



**THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2017-76**

**BEING A BY-LAW TO PROVIDE FOR GOVERNING THE PROCEEDINGS OF THE
COUNCIL, THE CONDUCT OF MEMBERS AND THE CALLING OF MEETINGS**

WHEREAS Section 238 (2) of the Municipal Act, 2001, c.25, as amended (the Act), provides that Council shall adopt a Procedure By-law for governing the calling, the place and proceedings of meetings;

AND WHEREAS Section 238 (2.1) of the Act provides that the procedure by-law shall provide for public notice of meetings;

NOW THEREFORE the Council for The Corporation of the Township of South Frontenac hereby enacts as follows:

1. That the proceedings of all Council meetings, the conduct of members and the calling of meetings shall be in accordance with the procedures and rules as set down in Schedule "A" attached hereto.
2. This by-law shall come into force and take effect on January 1, 2018.
3. All other previous procedural by-laws are hereby repealed.

**NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF SOUTH
FRONTENAC, BY ITS COUNCIL, HEREBY ENACTS AS FOLLOWS:**

Dated at the Township of South Frontenac this 5th day of December, 2017.

Read a first and second time this 5th day of December, 2017.

Read a third time and finally passed this 5th day of December, 2017.

**THE CORPORATION OF THE TOWNSHIP
OF SOUTH FRONTENAC**

A handwritten signature in blue ink, appearing to read "Ron Vandewal", is written over a horizontal line.

Ron Vandewal, Mayor

A handwritten signature in black ink, appearing to read "Wayne Orr", is written over a horizontal line.

Wayne Orr, Chief Administrative Officer

**SCHEDULE "A" TO BY-LAW
2017-76, As Amended**

1 - DEFINITIONS

Listed below are definitions of common procedural terms:

- a) **AGENDA** and Orders of the Day are synonymous.
- b) **AMENDMENT** means a change in the form of a Motion. An amendment is designed to alter or vary the terms of the main Motion without materially changing the meaning. It may propose that certain words be left out, that certain words be omitted and replaced by others, or that certain words be inserted or added. Every amendment must be strictly relevant to the question being considered.
- c) **CLERK** means the Clerk or the Deputy Clerk acting In the Clerk's absence or in the absence of both the Clerk and the Deputy Clerk, another person appointed by Council resolution.
- d) **CLOSED SESSION** means a meeting or a part of a meeting of Council or a Committee which is closed to the public. All meetings shall be open to the public except as provided for in the Municipal Act, 2001, Ch. 25, Section 239.
- e) **COMMITTEE** means any advisory or other committee, subcommittee or similar entity of Council.
- f) **COMMITTEE CHAIR** is the person presiding at meetings of Committees of Council. Elected by the Committee from its members and may be removed only by vote of a majority of the Committee.
- g) **COMMITTEE OF THE WHOLE** means Council sitting in Committee.
- h) **COUNCIL** means the Council of The Corporation of the Township of South Frontenac.
- i) **HOLIDAY** means A Holiday with Pay (Or Statutory Holiday) as identified in the current C. U. P.E., Local 4336, Collective Agreement.
- j) **IN-CAMERA SESSION** shall have the same meaning as closed session (see item #d)
- k) **MEETING** means any regular, special or other meetings of council, or of certain local boards or committees, where a quorum is present and where members discuss or otherwise deal with matters in a way that materially advances the business or decision making of the relevant body.
- l) **MEMBER** means a member of Council and a member of a Committee;
- m) **MINUTES** In strict accordance with the Municipal Act, 2001, Ch. 25, Sect 228, record, without note or comment, of all resolutions, decisions and other proceedings of Council;
- n) **MOTION** and resolution shall be considered synonymous and will include an original motion or an amendment to a motion;

- o) **POINT OF ORDER** The purpose of raising a point of order is to bring to the attention of the presiding officer that a rule has been broken or an error in procedure has been made as follows:
 - i) Breaches of the rules of order of Council;
 - ii) Difficulty in continuation of the meeting;
 - iii) Improper, offensive or abusive language;
 - iv) Notice that the discussion is outside the scope of the motion or the notice of motion;
 - v) Irregularities in the proceedings.
- p) **PRESIDING OFFICER** is the Mayor or in his/her absence, Deputy Mayor or in his/her absence the acting head of Council who presides at meetings of Council or the Chair of a Committee meeting;
- q) **QUORUM** means a majority of the whole number of members required to constitute Council or a Committee.
- r) **QUESTION** means that the vote now be taken.
- s) **RECORDED VOTE** means the calling for the yeas and nays of all members of Council by any member of Council and the yeas and nays of each individual member of Council shall be so noted in the minutes.
- t) **RULES OF ORDER** The rules of order established by this by law shall govern Council meetings and all Committees of Council. Where this by law is silent on an issue Robert's Rules of Order shall apply.
- u) **WEBSITE** means the Official Website of the Corporation of the Township of South Frontenac - www.southfrontenac.net
- v) **DELEGATION** means an address to Council made at the request of a person wishing to speak.

(As Amended by By-law 2023-44 passed May 16, 2023)
- w) **BRIEFING** means a verbal update to Council or the Committee of the Whole by Township Staff or consultants to the Township or someone with expertise who has been invited by Council or the Committee of the Whole.

(As Amended by By-law 2023-44 passed May 16, 2023)

2-MEETINGS

- a) **MEETING LOCATION** - All meetings of Council shall be held at the municipal complex, 4432 George Street, Sydenham, Ontario, unless otherwise stipulated in a resolution of Council
- b) **RULES OF ORDER** - The rules of order established by this by law shall govern Council meetings and all Committees of Council. Where this by law is silent on an issue Robert's Rules of Order shall apply.
- c) **SEATING** - During a meeting no person is permitted to come within the enclosure formed by the members' chairs or to address Council unless that person:
 - Is a member of Council
 - Is the CAO, the Clerk or Recording Secretary
 - Has been given permission from the Presiding Officer
- d) **CHAIR** - The presiding officer of the Council shall be the Mayor. In his or her absence the Deputy Mayor shall preside. The Deputy Mayor will have

the powers and duties of the Mayor when performing in that capacity. If neither the Mayor nor the Deputy Mayor is present to open the meeting, the Council shall elect a presiding officer.

- e) **CONVENING MEETINGS** -The inaugural meeting of Council shall be held on the first Tuesday, at 7:00 p.m., following commencement of the term of office as defined by the Municipal Elections Act, but shall not be later than 31 days after Council term commences.

Unless otherwise stipulated, Council shall meet at 7:00 p.m. on the first, second and third Tuesday in each month from January to December inclusive with the exception of the months of July and August when only one meeting will be held each month, on the first Tuesday of the month.

(As Amended by By-law 2023-44 passed May 16, 2023)

Should Council be scheduled for a closed session, the Clerk shall establish a start time that reflects the nature of the agenda. Council would then return to open session at 7:00 p.m.

Council will not meet on a statutory holiday nor will it meet between Christmas and New Years.

Should a Council meeting conflict with any committee meeting, such committee meeting shall be rescheduled after consultation with the Committee Chair.

The Clerk will advertise any meeting date changes caused by this policy.

Council reserves the right to dispense with or alter the time, day or place of any meeting by resolution.

- f) **NOTICE REQUIREMENTS**

Notice to Members of Council and Staff

The Clerk, Deputy Clerk or Secretary Treasurer will give notice of all Council and advisory or legislated committee meetings to members of Council and to all Department Heads. The notice will be accompanied by an agenda and any other matter to be addressed at the meeting.

(As Amended by By-law 2023-05 passed January 31, 2023)

The Clerk will send the notice by posting the agenda to AgendaNotes. In the event of a system problem notice may be sent by alternate means including; delivery, facsimile, electronic mail to the residence or place of business of each member or by telephone alert. Generally members will receive notice at least three days before the day of meeting. However failure to receive the notice will not affect the meeting itself, including the timing of or any actions taken there at.

Notice to the Public

The Clerk shall give notice to the public of all regular Council and Committee meetings by posting a schedule of meeting dates on the Township's official web site at the beginning of each calendar year. The agenda shall be posted on the website and in the office on the Friday preceding the date of the meeting.

The Clerk shall give notice to the public of all special meetings of Council by posting a notice on the Township's website as soon as possible after the date of the special meeting has been confirmed.

g) **SPECIAL MEETINGS** -A special meeting may be called under the following circumstances:

- The Mayor may at any time summon a special meeting.
- An advisory or legislated committee chair may at any time summon a special meeting upon receiving permission from the Clerk;
- Upon receipt of a petition of the majority of the members of Council, the Clerk shall call a special meeting for the purpose and at the time mentioned in the petition. Notice may be given by telephone, e-mail or facsimile transmission or posting to Agenda Notes.

The agenda for a special meeting will be prepared by the Clerk, Deputy Clerk or Secretary Treasurer in consultation with the Mayor or committee chair and will be approved at the meeting. Delegations may be scheduled by the Clerk or Deputy Clerk to be heard by Council or committee during a special meeting as appropriate. Closed session (if requested) will be a standing item on every special meeting agenda.

If there is no by-law or petition fixing the place of a special meeting, that meeting shall be held at the place where the last regular meeting was held.

(As Amended by By-law 2023-05 passed January 31, 2023)

h) **CLOSED SESSION** - As per Subsection 239(2) of the Municipal Act, 2001, as amended, a meeting or part of a meeting may be closed to the public if the subject matter being considered is:

- i) the security of property of the municipality
- ii) personal matters about an identifiable individual, including municipal employees
- iii) a proposed or pending acquisition or disposition of land by the municipality;
- iv) labour relations or employee negotiations
- v) litigation or potential litigation including matters before administrative tribunals affecting the municipality
- vi) advice that is subject to solicitor client privilege including communications necessary for that purpose;
- vii) a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act;
- 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 the competitive position or interfere 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 Township 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 City or local board.
- xii) 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-making of the council,
- xiii) local board or committee;

A meeting shall be closed to the public if the subject matter relates to:

- 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 an institution for the purposes of that Act;
- an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by; the Ombudsman appointed under the Ombudsman Act, an Ombudsman appointed by Council, or the Closed Meeting Investigator appointed by Council.

Prior to holding a meeting or part of a meeting that is to be closed to the public, Council shall state by resolution the fact that a closed meeting is being held and the general nature of the matter to be considered at the closed meeting.

A meeting may only be closed to the public during a vote, if:

- the subject matter is as defined above; and
- the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality or persons retained by or under contract with the municipality

Other policies regarding closed sessions include:

- i) All information, documentation or deliberations received, reviewed or taken into a closed meeting is confidential.
- ii) The response of Members to enquiries about any matter dealt with by Council or a Committee of Council at a closed meeting, prior to it being reported publicly, shall be "no comment", or words to that effect. No member shall release or make public any information considered at a closed meeting or discuss the content of such a meeting with persons other than members of Council or relevant senior staff members included in the Closed Session.
- iii) Any violation of this regulation may result in exclusion of the offending Member from future closed meetings of Council or a Committee of Council and that Member no longer being provided with correspondence, material or information proposed to be dealt with by Council at a closed meeting.
- iv) The determination of whether or not a violation of the closed meeting provision of this By-law and the length of the exclusion from closed meetings if so determined, shall be made by Council, and Council in Closed Session shall consider the issue. Prior to this determination by Council, the offending Member shall have the allegation explained to him/her, and he/she shall have the opportunity to provide his/her explanation regarding the matter. The results of Council's deliberations shall be reported publicly.
- v) Despite clause (iv), the Member affected shall not be permitted to vote on a motion respecting his/her purported violation of the closed meeting provision of the procedural by-law, his or her exclusion from closed meetings, or the length of any such exclusion.
- vi) The release of any information about any matters dealt with by Council at a closed meeting shall be by the Mayor or his delegate only. Once the Mayor or his delegate has released the information, it shall be considered to be public information and a Member may discuss the matter without being considered to be in violation of this By-law.
- vii) Agendas, minutes or any items thereon for consideration by Council

at a closed meeting shall not be released to the public.

- i} **COMMITTEE OF THE WHOLE** - Committee of the Whole meetings will be held at the Call of the Mayor or Clerk, as required, and shall follow similar rules of procedure as Regular Meetings of Council, except that discussions may be less formal. As appropriate, direction provided to staff will be incorporated into reports and will be brought forward for formal approval at Council. Resolutions adopted by Committee of the Whole shall not be binding on Council.

Committee of the Whole meetings of Council shall be open to the public except as otherwise provided by The Municipal Act. (See Closed Session Section).

(As Amended by By-law 2023-44 passed May 16, 2023)

3-AGENDAS

- a) **REGULAR MEETINGS** - The Clerk will prepare an agenda for the use of members at regular meetings. The Agenda shall be posted in the Municipal Building, Sydenham and delivered to each member of Council by posting to AgendaNotes not less than two days (48 hours) prior to the meeting date.

The Clerk will attach copies of all relevant correspondence to the agenda package for Council information. All items of business for the agenda will be received by the Clerk by 12:00 noon on the Thursday prior to the meeting date.

The business of each meeting follows the order in which it stands on the agenda. The agenda for a meeting may only be amended at that meeting by a motion supported by a majority of the members present. Any undisposed matters will be placed on the agenda for the next meeting.

COUNCIL Agenda:

1. Call to Order
2. Declaration of pecuniary interest and the general nature thereof
3. Approval of Agenda
4. Scheduled Closed Session
5. Recess
6. Public Meeting
7. Delegations
8. Briefings
9. Approval of Minutes
10. Reports Requiring Action
11. Advisory Committee Reports or Minutes
12. Reports Requiring Approval of By-laws
13. Reports for Information
14. Committee of the Whole
15. Information Items
16. Notice of Motions
17. Rise and Report regarding County Council and External Boards
18. Announcements/Statement by Councillors
19. Closed Session **(if requested)**
20. Confirmatory By-law
21. Adjournment

(As Amended by By-law 2023-44 passed May 16, 2023)

COMMITTEE OF THE WHOLE Agenda:

1. Call to Order
2. Declaration of pecuniary interest and the general nature thereof
3. Approval of Agenda
4. Scheduled Closed Session
5. Recess
6. Public Meeting
7. Delegations
8. Briefings
9. Reports Requiring Direction
10. Reports for Information
11. Information Items
12. Notice of Motions
13. Announcements/Statements by Councillors
14. Closed Session **{if requested}**
15. Adjournment

During July and August a blended meeting agenda will be used incorporating both delegations and public meetings.

(As Amended by By-law 2023-44 passed May 16, 2023)

b) DELEGATIONS

- i. Any person desiring to present information orally on matters of fact or to make a request of Council shall give notice and disclose the subject matter to the Clerk not less than ten days preceding the Council Meeting or Committee of the Whole Meeting at which such person desires to be heard.
- ii. In order to be scheduled as a delegation before Council or the Committee of the Whole, a person shall submit to the Clerk written and/or electronic documentation concerning the presentation not less than seven days preceding the meeting.
- iii. The Clerk, in consultation with the Mayor, shall have the authority to deem a delegation inappropriate or outside the scope of Council authority and deny the item a place on the agenda.
- iv. Except as required by law, any person appearing before Council or a Committee who has previously appeared before Council or the same Committee on the same subject matter shall be limited to providing only new information in their second and subsequent appearances.
- v. Under extenuating circumstances, exceptions to the ten days' notice required in 16.1 may be approved by the Clerk.
- vi. Each delegate shall be limited to not more than a total of ten (10) minutes. Extensions to these limits will be at the discretion of the Mayor.
- vii. A maximum of three (3) delegations may address Council per Meeting.
- viii. The number of speakers for one delegation shall be limited to two, unless authorized by Council resolution.
- ix. Members may only address a Delegation to ask a maximum of two (2) questions for clarification and shall not express opinions or enter into debate or discussion with a Delegation.
- x. Members shall not pose questions to staff during a Delegation.

- xi. All delegates shall address the Mayor, shall state their name and whom they represent.
- xii. No delegate shall: a) Speak disrespectfully of any person; b) Use offensive language; c) Speak on any subject other than the subject for which he has received approval to address Council; d) Disobey the rules of procedure or a decision of the Mayor or Council.
- xiii. The Mayor may curtail any deputation, any questions of a deputant or debate during a deputation for disorder or any other breach of this by-law, and, if the Mayor rules that the deputation is concluded, the person or persons appearing shall withdraw.
- xiv. No Delegations shall be permitted on the following topics: (a) labour relations or staff negotiations; (b) an application submitted under the *Planning Act*; (c) a Notice of Motion; (d) litigation or administrative tribunal proceedings that are either expected to proceed, that are currently proceeding, or that have already been decided by a court or tribunal; (e) tenders, requests for proposals or other procurement issues; (f) any matter that is not within the jurisdiction of Council or the Committee of the Whole, as determined by the Mayor in consultation with the Clerk; and (g) any matter that is properly the subject of a Closed Session.

(As Amended by By-law 2023-44 passed May 16, 2023)

c) PUBLIC INPUT RELATED TO PLANNING MATTERS

- i. During a statutory public meeting under the Planning Act, members of the public wishing to speak to the matter will be limited to 10 minutes and will be encouraged to provide their comments in writing to be put on record and limit their presentation to information that has not already been provided or addressed by another individual.

Council will not make a decision or pass a corresponding by-law until a subsequent Council meeting to provide Council sufficient time to consider public input and any additional information required of the applicant.

- ii. Notwithstanding Section 3. c. Clause i., Council may pass a by-law during the Council meeting in which the statutory public meeting was held, if the planning matter is deemed to be technical in nature and no concerns were raised prior to or during the public meeting. It being understood that the public meeting report would articulate that staff are proposing that the application be considered via the streamlined process.

(As Amended by By-law 2023-44 passed May 16, 2023)

d) BRIEFINGS

Briefings are allowed at the beginning of the Meeting or when the issue arises on the agenda.

(As Amended by By-law 2023-44 passed May 16, 2023)

4 - QUORUM and PRESIDING OFFICER

- a) **REGULAR MEETINGS** -As soon as there is a quorum after the hour fixed for the meeting, the Presiding Officer will assume the role as Chair and call the members to order. The Clerk will then take note of attendance.

- b) **TIME LIMIT** - The time limit for a quorum is 30 minutes after the time appointed for the meeting. If no quorum is present after 30 minutes, the Council or Committee will stand adjourned until the next regular day of meeting or until a special meeting is called. The special meeting will deal with the matters intended to be addressed at the adjourned meeting. The Clerk will record the names of the members present at the expiration of the time limit and append this record to the next agenda.

Physical attendance by members of Council is required at Council and Committee meetings in order to participate; no means of electronic participation is permitted.

- c) **PRESIDING OFFICER** - The Presiding Officer shall oversee the conduct of the meeting including:
- i) Call the meeting to order
 - ii) Introduce the items listed on the Agenda in the order presented unless otherwise determined by Council
 - iii) Call on the CAO or Department Head to address questions from Council or provide additional information should it have become available since the report was written.
 - iv) Call on the Clerk to read the motion or by-law as requested by the Presiding Officer
 - v) Designate the Council Member or Staff Member as to who has the floor to speak
 - vi) To put to a vote all questions which are properly moved and seconded and after full discussion has been provided, and announce the results of the vote
 - vii) Ensure the preservation of good order and decorum
 - viii) Ruling on points of order and privilege
 - ix) Deciding all questions relating to the orderly procedure of the meeting subject to an appeal by any member of Council from any ruling of the Presiding Officer

The Presiding Officer may expel any person for improper conduct at a meeting.

At Committee of the Whole or Council the Presiding Officer may state his or her position on any matter before Council following the discussion by other members of Council. This will not require the Presiding Officer to relinquish the chair.

The Presiding Officer will vacate the chair prior to; make a motion or serve a notice of motion. If making a motion, the presiding officer shall remain out of the chair during the debate and vote on the subject.

- d) **VACANCIES** - If the office of a member of council becomes vacant under section 259 of the Municipal Act, the Council shall at its next meeting declare the office to be vacant, except if a vacancy occurs as a result of the death of a member, the declaration may be made at either of its next two meetings.

Rules pertaining to vacancies shall not apply to a member of council of a municipality who is absent for 20 consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member.

If a vacancy occurs in the office of a member of council, the municipality shall, subject to the Municipal Act,

- fill the vacancy by appointing a person who has consented to accept the office if appointed; or
- require a by-election to be held to fill the vacancy

5-CONDUCT

- a) **SPEAKING** - Each member must be recognized by the Presiding Officer before speaking on any matter or motion. A member may not speak more than once on a matter without leave of the Presiding Officer, except:
- In explanation of a material part of the speech which may have been misunderstood; or
 - In reply after everyone else wishing to speak has spoken

Generally no member may speak to the same matter or in reply for longer than 5 minutes.

Through the Presiding Officer, a member may ask for an explanation of any part of the previous speaker's remarks. A member may also, through the Presiding Officer, ask questions to obtain information relating to the report or minutes presented to Council or any clause contained therein. However this must be done prior to the commencement of the debate on the report, minute or clause.

Following the reading of a motion and during debate, all questions to staff are to be addressed through the Presiding Officer.

- b) **CONDUCT** - Members shall not:
- i) Speak disrespectfully of the Reigning Sovereign, any member of the Royal Family, the Governor-General or a Lieutenant-Governor;
 - ii) Use offensive words or unparliamentarily language in Council;
 - iii) Disobey the rules of the Council or decision of the Presiding Officer or of Council on questions of order or practice;
 - iv) Leave his or her seat or make any noise or disturbance while a vote is being taken and the result is declared;
 - v) Enter the Council Chamber while a vote is being taken;
 - vi) Interrupt a member while speaking, except to raise a point of order;
 - vii) Pass between a member who is speaking and the Chair.
 - viii) Engage in private conversation while in the Council Meeting or use electronic/mobile devices in a manner which interrupts the proceeding of the Council, or attempts to coordinate voting.
- c) **DRESS CODE** - Each member of Council is personally accountable for presenting themselves in a professional manner at all Council meeting.
- d) **DECLARATIONS OF CONFLICT OF INTEREST**- Members shall at all times conduct themselves in accordance with the requirements of the Municipal Conflict of Interest Act, including any subsequent amendments, revisions and regulations thereto.

All declarations and disclosures made in accordance with the Act shall be made in writing by the member in accordance with the Act, and a copy shall be submitted to the Clerk.

If, after making such a declaration, the member determines that he/she does not have a Conflict of Interest, then a public statement to that effect shall be made by the member. Such public statement may be in the same form and substance as the original declaration.

- e) **DISCIPLINARY ACTION** - It is not the intention of discipline in a meeting to punish a member but to change the behavior of the member. If a member commits a breach of conduct, the escalation of remedies is as follows:
- The Presiding Officer requests that the member refrain from breaking the rules and specifies the infraction or rule being broken.
 - If this fails, the Presiding Officer provides a sterner warning by calling the member to order.

- If, after this instruction, the member continues with the action or refuses to be seated the Presiding Officer may, if the breach of conduct is serious enough, request that the offending member to apologize or failing an apology to be expelled from the meeting.

If expulsion from the meeting is ordered, the Presiding Officer may establish and appoint individuals to escort the member from the meeting room. If the member refuses to leave, the appropriate civil authorities should be called.

- f) **EARLY DEPARTURE FROM MEETINGS** - A member who wishes to leave a meeting prior to the adjournment must so advise the Presiding Officer. The recording officer will note the member's time of departure.
- g) **NOTICE OF ABSENCE FROM MEETING** - If a member cannot be in attendance at a meeting, they should notify the Clerk or the Deputy Clerk of their absence at their earliest opportunity.
- h) **CHAIN OF OFFICE** - The Mayor shall wear or display the Chain of Office at each Council meeting. The Mayor may at his or her discretion wear the Chain of Office on ceremonial occasions.
- i) **CONDUCT OF PUBLIC AND MEDIA**
 - Members of the public, including accredited and other representatives of any news media, may use cameras, recording equipment, television cameras, and any other devices of a mechanical, electronic, or similar nature to transcribe or record Council Meetings. These devices may not be used in such a way as to obstruct the proceedings of the Meeting.
 - Members of the public who constitute the audience at a Meeting, shall not:
 - Address Council or Committee without permission;
 - Applaud, shout, boo, hiss or otherwise express their pleasure or displeasure with the proceedings in such a manner as to interfere with the meeting
 - Bring signage, placards or banners into such Meetings or engage in any activity or behavior that would affect the Council deliberations

6-MOTIONS

- a) **NOTICE OF MOTION** - Notice of motions will preferably be received during the scheduled time as allocated under Section 2.0 (a), however the Clerk may receive a notice of motion at any time during a Council meeting. A notice of motion will become part of the agenda for the subsequent Council meeting unless otherwise approved by Council. A notice of motion requires a seconder only at the time of debate.

If a motion is not moved and seconded on the day and at the meeting for which notice was given, it cannot be moved at any subsequent meeting without notice being given on the agenda for that meeting.

- b) **GENERAL** - Every motion, once presented to the Presiding Officer, becomes the property of Council. The presiding officer may call on the Clerk to read the motion. A member can withdraw a motion only with the consent of the majority of Council. Motions shall be debated in the order of presentation to the Presiding Officer.

Any member may request that the Clerk read the motion under discussion at any time during the debate, except when another member is speaking. Any member may request separation of a motion. Each section of the motion will be voted on separately.

When a matter is under debate, no motions can be made other than a motion:

- To refer / defer
- To amend
- To adjourn the meeting
- To vote on the matter

- c) **REFER/DEFER** - A motion to refer or defer takes precedence over any motion or amendment, except a motion to adjourn. A motion to refer requires direction as to the body to which it is being referred. A motion to defer must include a reason for deferral. Neither motion is debatable.

- d) **VOTING** - When a member makes a motion that the vote now be taken, it shall be put to a vote without debate. If a majority of the members agree to put a motion to a vote, the motion and any amendments thereto will be submitted to a vote immediately without further notice.

No members may speak or present another motion once the Presiding Officer commences the vote on that motion. Each member present at a Council meeting will vote when the vote is taken on a matter, unless prohibited from so doing by statute. Any member who is present but refuses to vote or abstains to vote, their vote will be deemed to be a vote in the negative.

A recorded vote on a motion before Council may be requested at any time by any Council member before the vote is taken or after the vote has been taken unless Council has commenced discussion on a new matter on the agenda. When a member requests a recorded vote, all members will vote in alphabetical order of Council finishing with the Mayor, when polled by the Clerk. The Clerk will note the names of those who voted for and against in the minutes, and will announce the results.

If a member disagrees with the results of the vote, he or she may object to the declaration and ask that the Clerk retake the vote. An objection to any resolution shall not be recorded unless a recorded vote is requested.

- e) **AMENDMENT** - A member may present only one amendment to the main motion at a time. Another amendment may be introduced only after the previous one has been disposed of. An amendment that has been seconded may not be withdrawn and must be dealt with.
- f) **NEW MATTER -A** member may not introduce a new matter without notice, unless Council without debate dispenses with the notice requirements by two thirds vote.

g) **RECONSIDERATION** - A member who voted with the prevailing side may move for reconsideration at the **same meeting** as follows:

If the motion to reconsider receives a seconder, the motion for reconsideration shall be open to debate and voted upon. The motion will require the votes of two thirds of members present to pass.

If adopted, the motion to reconsider temporarily nullifies the previous decision. The main motion originally voted on is again pending. The motion may now be amended or considered as moved and voted upon.

Example:

1. Original Motion -> Vote
2. Motion to Reconsider-> Vote
3. Reconsideration of main motion (it may now be amended)-> Vote

If a member who voted on the prevailing side presents a motion for reconsideration at a **subsequent meeting**, the motion must be preceded by a notice of motion. At the subsequent meeting, the motion to reconsider follows the same process, as noted above. It will require a two thirds majority vote of the members present to carry.

Example:

Meeting #1	Vote on original motion
Meeting #2	Notice of Motion to be received
Meeting #3	Motion to Reconsider to be voted on
Meeting #3	Matter for Reconsideration to be voted on

No matter may be reconsidered more than once in a twelve-month period.

A notice of motion for reconsideration will not stop or delay action on the decided matter unless Council agrees otherwise. In this case. Council must approve the injunction by a two-thirds majority vote of the members present.

If Council approves a motion to reconsider, the reconsideration will become the next order of business, unless the motion calls for a future definite date. Debate on the matter shall proceed as though it had not been previously voted upon. The debate must be confined to reasons for or against reconsideration only.

h) **ADJOURNMENT** - A motion to adjourn a meeting will be in order except:

- When a member is in possession of the floor.
- When it has been decided that the vote now be taken.
- During the taking of a vote.
- If determined in the negative the vote shall not be taken again until some intermediate proceedings have been taken by Council.

Members may not leave their places on adjournment until the Presiding Officer vacates the role as Chair.

Council will adjourn at 10:00 p.m. if in session at that hour, unless determined otherwise by a majority vote of the members present.

i) **BYLAWS** -The agenda may contain a summary of the contents of each bylaw. If a majority of Council requests, the Clerk will read the by-law in its entirety.

All by-laws must be passed in meetings that are open to the public.

A Confirmatory By-law, to confirm the proceedings of Council during the meeting, will be placed before Council each meeting.

- j) **SUSPENSION OF THE RULES** - Any Member may request that the rules of procedure be temporarily suspended. An example of a motion to suspend the rules would be to extend the meeting past 10:00 p.m.
- k) **ULTRA VIRES** - No motion shall be put on a matter which is Ultra Vires the jurisdiction of Council
- l) **CHANGES TO COUNCIL COMPOSITION** - Where Council wishes to consider changes to the composition of council:
 - 5 votes shall be required to support the change,
 - At least one Councillor from each district shall support the change,
 - There shall be widespread consultation with voters before any proposal is adopted including at least one public meeting in advance of day of the meeting where the resolution is decided. Normal municipal procedures for public notice shall apply.

7 – COMMITTEES

- a) **APPLICATION OF THIS BY-LAW TO COMMITTEES** - The rules governing the procedures of Council and the conduct of Members as set out in this By-Law shall be observed in all Committees in so far as they are applicable or as otherwise provided for in the Committee By-Law.
- b) **EXTERNAL COMMITTEES/BOARDS** - Council may from time to time appoint, by resolution, individuals to external committees or boards. The term of office for community members shall be two terms, the length of which will be decided by Council. Terms are to be staggered such that there is always a productive mix of experienced and new volunteer members.
- c) **QUORUM** - A quorum shall be a majority of those appointed to a Committee by Council. A majority is more than half of the total number of those appointed to the Committee.
- d) **COMMENCEMENT OF MEETINGS** - If a Committee Chair or Committee Vice-Chair is not present within fifteen minutes from the time of the opening of the Committee meeting, the members present will elect another member of the Committee to preside. That member will discharge the duties of the Presiding Officer for that meeting, or until the arrival of the Committee Chair or Vice-Chair.
- e) **VOTING** - Any member, including the Committee Chair, may propose or second a motion. When the Committee Chair proposes a motion, he or she must vacate the chair to the Vice-Chair of the Committee during the debate on the motion and resume the chair following the vote. All members will vote on all motions except when disqualified by reasons of pecuniary interest or otherwise.
- f) **DUTIES** - Council may discharge from responsibility any Committee, which refuses or neglects to give due consideration to any matter before it. Council may then allot such responsibility to another Committee.
- g) **CLERK, DEPUTY CLERK OR SECRETARY TREASURER TO PRESIDE AT FIRST MEETING** - The Clerk, Deputy Clerk or Secretary Treasurer shall preside at the first Meeting of each Committee or Board in each calendar year for the purpose of electing the Chair of that Committee. Upon election, the Chair shall preside at the Meeting.