed on a COTW agenda with the approval of Council and otherwise the item shall proceed through the next regular meeting, that being re-introduction of the item at a subsequent Committee of the Whole meeting.
- 5.3 The Agenda and reports for Regular Council Meetings and Committee-of-the-Whole Meetings shall be distributed (as much as feasibly possible) to Members by 4 PM on the Friday before the meeting date and will be made available to media and the general public 24 hours before the scheduled meeting date with the exception of any In Camera Agendas or items. Reports and Agendas will be posted on the Municipal Website where feasible.

5.4 Order of Business for Council & Committee of the Whole Meetings

Council Agendas

1. Opening Prayer and O Canada
2. Call to Order
3. Confirmation of Agenda
4. Declarations of Pecuniary Interest & the General Nature Thereof
5. Adoption of Minutes of previous Council Meetings and COTW Meetings
6. Finance and Administration Resolutions
7. Public Works and Property Resolutions
8. Public Services & Programs Resolutions
9. Protection to Persons & Property Resolutions
10. Strategic Planning and Visioning Resolutions
11. Correspondence
12. By-Laws
13. In Camera (as required)
14. Report on In Camera Session (Deputy Mayor)
15. Notices required by Notice By-Law
16. Notice of Motions
17. Confirmatory By-Law
18. Motion to Adjourn

Committee of the Whole Agendas

1. Call to Order
 2. CAO Approved Additions to Agenda
 3. Confirmation of Agenda
 4. Declarations of Pecuniary Interest & General Nature Thereof
 5. Delegations/Presentations
 6. Finance and Administration Committee Reports
 7. Public Works and Property Committee Reports
 8. Public Services and Program Committee Reports
 9. Protection to Persons & Property Committee Reports
 10. Strategic Planning and Visioning Committee Reports
 11. Mayor's Report
 12. CAO Report
 13. Motion to Adjourn
- 5.5 Agendas for local boards, Committees or Sub-committees shall be an appropriate combination of the above Council and Committee-of-the-Whole Agendas.
- 5.6 Subject to the Notice By-Law, once Agendas are distributed to Members additions to the Agenda must be authorized by a motion of Council.
- 5.7 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.
- 5.8 The CAO/Clerk shall be responsible for the preparation of Agendas of Council and COTW meetings as required.

- 5.9 All written reports for inclusion on the COTW and 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 Wednesday prior to the COTW and/or Council Meeting for inclusion on the Agenda. Items received after 12 noon on the Wednesday prior to the COTW and/or Council meetings will be referred to the next regular COTW or Council Meeting, as the case may be, unless the item is considered to be on an emergency nature, in which case the CAO/Clerk may, at his/her sole discretion, recommend to COTW or Council that the item be considered at that meeting. Such consideration of these items will be subject to subsection 5.6 above.

6. CALL TO ORDER AND QUORUM

- 6.1 As soon after the time fixed for the holding of the meeting, as a quorum is present, the meeting shall be called to order.
- 6.2 Where a quorum is not present 15 minutes after the time fixed for holding the of the meeting, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next Regular Meeting or until re-scheduled.

7. DECLARATION OF DISCLOSURE OF PECUNIARY INTEREST

- 7.1 Where a Member, either on their 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 Committee-of-the-Whole, Regular or Special meeting of Council at which the matter is the subject of consideration, the Member shall:
- 7.1.1 immediately declare the interest and the general nature thereof and leave the meeting or part of the meeting during which the matter is under consideration and remain absent from it t any time during consideration of, or voting on the matter.
- 7.2 Where a Member has declared a pecuniary interest on an item appearing on an Agenda, said item shall be deal with separately and shall not be the subject of any comprehensive motion.
- 7.3 No Member after declaring a pecuniary interest on any matter may move, second or vote on the Confirmatory By-Law; however the Member is not required to leave the meeting.

8. STANDING COMMITTEES OF COUNCIL

- 8.1 The following Standing Committees are hereby established by Council to deal with the business of the municipality:
- 8.1.1 Finance and Administration Committee
- 8.1.2 Public Works and Property Committee
- 8.1.3 Public Services and Programs Committee
- 8.1.4 Protection to Persons and Property Committee
- 8.1.5 Strategic Planning and Visioning Committee
- 8.2 The membership of the Standing Committees listed in Section 8.1 shall be three Members of Council. Council may appoint persons to Standing Committees who are not elected Members under the following conditions:
- 8.2.1 That the number of non-elected Members appointed to Standing Committees not exceed elected Members.
- 8.3 Standing Committees shall meet as required at the call of the Chair or upon recommendation by the CAO/Clerk.

- 8.4 Notwithstanding Subsection 8.3 above, Standing Committees shall meet at least once every three months during Council term.
- 8.5 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.
- 8.6 Notice of Standing Committee Meetings may be advertised in a local newspaper at the discretion of the CAO/Clerk.
- 8.7 The CAO/Clerk 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.
- 8.8 A member of municipal staff, as directed by the CAO, must be in attendance at every Standing Committee Meeting and shall record the minutes of said meetings without comment.
- 8.9 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.

9. DELEGATIONS

- 9.1 Individuals or groups wishing to appear before Council as a delegation shall be allowed to appear only at a Committee-of-the-Whole Meeting and shall advise the CAO/Clerk at any time prior to, but no later than 12:00 Noon, the Friday prior to the scheduled date of the COTW meeting. Requests for Delegations to Council shall be in writing and must generally describe the topic or issue to be discussed. Presentations of Certificates and/or Awards by Council shall also be dealt with at Committee-of-the-Whole meetings.
- 9.2 Notwithstanding Subsection 9.1, any person wishing to speak to a matter on the Committee-of-the-Whole Agenda may do so at that meeting without a formal request to be a delegation, subject to the approval of Council.
- 9.3 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 ten minutes to make their presentation. This time limit may be expended subject to approval by Council.
- 9.4 In consideration of time restraints, the number of Statutory Public Meetings, Presentations or Delegations shall be limited to a maximum of three.
- 9.5 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 a Delegation. The CAO/Clerk shall have final authority to schedule or deny a Delegation request.
- 9.7 Any individual or group granted the opportunity to appear as a delegation shall provide 10 written copies of presentations for distribution to Council at the time of the presentation. The written copies must be provided to the CAO/Clerk prior to the Call to Order of the meeting at which the presentation is to be made.
- 9.8 In the case of a group delegation, only one person of the group shall be permitted to address the Members.

10. PRESIDING OFFICER

- 10.1 The Mayor, except where otherwise provided, shall preside at all meetings of Council and Committee-of-the-Whole meetings.
- 10.2 With regards to Standing Committees and Local Board Meetings, the Chair of the Standing Committee shall be the Presiding Officer.
- 10.3 When the Mayor is absent, refuses to act, or the office is vacant, the Deputy Mayor shall act in the place of the Head of Council, and while so acting, the Deputy Mayor has and may exercise all the rights, powers and authority of the Mayor.
- 10.4 Notwithstanding Subsections 10.3 above, the Members of Council may appoint another Presiding Officer from among themselves for the purpose of chairing a particular meeting.
- 10.5 For duties of the Presiding Officer, refer to Section 11 below.

11. DUTIES OF THE PRESIDING OFFICER

It shall be the duty of the Mayor or other Presiding Officer:

- 11.1 To open the meeting by taking the Chair and calling the Members to order.
- 11.2 To announce the business before Council, Committee of the Whole, or Standing Committee in the order in which it is to be acted upon.
- 11.3 To receive, in proper manner, all motions presented to the meeting.
- 11.4 To put to a vote all questions which are moved and seconded, or that necessarily arise in the course of the proceedings, and to announce the result.
- 11.5 To decline to put to a vote motions which infringe upon the Rules of Procedure or the Municipal Act, 2001 (as amended).
- 11.6 To designate the Member who has the floor when two or more Members wish to speak at the same time.
- 11.7 To restrain the Members within the Rules of Order when engaged in debate.
- 11.8 To enforce, on all occasions, the observance of order and decorum among the Members.
- 11.9 To call by name any Member persisting in breach of the Rules of Order of the Council, Committee-of-the-Whole, Standing Committee or Local Board thereby ordering the Member to leave the meeting.
- 11.10 To decide all questions of order at the meeting, subject to an appeal by any Member to Council on any question of order in respect to business before the Council.
- 11.11 To expel from a meeting anyone who engages in improper conduct.
- 11.12 To inform Council, Committee-of-the-Whole, Standing Committee or Local Board, when necessary or when referred to for the purpose, on a point of order or usage.
- 11.13 To represent and support Council, Committee-of-the-Whole, Standing Committee or Local Board, declaring its will and implicitly obeying its decisions in all things.

- 11.14 To ensure that the decisions and recommendations (as appropriate) of Council, Committee-of-the-Whole, Standing Committees and Local Boards are in conformity with the laws and By-Laws governing the activities of the Municipal Corporation.
- 11.15 To order any individual or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order any individual or group to leave the meeting where such behaviour persists.
- 11.16 To adjourn the meeting without question in the case of grave disorder arising at the meeting.
- 11.17 To adjourn the meeting when the business is concluded.
- 11.18 The Mayor shall recommend, during his/her Inaugural Address, the rotation schedule for Deputy Mayor appointments, and the appointment of Members to serve on Standing Committees, for Council confirmation and approval.
- 11.19 The Mayor shall authenticate by signature all By-Laws and Minutes of the Council.
- 11.20 The Mayor shall be required to vote on all motions.

12. **CONDUCT OF MEMBERS OF COUNCIL, COMMITTEE OF THE WHOLE, STANDING COMMITTEES AND LOCAL BOARDS**

No Member shall:

- 12.1 Speak disrespectfully of the Reigning Sovereign, the Royal Family, the Governor-General, the Lieutenant Governor, and Member of the Senate, any Member of the House of Commons or any Member of the Legislative Assembly of the Province of Ontario.
- 12.2 Use indecent, offensive, or insulting words, profanity or unparliamentary language in or against the Council or against any Member, staff, guest or individual.
- 12.3 Disturb another Member, staff member, guest or individual by any disorderly conduct disconcerting to the Council.
- 12.4 Be allowed to address Council, Committee-of-the-Whole, or Standing Committee or speak in debate without permission of the Mayor or Presiding Officer who, may consult with Council, Committee-of-the-Whole, or Standing Committee regarding permission.
- 12.5 Leave their seat or make any noise or disturbance when the Mayor or Presiding Officer is reading a motion and shall remain in their seat while the vote is being taken and until the result of the vote is declared.
- 12.6 Be permitted to retake their seat after being ordered to leave a meeting, having committed a breach of any rule of Council, without making an apology to Council and having the consent of Council expressed by a majority vote of the other Members present, determined without debate.
- 12.7 Leave their seat at adjournment of any meeting until the Mayor or Presiding Officer leaves the chair or grants permission.
- 12.8 release or make public or in any way divulge any matters or information dealt with In Camera or any aspect of In Camera deliberations unless expressly authorized to do so by Council or as required by Legislation.

- 12.9 In all matters and under all circumstances, be guided by and comply with the *Municipal Conflict of Interest Act, 1990*.
- 12.10 Unless otherwise authorized by the Mayor or Presiding Officer, all Members and staff shall address Council, Committee-of-the-Whole, or Standing Committee through the chair and only when recognized to do so.

13. **CONDUCT OF GUESTS/DELEGATIONS**

No Guest or Delegation shall:

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

14. **MOTIONS, RULES OF DEBATE, VOTING ON MOTIONS**

- 14.1 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.
- 14.2 All motions shall be presented to Council in writing.
- 14.3 All formal motions shall be read by the Mayor or Presiding Officer. The Mayor or Presiding Officer may designate the reading of formal motions to the CAO/Clerk.
- 14.4 No motions, save Procedural Motions, shall be taken at Committee-of-the-Whole or Standing Committee meetings.
- 14.5 Motion to Amend
- A Motion to Amend:
- 14.5.1 Must be moved and seconded.
- 14.5.2 Shall be open to debate.
- 14.5.3 Shall be relevant to the main motion.
- 14.5.4 The motion to amend shall be put to a vote in the reverse order to that

in which they are moved.

- 14.5.5 Shall be decided or withdrawn before the main motion is put to the vote.
- 14.5.6 Shall not be further amended more than once, provided that further amendments may subsequently be made to the main motion.
- 14.5.7 Shall not be contrary to the main motion.
- 14.6 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.
- 14.7 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".
- 14.8 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.
- 14.9 After a motion as amended is finally put, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result is declared.
- 14.10 A Member shall not speak more than once to the same question without the consent of the Mayor or Presiding Officer except:
 - 14.10.1 In explanation of a material part of their speech which may have been interpreted incorrectly, or
 - 14.10.2 With leave of the Mayor or Presiding Officer, after all other Members so desiring have spoken; or
 - 14.10.3 To reply by leave of the Mayor or Presiding Officer to the Member who presented the motion to Council, Committee of the Whole or Standing Committee.
- 14.11 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.
- 14.12 No Member shall speak on any subject other than the subject under debate.
- 14.13 No member shall interrupt a Member who has the floor except to raise a point of order or personal privilege.
- 14.14 At a meeting, no Member shall reflect upon, review, discuss, recount, or criticize any decision of Council, Committee-of-the-Whole or Standing Committee except for the purpose of moving that the question be reconsidered.
- 14.15 Recorded Vote

- 14.15.1 Recorded votes shall not be taken at Committee-of-the Whole or Standing Committee meetings.
- 14.15.2 Where a vote is taken for any purpose and a Member requests, either immediately before or immediately after the vote, that the vote be recorded, each Member present, except a Member disqualified from voting by any Act, shall vote in alphabetical order, announce their vote openly and the CAO/Clerk shall record each vote.
- 14.15.3 If a Member at a meeting of Council, where a vote is put to a vote and a recorded vote is taken, does not vote, they will be deemed to have voted in the negative.
- 14.15.4 The CAO/Clerk shall announce the results of the recorded vote immediately upon completion.
- 14.16 The Mayor or Presiding Officer votes with Council, Committee-of-the-Whole or Standing Committee over which they are presiding.
- 14.17 Except where expressly provided in Statute, any question on which there is a tie vote shall be deemed to be lost.
- 14.18 No vote shall be taken by ballot or by any other method of secret voting, except as provided in legislation.
- 14.19 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.

14.20 Motion Under Debate

When a question is under debate, no motion shall be received except for the following purposes and according to the listed priorities, namely:

- 14.20.1 To extend the hour of automatic adjournment
 - 14.20.2 To recess
 - 14.20.3 To adjourn
 - 14.20.4 To defer the motion under consideration to a definite date
 - 14.20.5 To defer the motion under consideration indefinitely
 - 14.20.6 To refer the motion under consideration to staff for a report
 - 14.20.7 To amend the motion under consideration
- 14.21 A motion containing distinct proposals may be divided if approved by a majority of Council, Committee-of-the-whole, or Standing Committee members.

14.22 Motion to Reconsider

- 14.22.1 Council shall not reconsider a substantive motion or By-Law until a Motion to Reconsider has been approved by Council.
- 14.22.2 A motion to reconsider may only be moved by a Member on the prevailing side.
- 14.22.3 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 regularly scheduled meeting after the motion to reconsider was approved by Council.
- 14.22.4 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.
- 14.22.5 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 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.
- 14.22.6 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.
- 14.22.7 A motion to reconsider shall not be reconsidered.
- 14.22.8 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.
- 14.22.9 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.

14.23 Adoption in a Single Motion

One or more report items on a Council, Committee-of-the-Whole, or Standing Committee Agenda may be adopted by use of a single motion. If a Member present at the meeting requests 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.

14.24 Notice of Motion

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.

15. POINTS OF ORDER AND PRIVILEGE

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

15.2 Point of Order

15.2.1 A Member may interrupt the person who has the floor to raise a point of order when such Member feels that there has been:

15.2.1.1 A deviation from or a breach of the Rules of Procedure or the Municipal Act, 2001, as amended; or

15.2.1.2 A deviation from the matter under consideration and the current discussion is not within the scope of the proposed motion.

15.2.2 Upon hearing such a point of order the Chair shall decide and state the point of order.

15.2.3 Thereafter, a Member shall only address the Chair for the purpose of appealing the Chair's decision to Council.

15.2.4 If no Member appeals, the decision of the Chair shall be final.

15.3 Any Member may appeal to Council, Committee-of-the-Whole, or Standing Committee on a decision of the Mayor or Presiding Officer on a point of order.

15.4 The Council, Committee-of-the-Whole, or Standing 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.

16. **BY-LAWS**

16.1 All By-Laws may be given first, second and third reading in a single motion, unless a Member wishes to discuss the contents of a specific By-Law, in which case the subject By-Law shall be removed from the single motion and shall be dealt with separately. Only the title of the By-Law shall be read, and a By-Law shall not be enacted until it has received three readings.

16.2 In the event a Member wishes to discuss a By-Law, the first reading of a By-Law shall be decided without amendment or debate.

16.3 Any proposed By-Law may be referred to a Committee, Municipal Manager or other officer of the Corporation, or a solicitor for review and comment.

16.4 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.

16.5 The CAO/Clerk shall include on all By-Laws enacted by Council the date(s) of its readings.

16.6 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.

17. **ADJOURNMENT**

- 17.1 Regular Meetings of Council shall adjourn no later than 7:30 PM, unless extended before that hour by a resolution of Council passed by unanimous vote and shall, in any event adjourn at 9:00 PM. Such adjourned meetings shall stand adjourned until the date of the next regular meeting or until rescheduled. At such time, any unfinished business from the adjourned meeting will be transacted.
- 17.2 Committee-of-the-Whole meetings shall adjourn no later than 7:30 PM unless extended before that hour by a resolution passed by a majority plus one vote, and shall in any event adjourn at 8:30 PM.
- 17.3 Standing Committee Meetings shall be adjourned no later than two hours after the meeting is called to order.

18. APPOINTMENT OF DEPUTY MAYOR

- 18.1 At the Inaugural meeting of Council the Mayor shall designate a rotational schedule of appointments as Deputy Mayor for the entire term of office. Each appointment will be for an 8 month period and Members shall be appointed in descending order of seniority (seniority being determined by the number of years a Member has served on Council).
- 18.2 The duties of Deputy Mayor shall be to represent the Mayor at any function, event or municipal activity during the absence of the Mayor.
- 18.3 The Deputy Mayor does not assume the full duties of the Mayor in that he/she does not assume signing authority; nor does he/she receive adjusted compensation during the time the Member serves as Deputy Mayor.
- 18.4 During the term of appointment as Deputy Mayor, the Member shall chair Council meetings and Committee-of-the-Whole meetings in the absence of the Mayor under the provisions of the Municipal Act, 2001 Section 242 and Section 10.3 of this By-Law.
- 18.5 In the event that a Member does not wish to assume the Deputy Mayor responsibilities as per the schedule announced at the Inaugural Meeting, the Mayor shall make an appointment of a Deputy mayor for the period of time the Member was to be appointed. An appointment in this case does not require approval of Council.
- 18.6 Where the Deputy Mayor appointment is not made at the Inaugural Meeting, the Mayor, following the protocol in Section 19.1, and prorating the length of term, shall designate a rotational schedule of Deputy Mayor appointments which shall be approved as soon as possible at a regular Council meeting.

20. MINUTES

The CAO/Clerk shall record minutes of all Council, and Committee of the Whole Meetings and shall record::

- 20.1 The place, date and time of the meeting.
- 20.2 The names of the Presiding Officer and of Members, parties to Statutory Public Meetings, Delegations, Presentations/Award Recipients and staff and shall indicate if the media and/or "interested public" and/or "interested staff" are in attendance.
- 20.3 The correction, if any, and adoption of the minutes of prior meetings.
- 20.4 All motions, resolutions, decisions and other statutory proceedings of the Committee-of-the-Whole or Council meetings without note or comment.

20.5 Minutes of Standing Committee meetings shall be recorded by the member of staff designated by the CAO/Clerk.

21. COMMITTEES

21.1 This By-Law shall apply to Committee-of-the-Whole, Council, Council Standing Committees (as listed in Section 8 of this By-Law).

21.2 The purpose of Standing Committees of Council and of Local Boards shall be determined from time to time by Council as established by Terms of Reference By-Laws.

21.3 Meetings of Standing Committees or Local Boards shall be open to the Public and held at the location and time as specified in Section 8 of this By-Law.

22. GENERAL

22.1 Following a regular election or by-election the CAO/Clerk shall provide each Member with a copy of this By-Law including any amendments thereto.

22.2 Federal, Provincial and Municipal Election campaign materials such as signs, buttons, brochures, etc are not allowed in any location where Council, Committee-of-the-Whole, or Standing Committee meetings are held.

22.3 No persons shall wear head coverings in Council Chambers during meetings unless required so to do by duty, religious or medical requirements.

22.4 Appropriate dress is required in Council Chambers during meetings.

23. EFFECTIVE DATE

23.1 By-Law 06-10-314 is hereby repealed effective 12 midnight May 31st, 2009.

23.2 This By-Law shall come into full force and shall take effect on June 1st, 2009 at 12:01 AM.

23.3 Where any By-Law passed prior to this By-Law conflicts with provisions of this By-Law, the terms of this By-Law shall prevail.

READ A FIRST AND SECOND TIME THIS NINETEENTH DAY OF MAY, 2009

READ A THIRD TIME AND PASSED THIS NINETEENTH DAY OF MAY, 2009

Jack Wilson, Mayor

John Baird, CAO/Clerk

/cs

April 27, 2009