

Corporation of the Township of South Frontenac

**A By-Law to Govern the Proceedings of The Council
Of The Corporation Of
The Township of South Frontenac**

By-Law Number 2025-21



**SOUTH
FRONTENAC**

Short Title: "The Procedural By-law"

Consolidation Of Amendments

Subject	Amending By-Law	Effective Date

The By-law numbers highlighted in this consolidation refer to the By-laws that amended the principal By-Law (By-law 2025-21).

Original copies are obtainable upon request from the Clerk's Department.

The Corporation of The Township of South Frontenac

By-law Number 2025-21

**A By-Law to Govern the Proceedings of The Council of
The Corporation of The Township of South Frontenac**

Whereas the *Ontario Municipal Act, 2001*, authorizes the Council of every municipality to pass By-laws for governing the proceedings of its Council, the conduct of its Members and the calling of meetings; and

Whereas Section 238 (2) further indicates that every municipality and local board shall pass a Procedural By-law for governing the calling, place and proceedings of meetings;

Therefore Be It Resolved That the Council of the Corporation of The Township of South Frontenac enacts as follows:

**Article I
Short Title**

1. Citation

This By-law may be referred to as “The Procedural By-law”.

**Article II
Interpretation**

Abstention

“Abstention” means a refusal to vote either for or against a proposal.

Act

“Act” means the *Ontario Municipal Act, 2001*, as amended from time to time.

Deputy Mayor

“Deputy Mayor” means the Members of Council appointed, under the By-law to act from time to time in the place and stead of Mayor.

Addendum

“Addendum” means a listing of the items to be added to or withdrawn from a published Agenda.

Adjourn

“Adjourn” in an unqualified manner, means that the adjournment is effective immediately.

Administration

“Administration” means union staff, non-union staff and consultants, contractors or any other entity retained to act on behalf of the Township of South Frontenac.

Briefing

“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.

Chair

“Chair” means the Mayor, Deputy Mayor or Chairperson who is actually presiding at the time that the meeting is being held.

Chief Administrative Officer

“Chief Administrative Officer” means the Chief Administrative Officer (CAO) of the Township of South Frontenac as designated by By-law.

Clerk

“Clerk” means the Clerk of the Township of South Frontenac as authorized by the *Municipal Act* and appointed by By-law.

Committee

“Committee” means a standing committee, advisory committee, legislated committee, community committee or special purpose (*ad hoc*) committee established by Council, but does not include the Committee of the Whole.

Committee of the Whole

“Committee of the Whole” means a meeting of Elected Members of Council, meeting for purposes of giving detailed deliberation to a matter under consideration and more thorough discussions of the matter to inform Council before it votes at a meeting of Council.

Council

“Council” means elected members of Council of the Township of South Frontenac whom were elected by registered voters or who have been appointed by virtue of a vacancy.

Debate

“Debate” means a discussion to put forth reasons for or against, in which a difference of opinion may be expressed.

Delegation

“Delegation” means an address to Council made at the request of a person wishing to speak.

Department Head

“Department Head” means directors, managers as well as the Chief Building Official, Deputy Clerk, Deputy Fire Chief, Deputy Chief Building Official and Deputy Treasurer.

In-Camera Meeting

“In Camera” means a meeting or portion of a meeting closed to the general public.

Local Board

“Local Board” means a municipal service board, transportation commission, public library board, board of health, planning board, or any other board commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a conservation authority, O.P.P. detachment board or school board.

Meeting

“Meeting” means any regular, special or other meeting of a Council or committee where a quorum of Members is present and Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, or committee.

Members

“Members” means an elected member of the Council or committee of the Township of South Frontenac.

Municipal Corporation

“Municipal Corporation” means the Corporation of the Township of South Frontenac.

Point of Information

“Point of Information” means a request through the Chair, for information relevant to the business at hand, but not related to parliamentary procedure.

Point of Order

“Point of Order” means a matter that a Member considers to be a departure from or contravention of the rules, procedures or generally accepted practices of Council.

Question of Privilege

“Question of Privilege” means a matter that a Member considers to question their integrity or the integrity of Council, which relates to the rights and privileges of the assembly or any of its Members to be brought up for possible immediate consideration because of its urgency.

Recorded Vote

“Recorded Vote,” means the making of a written record of the names and the vote of each Member who votes on a formal question.

Seal

“Seal” means the authenticating seal of the Township of South Frontenac.

Article III
General Provisions

- 3.1 The rules and regulations contained in this By-law shall be observed in all proceedings of Council and shall be the rules and regulations for the order and dispatch of business of all Council meetings and committee meetings in so far as they are applicable or as otherwise provided for in the Committee By-law and shall be suspended by a two-thirds (2/3) vote of Members of the Council or committee present and voting, and any such vote to suspend shall not be debatable or amendable.
- 3.2 The Calculation of two-thirds (2/3) vote shall be rounded upwards to the next highest (full) decimal.
- 3.3 Governing legislation, Procedural By-law, Committee By-law or any standing or special rules of order adopted by the Township of South Frontenac shall govern the procedures of the Council and its committees. Where inconsistencies exist, the current edition of "Robert's Rules of Order" shall be the parliamentary authority, which governs the proceedings of the Township of South Frontenac.
- 3.4 If any provision or provisions of this By-law shall be held to be invalid, illegal, un-enforceable or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.
- 3.5 The use of the terms "Agency", "Committee" and "Board" shall be used interchangeably.

Article IV Meetings

4.1 First Council meeting following Regular Election

The first meeting of Council shall be held in accordance with the provisions of the *Municipal Act*.

4.1.1 The order of business at the Inaugural meeting shall include:

- a) Declaration of office - Mayor;
- b) Declaration of office - Members of Council;
- d) Mayor's inaugural address;
- e) Passage of Confirmation By-Law and any other relevant by-laws; and
- f) Other ceremonial proceedings as deemed appropriate by the Mayor, Chief Administrative Officer, or Clerk.

4.2 Regular Council meetings

Regular Council meetings shall be held on the first, second and third Tuesday of each month, commencing at 7:00 p.m. at such place within the Township of South Frontenac designated for such purpose by the Council and shall be held in accordance with the annual schedule of meetings of Council and Committees of Council as prepared by the Clerk.

4.3 Notwithstanding the provisions of Section 4.2 of this By-law, there shall be one meeting of Council during the months of July and August, the meetings shall be held on the third Tuesday of July and the second Tuesday of August.

4.4 Notice shall be given of all Regular Council meetings on the previous agenda immediately following the "*Confirmation By-law*" unless the day of the meeting is other than that provided under Sections 4.1, 4.2 and 4.3.

4.5 Special meetings of Council

4.5.1. In addition to regular Council meetings, the Mayor may at any time summon a Special meeting of Council by giving direction to the Clerk, stating the date, time and purpose of the Special meeting of Council.

4.5.2 Upon receipt of the petition of the majority of the Members, the Clerk shall summon a Special meeting for the purpose and at the date and time mentioned in the petition.

4.5.3 The Clerk shall give all Members notice of a Special meeting of Council at least twenty-four (24) hours before the time appointed for such meeting.

- 4.5.4 Notice may be given by delivering a notice personally to a Member, by leaving such notice at his/her residence or place of business, or by facsimile transmission to such residence or place of business, or by electronic mail, or by telephone.
- 4.5.5 The written or verbal notice shall indicate the nature of the business to be considered, date, time and place of the Special meeting.
- 4.5.6 No business other than that indicated in the written or verbal notice shall be considered at the Special meeting.
- 4.5.7 All Special meetings of Council shall be held at the location of the last regular meeting of Council, unless an alternative location is specified in the notice of meeting.

4.6 Emergency meeting of Council

Notwithstanding any other provision of this By-law, an Emergency meeting of Council may be held, without written notice, to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk or their designate to notify the Members about the meeting as soon as possible and in the most expedient manner available.

- 4.7 All Council meetings shall be held within the Council Chamber located at 4432 George Street, Sydenham. In the event of an Emergency being declared by the Head of Council or any other Lead Agency as identified within the *Emergency Management and Civil Protection Act* within the confines of a declared emergency, where the Town Hall located at 4432 George Street, Sydenham is not accessible, the Council shall be asked to meet at an identified location accessible by all Members of Council.

- 4.8 Meetings of Council and its committees shall be open to the public with the exception of those meetings as provided within Sections 4.9,; and as provided for under *Section 239 (2, 3 and 3.1)* of the *Municipal Act*.

4.9 Closed (“In Camera”) meetings of Council

A meeting or part of a meeting of the Council may be closed to the public if the subject matter being considered is:¹

- 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;

¹ Part VI – Practices and Procedures *Ontario Municipal Act*

- 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.
- l) 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; or
- m) An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1).
- n) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
 - 1. The meeting is held for the purpose of educating or training the Members.
 - 2. At the meeting, no Member shall 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.

- 4.10 Prior to holding a meeting, which is closed to the public, Council shall pass a resolution stating the purpose of the holding of the closed meeting and including the general nature of the matter to be considered at the closed meeting.²
- 4.11 All closed to the public, In Camera meetings shall be held by the Committee of the Whole either immediately prior or following the public Council meeting. The start time shall be established by the Clerk in consultation with the Mayor and Chief Administrative Officer based on the nature of the items of business on the agenda.
- 4.11.1 In the event that the In Camera agenda items are not completed in the allotted time prior to the public Council meeting, the In Camera meeting may be recessed. The recessed meeting may then resume following completion of the Regular meeting business items and prior to the passing of the Confirmation By-law.
- 4.12 Members are to ensure that confidential matters disclosed to them during meetings closed to the public, are kept confidential. Any Member, who contravenes the confidentiality clause, may be subject, by majority vote of the Council, to sanctions in accordance to Section 7.9 of the Procedural By-law and of the adopted "Code of Conduct" policy.
- 4.13 **Electronic Meetings**³
A regular Council meeting, special meeting or emergency meeting may be conducted by Electronic Meeting.
- 4.13.1 The Council may provide that a Member of Council can participate electronically in a meeting, which is open to the public.
- 4.13.2 Any Member, who participates through electronic means, during a public meeting, shall have the same rights and responsibilities as if the Member was in physical attendance at the meeting, including the right to vote and is included in consideration of quorum.
- 4.13.3 No Member shall participate in a meeting, through electronic means, when the meeting is closed to the public.
- 4.13.4 A public notice of an electronic meeting shall include sufficient information as to provide the public with a means to electronically access the open session of such electronic meeting.
- 4.13.5 Notwithstanding anything to the contrary contained in this By-Law, during an in-person meeting at which Members are generally physically present, Township staff (at the discretion of the Chief Administrative Officer) and members of the public entitled to attend at the meeting (including, without limitation, Delegations

² Sec.239(4) Ontario Municipal Act

³ Sec. 238(3.1) Ontario Municipal Act

and presenters) may participate in the meeting via electronic means, subject to applicable laws and available technology.

- 4.14 No item of business other than the Confirmation By-law shall be considered at a meeting of the Council, after the hour of 11:00 p.m.
- 4.15 Should the Members of Council reach the hour of 10:45 p.m., and they wish to continue the ongoing meeting until remaining items listed on the Agenda have been dealt with, a Motion to Suspend the Rules of Order (Section. 3.1) of this By-law shall be introduced and a two-thirds (2/3's) vote of the Members present and voting shall be required.
- 4.16 **Committee of the Whole**
Committee of Whole Meetings shall be held at the call of the Mayor or Clerk, as required, to discuss in a less formal setting, matters that are under consideration and to which the matter is then referred to Council at its Regular public meeting for action.
- 4.16.1 Council may meet as Committee of the Whole during a Regular meeting if included on the agenda. Council may meet as Committee of the Whole during a regular Council meeting when it is not scheduled by way of a Motion and an affirmative vote of at least two-thirds of the Members present and voting at the meeting.
- 4.16.2 When the Council enters into a meeting of the Committee of the Whole, the Mayor may preside or at any time, may leave the Chair and appoint the Deputy Mayor as Chairperson and who shall Chair the meeting and maintain order. The Mayor then takes their place as a Member of the Committee.
- 4.16.3 When in *Committee of the Whole*, a Member cannot request to alter the text of any resolution referred to it; but it can propose amendments, which it must report in the form of a recommendation at the Regular public meeting, where the matter is to be voted on.
- 4.16.4 The Members shall not take any vote to advance the business of the municipality, in Committee of the Whole meetings, unless the vote is to offer amendments, after which the amendments shall be offered as a recommendation to be voted on during the regular public meeting.

Article V Roles

5.1 Council

It is the role of Council to:⁴

- a) Represent the public and to consider the well-being and interest of the municipality;
- b) Develop and evaluate the policies and programs of the municipality;
- c) Determine which services the municipality provides;
- d) Ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council
- e) Ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- f) Maintain the financial integrity of the municipality; and
- g) Carry out the duties of council under the *Ontario Municipal Act* or any other act.

5.1.1 No individual Council Member may direct any member of staff to perform such duties that have not been authorized by resolution of the Council.

5.1.2 Members of Council shall respect and adhere to the Policies set by the Council and under no circumstances take it upon themselves individually to circumvent established policies.

5.1.3 Council Members will liaise with the Chief Administrative Officer on any given matter concerning the municipality.

5.1.4 Questions or issues surrounding operational concerns or complaints shall be directed to the Chief Administrative Officer or Department Head, who will then direct the questions or issues to the appropriate staff person.

5.2 Head of Council

It is the role of the Head of Council to:⁵

- a) Act as Chief Executive Officer (CEO) of the municipality;
- b) Preside over Council Meetings so that its business can be carried out efficiently and effectively;
- c) Provide leadership to the Council;

⁴ Sec. 224 *Ontario Municipal Act*

⁵ Sec. 225 & 226 *Ontario Municipal Act*

- d) Provide information and recommendations to the Council with respect to the role of council as described in section 5.1 d) and e) above; (without limiting section (5.2(c))
- e) Represent the municipality at official functions;
- f) Carry out the duties of the head of council under this or any other Act;
- g) Uphold and promote the purposes of the municipality;
- h) Promote public involvement in the municipality's activities;
- i) Act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- j) Participate in and foster activities that enhance the economic social and environmental well-being of the municipality and its residents.

5.3 Chief Administrative Officer

It is the role of the Chief Administrative Officer to:⁶

- a) Exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality and the staff placed under his/her supervision; and
- b) Perform such other duties as assigned by the municipality.

5.4 Clerk

It is the role of the Clerk to:⁷

- a) Record, without note or comment, all resolutions, decisions and other proceedings of the Council;
- b) Record the name and vote of every Member voting on any matter or question, if required by any Member present at a vote;
- c) Keep the originals or copies of all By-laws and of all minutes of the proceedings of the Council;
- d) Perform the other duties required under the *Ontario Municipal Act*, the *Municipal Elections Act*, and any other Act; and
- e) Perform such duties as are assigned by the municipality.

5.4.1 The Clerk may delegate in writing to any person, other than a Member of Council, any of the Clerk's powers and duties under this and any other Act.

⁶ Sec. 229 *Ontario Municipal Act*

⁷ Sec. 228 *Ontario Municipal Act*

- a) Despite the delegation, the Clerk may continue to exercise the delegated powers and duties.

5.5 **Municipal Administration**

It is the role of municipal administration to:

- a) Implement decisions of Council and establish administrative practices and procedures to carry out decisions of Council;
- b) Undertake research and provide advice to Council on the policies and programs of the municipality; and
- c) Carry out other duties required under this or any Act and other duties assigned by the municipality.

5.6 **Deputy Mayor**

- a) Pursuant to Section 23.1 of the *Municipal Act*, the Deputy Mayor is hereby delegated the authority to act from time to time when the Mayor is unable or refuses to act or the office is vacant to provide representation at Meetings or events, to sign legal documents pursuant to Section 6.2.8 of this By-Law, and to act in any other capacity as required to fulfill the obligations and requirements generally performed by the Mayor.

**Article VI
Duties**

6.1 Council

- 6.1.1 Members of Council shall come prepared to every meeting where their participation is required, by having read all the material supplied, including agendas and staff reports, to facilitate discussion and the determination of action at the meeting. Whenever possible, the Members(s) shall make inquiries to Department Heads regarding materials supplied in advance of the meeting.
- 6.1.2 All requests for substantive reports shall be by Council resolution, which shall identify the appropriate Department Head and objectives of the report as well as a return date for the report.
- 6.1.3 No Members(s) shall have the authority to direct or interfere with the performance of any work by Administration or acting on behalf of or retained by the Municipality. All inquiries shall be directed through the office of the Chief Administrator.

6.2 Mayor (Chairperson)

- 6.2.1 The Mayor shall preside over the conduct of meetings, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal to the Council or Committee, as the case may be.
- 6.2.2 The Mayor shall recognize any Member of Council who wishes to speak and determine the order of the speakers.
- 6.2.3 The Mayor shall receive and submit in the proper manner, all motions presented by the Members and to put to vote all questions, which are duly moved, and to announce the result.
- 6.2.4 The Mayor may speak and/or vote on any question, but if they wish to make a motion, they shall first leave the Chair by designating the Deputy Mayor to Chair the meeting. Should the Deputy Mayor be absent, by designating another Member to act in their stead until such time as the motion(s) and any amending motion to the main question have been decided upon and after which they shall resume the Chair.
- 6.2.5 It shall be the duty of the Mayor to restrain the Members, within the rules and procedures when engaged in debate.

- 6.2.6 It shall be the duty of the Mayor to enforce on all occasions the observance of order, decorum and the efficient conduct of the meeting among the Members.
- 6.2.7 The Mayor and Clerk shall have the authority to sign and seal all by-laws, agreements, applications or other documents related to matters which have been approved by Council.
- 6.2.8 In the event that the Mayor refuses or is unable to authenticate any document as identified in section 6.2.7, the Deputy Mayor shall have the authority to sign on her/his behalf.

**Article VII
Conduct During Meetings**

- 7.1 No Member shall speak disrespectfully of the reigning Sovereign or of any of the Royal Family or of the Governor General, the Lieutenant Governor or any Provincial representative or any Members of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.
- 7.2 No Member shall speak disrespectfully, nor shall they use offensive words, in or against Members of the Council or any Member thereof including Municipal Administration.
- 7.3 No Member shall criticize any decision of the Council except for the purpose of moving that the question be reconsidered.
- 7.4 Members shall refrain from harmful conduct to the Municipality or its purposes. No Member shall breach the rules of the Council, or a decision of the Chair or of the Council as a whole on questions of order or practice, or upon the interpretation of the rules of Council; and in the case where a Member persists in any such breach after having been called to order by the Chair, the Chair may order that such Member leave their seat for the duration of the meeting of the Council; but if the Member apologizes, they shall be permitted to retake their seat.
- 7.5 It shall be the duty of the Chair to adjourn the meeting without the question being put or to suspend or recess the sitting for a time to be named if considered necessary because of grave disorder or disruption arising in the meeting.
- 7.6 The Mayor or other Presiding Officer may expel any person for improper conduct at a meeting.⁸
- 7.7 The following rules of conduct shall apply to members of the public, including, without limitation, Delegations, during a Meeting:
 - a) Members of the public shall maintain order and quiet and shall not address Council except with the permission of Council;
 - b) No person shall display signs, banners, emblems, flags, placards or similar material, applaud participants in debate or engage in conversation or other behaviour which may disrupt the proceedings of Council;
 - c) When invited to address Council, no person shall use indecent, offensive or insulting language, or speak disrespectfully of the Royal Family, the Governor General, the Lieutenant Governor of any Province, any member of the federal or provincial governments, any Member of Council or a committee, any member of staff, or of any individual;

⁸ Sec.241(2) *Ontario Municipal Act*

- d) No person, with the exception of Members and staff, shall be allowed on the meeting floor during a meeting without the permission of the Chair; and
- e) Members of the public shall not bring into the Council Chamber or meeting room any food or drinks that, in the opinion of the Chair, are disruptive to the meeting.

7.8 Any member of the public that breaches a rule of conduct set out in Section 7.7 above, or that otherwise disrupts a meeting, will receive a warning from the Chair. If the conduct persists, the Chair may ask the member of the public to leave the meeting. If the person does not leave the meeting when requested by the Chair, the member of the public may be expelled or excluded from the meeting.

7.9 Code of Ethic – Confidentiality

7.9.1 Upon completion of any “In-Camera” Council meetings, the decisions of the Council with respect to any of the enumerated items listed in Section 4.10; and direction to municipal Administration in accordance therewith, may then be reported publicly by Council at the discretion of Council.

7.9.2 The response of Council Members to enquiries about any matter dealt with during an “In-Camera” closed meeting, prior to it being reported publicly, shall be “*This matter is still under advisement*” “*no comment*”, or words to that effect.

- a) Any violation of process to this regulation may result in exclusion of the offending Council Members, requiring a two-thirds vote, from future closed meetings of Council and that Members may no longer be provided with correspondence, materials or information proposed to be dealt with by Members of Council at a closed meeting.
- b) The determination of whether or not a violation of process to the closed meeting provisions of this By-law have been committed and the length of the exclusion from closed meetings, if so determined, may be deliberated by Council at a closed meeting and the issues shall be considered by Council prior to the affected Members being excluded from any closed meeting by a two-thirds vote. The vote to determine a violation, the sanction, if any, to be imposed and the length of expulsion, if any, shall be conducted in public.
- c) If the purported violation of the process to the closed meeting provisions of this By-law by more than one Member is to be considered, a separate resolution of Council with respect to each affected Member shall be considered.
- d) The Member affected shall not be permitted to vote on a motion respecting their purported violation of the closed meeting provision of the Procedural

By-law, their exclusion from closed meetings, or the length of any such exclusion.

- e) The release of any information about matters dealt with by Council at a closed meeting shall be by the Mayor or their delegate only upon direction of the majority of Council.
- f) Notwithstanding Section 7.9.2 (b), unless Council by vote determines otherwise, upon the public disclosure of any report discussed at an “In-Camera” meeting, any individual Member may express their own personal position on the item, but shall not refer to or discuss the specific positions or opinions (written or verbal) of other Members or of municipal administration.
- g) Agendas or any items thereon for consideration by Council at a meeting closed to the public shall not be released to the public.
- h) It is the obligation of each Member of Council to keep information confidential and this obligation continues even after the Member ceases to be an elected Member of Council.

**Article VIII
Rules of Debate**

- 8.1 The Chair shall preserve order and decorum and decide questions of order subject to an appeal to the Council by any Member.
- 8.2 Any Member, previous to speaking on any motion, shall indicate their desire to speak by the raised hand and shall not rise to speak until recognized by the Chair.
- 8.3 The Chair shall recognize the Members in the order they indicate their desire to speak; be acknowledged by the Chair; and shall address all questions "*Through the Chair*".
- 8.4 When the Chair calls for the vote on a motion, each Member shall occupy their seat and shall remain there until the Chair has declared the result of the vote, and during such time, no Members shall walk across the room to speak to any other Members or make any noise or disturbance.
- 8.5 When a Member is speaking, no Member shall pass between the speaker and the Chair or interrupt the speaker except to raise a question of privilege, appeal from the decision of the Chair or raise a point of order.
- 8.6 It shall be the duty of the Chair to inform the Members on any point of order.
- 8.7 No Member shall speak on any subject other than the subject that is currently being debated.
- 8.8 Any Member may require a motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.
- 8.9 No Member of Council shall speak more than a total of five (5) minutes on any question, except in explanation of a material part of her/his debate, which may have been misunderstood, but they may not introduce a new matter. A right of reply may be allowed to a Member who has made a substantive motion to Council, and no Member shall speak to the same question or in reply, without permission of the Chair.
- 8.10 A Member may concisely ask a question through the Chair only for the purpose of obtaining information relating to the motion under discussion.
- 8.11 A Member, while asking questions through the Chair, shall at no time, put into question any municipal employee's personal or professional integrity.
- 8.12 All motions shall be seconded before it is debated and voted on.

Article VIV
Quorum

- 9.1 As soon after the hour fixed for holding the meeting of the Council as there is a quorum present, the Chair shall call the Members to order.
- 9.2 A majority of the Members elected (50% or more) shall constitute a quorum.
- 9.3 If there should be no quorum present within fifteen (15) minutes after the time fixed for holding the meeting of the Council, the Mayor shall call the roll and the Clerk shall take down the names of the Members present.
- 9.3.1 Should there be no quorum at a duly called meeting, one of the following three motions can be legally called:
- a) Motion to Adjourn
By calling this motion, all matters listed on the Agenda shall be brought forward at the next regularly scheduled meeting.
 - b) Motion to Recess
The Chair may call for a recess and request that the Members missing be called to inquire as to their attendance.
 - c) Motion to Set the time to which to re-adjourn the meeting
The Chair may request to re-set the meeting to another date and time set before the next regular meeting to deal with matters listed on the Agenda.
- 9.4 In the case of the Mayor not attending within fifteen (15) minutes after the hour fixed for holding the meeting of the Council, and provided that a quorum is present, the Deputy Mayor shall take the Chair and call the Members to Order; and they shall preside until the arrival of the Mayor.
- 9.5 In the absence of the Mayor and Deputy Mayor, and if a quorum is present, the Clerk shall call the Members to order. A Chairperson shall be chosen from the Members present who shall preside over the meeting until the arrival of the Mayor or Deputy Mayor.
- 9.6 Where the number of Members who, by reason of the provisions of the *Municipal Conflict of Interest Act*, are disabled from participating in a meeting is such that at that meeting the remaining Members are not of sufficient number to constitute a quorum, then despite any other general or Special Act, the remaining number of Members shall be deemed to constitute a quorum, provided that such a number is not less than two (2)⁹

⁹ Sec.7(1) *Municipal Conflict of Interest Act*

Article X
Order of Business - Agenda

10.1 The Business of the Council or the Committee of the Whole shall in all cases be considered in the following order unless otherwise decided by a vote of two-thirds of the Members present and voting.

Council Agenda Structure:

- a) Meeting to Order
- b) Roll Call
- c) Approval of Agenda (and Addendum)
- d) Disclosure of Pecuniary Interest
- e) Committee of the Whole "Closed Session"
- f) Recess (If Required)
- g) Ceremonial Presentations
- h) Public Meetings
- i) Delegations
- j) Briefings
- k) Reports from Administration
- l) Reports from Advisory Committees
- m) Information Reports
- n) Committee of the Whole
- o) Communications
- p) Tabling of Documents
- q) New Business
- r) Notice of Motion
- s) Approval of Minutes
- t) Approval of By-laws
- u) Committee of the Whole "Closed Session"
- v) Confirmation By-law
- w) Date of Next Meeting
- x) Adjournment

Committee of the Whole Agenda Structure:

- a) Meeting to Order
- b) Roll Call
- c) Approval of Agenda (and Addendum)
- d) Disclosure of Pecuniary Interest
- e) Committee of the Whole "Closed Session"
- f) Recess (If Required)
- g) Public Meetings
- h) Delegations
- i) Briefings

- j) Reports from Administration
- k) Reports from Advisory Committees
- l) Information Reports
- m) Communications
- n) Committee of the Whole "Closed Session"
- o) Adjournment

10.2 The Clerk shall prepare and deliver the agenda by electronic transmission to each Member of Council not later than 2:00 p.m. on the Thursday preceding the scheduled Council or Committee of the Whole Meeting.

10.3 If necessary, the Clerk shall prepare and deliver an addendum by electronic transmission to each Member of Council by 3:00 p.m. on the day of the scheduled Council Meeting.

10.4 An agenda or addendum for scheduled Council Meetings shall be made available to the public via the Township of South Frontenac Corporate website as outlined in Sections 10.2 and 10.3 of this By-law.

**Article XI
Minutes**

11.1 The Clerk shall record the Minutes of each meeting of Council which shall include:

- a) The place, date and time of the meeting.
- b) The name of the presiding officer or officers and the record of the attendance of the Members.
- c) A record of Members who enter after the commencement of a meeting or leave prior to adjournment, the time shall be so noted in the minutes.
- d) A record, without note or comment, of all resolutions, decisions and other proceedings of the Council.
- e) A record of all publicly declared conflict of interests made by Members and identify that the Member has recused itself from discussion or vote on the declared matter, when the subject matter is brought up for debate.
- f) If required by any Members present at a vote, to record the name and vote of every Member voting on any matter or question.
- g) All resolutions presented to the Council shall be consecutively numbered, on a yearly basis.

11.2 Minutes of the last regular meeting of Council and of all Special or Emergency Council meetings held subsequent to the last regular meeting, shall be included in the agenda and may be adopted by Council.

11.2.1 Should a Special meeting be held during or after final preparations of an agenda for an upcoming regular meeting, the minutes of those special meetings shall be scheduled at the next regularly scheduled meeting.

11.3 Minutes of Closed meetings shall be added to the next Committee of the Whole – In Camera meeting agenda for adoption. The contents of the minutes need not be disclosed.

11.3.1 All In Camera meetings closed to the public shall be recorded in the minutes without note or comment, including all resolutions, decisions and other proceedings.

11.4 Once the minutes have been adopted, they shall be signed by the Mayor/Chair and the Clerk.

Article XII
Briefings, Ceremonial Presentations, Delegations and Public Meetings

12.1 Delegations

- a) Any person desiring to present information orally on matters of fact or to make a request of Council shall give notice and disclose the Agenda Item, subject matter and if applicable, provide all materials to be presented during the Delegation to the Clerk by no later than 2:00 p.m. on the day prior to the meeting.
- b) Any person desiring to present information orally on matters of fact or to make a request of Council regarding a matter that is not included on a Council agenda for consideration 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.
- c) 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.
- d) Except as required by law, any person appearing before Council or a Committee who has previously appeared before Council or a Committee on the same subject matter shall be limited to providing only new information in their second and subsequent appearances.
- e) Each delegation shall be limited to not more than a total of five (5) minutes; it being understood that the Mayor at their sole discretion may grant the delegate additional time to address Council or the Committee of the Whole.
- f) A maximum of three (3) delegations may address Council per Meeting.
- g) The number of speakers for one delegation shall be limited to three, unless authorized by Council resolution.
- h) Members may only address a Delegation to ask a maximum of two questions for clarification and shall not express opinions or enter into debate or discussion with a Delegation.
- i) Members shall not pose questions to staff during a Delegation.
- j) All delegates shall address the Mayor, shall state their name and whom they represent.
- k) No delegate shall: a) Speak disrespectfully of any person; b) Use offensive language; c) Speak on any subject other than the subject for which they have

received approval to address Council; d) Disobey the rules of procedure or a decision of the Mayor or Council.

- l) The Mayor may curtail any deputation, any questions of a debutante 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.
- m) No Delegations shall be permitted on the following topics: (a) labour relations or staff negotiations; (b) an application submitted under the *Planning Act or By-law 2024-66*; (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) By-law Enforcement proceedings (f) tenders, requests for proposals or other procurement issues; (g) 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 (h) any matter that is properly the subject of a Closed Session.

11.2 Briefings

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

12.3. Public Participation - Public Meetings

During all public meetings, including statutory public meetings held under the *Planning Act* or any other Act, members of the public wishing to speak to the matter will be limited to five 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; it being understood that the Mayor at their sole discretion may grant a member of the public additional time to address Council or the Committee of the Whole.

12.4 Ceremonial Presentations

Ceremonial presentations shall be limited to five minutes; it being understood that the Mayor at their sole discretion may grant a member of the public additional time to complete the Ceremonial Presentation.

12.4.1. There shall be a maximum of three ceremonial presentations per Meeting.

**Article XIII
By-laws**

- 13.1 All By-laws, together with a brief description, shall be listed on the agenda for the meeting at which they are to be read.
- 13.2 Every By-law when introduced shall be in typewritten form and shall comply with the provisions of any relevant Act.
- 13.4 Any Member may request that the purpose and effect of any particular By-law be explained, and the Clerk or any other Department Head having knowledge thereof may provide such explanation.
- 13.5 A By-law may be debated or amended before adoption by Council; it being understood that debate or amendments shall occur during consideration of the matter during the Reports from Administration portion of the agenda.
- 13.6 At the conclusion of all regular meetings of the Council and prior to adjournment, a By-law shall be passed to confirm the actions of the Council at the meeting in respect of each motion, resolution and other action taken. This By-law authorizes the execution of agreements and other documents necessary to give effect to the motions, resolutions and other actions taken, and the proceedings of Council. ¹⁰
- 13.7 A Confirmation By-law when introduced shall be taken as read and voted on without debate.
- 13.8 Every By-law passed by the Council shall be numbered and dated, and shall be sealed with the Seal of the Township of South Frontenac, signed by the Mayor and Clerk and shall be kept by the Clerk in the Clerk's Department or any other place appointed for that purpose.
- 13.9 Council will not make a decision or pass a corresponding by-law related to the subject matter considered during a public meeting until a subsequent Council meeting to provide Council sufficient time to consider public input and any additional information.
- 13.9.1 Notwithstanding Section 13.9, Council may pass a by-law during the Council meeting in which the public meeting was held, if the matter is deemed to be technical in nature or 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.

¹⁰ Sec.248 Municipal Code – *Ontario Municipal Act*

- 13.10 Notwithstanding Sections 13.1, 13.2, 13.3 and 13.5 a by-law may be passed through delegated authority in accordance with By-law 2023-01 and may be presented to and enacted by the Director of Development Services or designate.
- 13.11 The Clerk shall be responsible for the correctness of all by-laws as to form and content.
- 13.12 The Clerk, in consultation with the Chief Administrative Officer, may make the following administrative amendments to by-laws:
- a) correct spelling, punctuation or grammatical errors, or errors which are clerical, typographical, arithmetic or similar in nature;
 - b) alter the style or presentation of text or graphics to improve electronic or print presentation;
 - c) replace a description of a date or time with an actual date or time;
 - d) if a provision provides that it is contingent on the occurrence of a future event and the event occurs, remove text referring to the contingency and make any other changes that are required as a result;
 - e) correct errors in the numbering or provisions or other portions of a by-law and make any changes in cross-references that are required as a result;
 - f) if a provision of a transitional nature is contained in a by-law, make any changes that are required as a result; and
 - g) make a correction, if it is obvious both that an error has been made and what correction should be taken to more fully represent the intention of Council.

Article XIV Communications

- 14.1 Every communication intended for presentation to Council shall be legibly written, typed, or printed and signed by at least one person giving their address. Anonymous communications will not be accepted.
- 14.2 The Clerk shall list on the Agenda those communications received prior to the submission deadline specified in Section 10.2. All communications received after such deadline shall be held over for consideration at a subsequent meeting, unless they directly relate to items of business on the Agenda.
- 14.3 Communications relating to a business item on the Agenda that are received by 2:00 p.m. on the day prior to the meeting will be included on the Addendum.
- 14.3.1 Where a communication was submitted following the deadline prescribed in Section 14.3, and where it is anticipated that Council will give consideration to a by-law regarding a zoning by-law amendment or Official Plan amendment application, the communication will form part of the Minutes to ensure that the resident is afforded their appeal rights as per the *Planning Act*.
- 14.4 Subject to the submission requirements set out in 10.2, the Clerk shall also list on the Agenda, as a communication, any correspondence received from a Member in relation to any recommendation or Motion at the meeting.
- 14.5 Members shall not debate any communication.
- 14.6 Council may refer a communication to staff or a Committee.
- 14.7 Communications from other municipalities requesting endorsement or consideration of their resolutions shall be forwarded to the Chief Administrative Officer and may be added to the appropriate Council or Committee Agenda.
- 14.8 No Communications shall be permitted on the following topics: (a) labour relations or staff negotiations; (b) 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; (c) tenders, requests for proposals or other procurement issues; (d) 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; (e) any matter that is properly the subject of Closed Session; (f) By-law Enforcement proceedings and any matter that contains, in the discretion of the Clerk, any offensive, defamatory or otherwise inappropriate materials.

Article XV
Tabling of Documents

15.1 The Clerk shall list on the Agenda documents received from any local boards or agencies, including, but not limited to, meeting agendas or minutes and financial statements.

Article XVI
Notice of Motion

- 16.1 A Notice of Motion may be introduced by the mover at a Council meeting for consideration at a subsequent Meeting.
- 16.1.1 Every Notice of Motion shall be in writing before being submitted to the Clerk.
- 16.1.2 When a Notice of Motion has been introduced and filed with the Clerk at an ongoing meeting, the Clerk, after determining that the motion falls within the scope of a notice of motion, shall read the motion at the appropriate time and shall record the Notice in the minutes.
- 16.1.3 Once the Notice of Motion has been submitted to the Clerk for inclusion on the Agenda it may not be edited prior to consideration by Council during a meeting.
- 16.2 To be included in the printed portion of an Agenda, a Notice of Motion may also be delivered to the Clerk no later than 9:00 a.m. on the Thursday preceding the scheduled regular Council or Committee of the Whole meeting.
- 16.3 A notice of motion shall not be considered or otherwise disposed of by the Council unless the mover of the motion is in attendance at the meeting.
- 16.3.1 A notice of motion requires a seconder only at the time of debate.
- 16.3.2 The member of Council who moved the Notice of Motion shall be afforded a maximum of two minutes to explain the purpose of the Notice of Motion to Council prior to the seconder being sought.

**Article XVII
New Business**

17.1 New Business (Routine Nature)

Any item of business that is of a routine nature filed with the Clerk no later than 9:00 a.m. on the Thursday preceding the scheduled regular Council or Committee of the Whole meeting shall be considered as a New Business motion.

17.2 All New Business motions shall be introduced in writing, with a mover and seconder and filed with the Clerk.

17.3 The Clerk, in consultation with the Mayor, shall have the authority to deem a New Business (Routine Nature) motion inappropriate or outside the scope of Council authority and deny the item a place on the agenda.

17.4 All New Business motions may be debated and shall be voted on individually.

17.5 New Business (Non-Routine Nature)– Notice of Motion

New Business motions that are not of a routine matter, shall be received and read by the Clerk as a “Notice of Motion” and re-introduced at the next regular meeting of Council under Resolution for Council discussion and debate.

Article XVIII
Reports

- 18.1 Every administrative report to be presented to the Council shall be prepared under the approved submission electronic agenda (e-agenda) program, with an identifiable recommendation, and shall be signed by the Director, Clerk or Manager of Human Resources and Chief Administrative Officer.

Article XIX
Disclosure of Interest

- 19.1 All Members shall govern themselves at any meeting in accordance with the current legislation respecting any disclosure of interest they may have in accordance with the “*Municipal Conflict of Interest Act*”. It is further the responsibility of all Members to identify and publicly disclose any interest.
- 19.2 The Members shall disclose the interest including the general nature thereof, prior to any consideration of the matter and shall not take part (with the exceptions as noted under Sec.5.2 (1) of the “*Municipal Conflict of Interest Act*” in the discussion of, or vote on any question in respect of the matter and shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.
- 19.3 Where the meeting is not open to the public, the Member shall immediately leave the meeting or the part of the meeting during which the matter in which they have a conflict is under consideration.
- 19.4 Where a Member is absent from a meeting, which includes a matter on which they have an interest, the Member shall disclose this interest at the next public meeting they attend.
- 19.5 The declaration of interest shall be provided in a written statement to the Clerk and shall be recorded in the minutes or report of the meeting and where the meeting was opened to the public, the general nature of such declaration.
- 19.6 Where the declaration of interest is made on a matter that is not open to the public, the Members shall, in a written statement to the Clerk, declare the interest, and that shall be recorded in the minutes of the next meeting that is open to the public.
- 19.7 A Registry shall be kept by the Clerk of every written statement made by Members of the general nature of the declared interest. The Registry shall be available for public inspection.

Article XX
Voting

- 20.1 Every Member present at a meeting, with the exception of Section 19.2, when a question is put, shall vote thereon unless disqualified to vote on the question.
- 20.2 Failure to vote by a Member present at the meeting at the time of the vote and who is not disqualified to vote shall be deemed to be a negative vote. ¹¹
- 20.3 The vote required to pass a motion shall be a majority (more than 50%) except as otherwise provided in this By-law or by Statute or by *Robert's Rules of Order, latest Edition*.
- 20.4 In the case of an equal division of votes on a motion, the motion shall be deemed to have been decided in the negative and defeated for want of a majority.
- 20.5 The manner of determining the desire of the Council on a motion shall be by show of hands.
- 20.6 Where a vote is taken for any purpose and a Member requests' immediately prior or immediately subsequent to the taking of the vote that the vote be recorded, each Member present, except a Member who is disqualified from voting, shall announce her/his vote openly; and any failure to vote by a Member who is not disqualified shall be deemed to be a negative vote, and the Clerk shall record each vote.
- 20.7 At the request of a Member of Council, a motion containing distinct proposals that can be acted upon individually may be divided, and a separate vote shall be taken upon each individual proposal.
- 20.7.1 When a request is made to vote on a motion containing several parts, where the parts are not able to stand alone if voted on, the motion shall not be separated without a motion, to separate approved by a majority of the Members present and voting.
- 20.8 A Member not in their seat when the question is called by the Chair is not entitled to vote on that question and in the case of a recorded vote, shall be recorded as absent.
- 20.9 Immediately preceding the taking of the vote, the Chair shall state the question in the form introduced.
- 20.10 A two-thirds vote means that two thirds (2/3) of the votes cast determine the vote.
- 20.11 The Chair shall announce the result of every vote.

¹¹ *Municipal Conflict of Interest Act*

**Article XXI
Parliamentary Process - Motions**

Motion to Appeal

21.1 Appeal – Decision by Chair – final

Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.

21.2 Appeal made at time of ruling – point of order

A motion to appeal from the decision of the Chair shall be made only at the time the ruling is made by the Chair and shall require a seconder, followed by a vote.

21.3 Non-debatable – amendable – reconsidered

A motion to appeal the decision of the Chair shall not be debated or amended.

Question of Privilege

21.4 Integrity – Members – Council in question

Where a Member considers that the integrity of Members of Council as a whole has been called into question, the Member may, as a matter of privilege, rise at any time, no debate being allowed, for the purpose of drawing the attention of the Council to the question.

21.5 Motion to receive disposition – treated as main motion

A motion resulting from a question of privilege shall follow the rules for all motions save and except it shall be dealt with immediately with no notice of motion necessary. Once moved and seconded, the motion related to the point of privilege shall be disposed of by the Council forthwith, and following such disposition, the motion so interrupted shall be immediately considered at the point where it was suspended.

Request for Information

21.6 Request information

Where a Member is uncertain of a particular issue being discussed, the Member may ask the presiding officer to clarify or if the Chair is unsure of the answer, may direct their question to another Member or staff. All requests for information shall be on the business pending or on parliamentary situation.

Withdrawal of Motion

21.7 Withdrawal of Motion

A request to withdraw a motion shall only be made by the mover of the motion, and must be made before the Chair states the question. Should the Chair state the question for debate, the assembly, by majority vote must agree to withdraw the motion.

- 21.8 **In order – anytime during debate**
A request to withdraw a motion shall be in order anytime during debate, however shall require the consent of a majority of the Council in attendance.
- 21.9 **Objection – by Member – entertained – main motion**
If a Member objects to the withdrawal of the motion, a motion to maintain the question may be entertained and become a main question.
- 21.10 **No objection – withdrawal – without seconder – vote**
If no Member objects to the withdrawal of the motion, the motion shall be considered withdrawn without the necessity of a vote.

Point of Order

- 21.11 **Rules of Procedure – breached**
A point of order may be called by a Member to bring attention to any breach of the rules of Procedure of the Council.
- 21.12 **Members – rise – point stated**
When a Member rises on a point of order, the Chair shall recognize the Member and request that the point of order be stated. The Chair shall rule on the Point of Order.
- 21.13 **Language – improper – offensive**
A point of order may be called by a Member to bring attention to the use of improper, offensive or abusive language or comments directed towards any Member, a member of Staff or a member of the public.
- 21.14 **Discussion – not valid – outside proposed motion**
A point of order may be called by a Member to bring notice of the fact that the matter under discussion is not within the scope of the proposed motion.
- 21.15 **Proceedings – other – informality – irregularity**
A point of order may be called by a Member to bring attention to any other informality or irregularity in the proceedings of the Council.
- 21.16 **Decision – announced – prior to recommencement**
No further business shall be conducted until the Chair has decided and stated the point of order, thereafter a Member shall only address the Chair for the purpose of appealing the Chair's decision to the Council.
- 21.17 **Decision of Chair Final – no appeal**
If no Member appeals, the decision of the Chair shall be final.

21.18 Appeal – Members right – Chair reply – decision final

If a Member appeals to the Council, the Member shall have the right to state a case. A seconder is requested, the Chair shall have the right to reply and place the question before the Council who shall decide the question without debate, and its decision shall be final. In an appeal from the decision of the Chair, a tie vote sustains the Chair's decision.

Close Debate – Put the Question

21.19 Non-debatable – amendable

A motion to close debate or put the question shall not be debatable or amendable, and shall require a two-third vote.

21.20 Resolved – affirmative – original motion put – no debate

When a motion to close debate or put the question is in the affirmative, the original motion shall be put forward for a vote without debate or amendment.

Motions in General

21.21 Motion – deemed – possession of the Council

After the Clerk reads a motion, it shall be deemed to be in possession of the Council, subject to sections 21.7 – 21.10.

21.22 Motion presented – debate

When a motion is presented in Council, it shall be read before debate begins in order to ensure to Members of Council the exact matter being debated.

21.23 Motion – outside jurisdiction of Council

A motion in respect of a matter, which is beyond the jurisdiction of Council, shall not be in order.

21.24 Disposition of a Motion

A motion properly before Council for decision must receive disposition before any other motion, not relevant to the main motion, is introduced.

Motion to Amend

21.25 Debatable – amend – permitted

A motion to amend shall be debatable, unless the motion to which it adheres to, be undebatable.

21.26 Written – when requested by Chair

A motion to amend shall be presented in writing when requested by the Chair.

21.27 Relevant to main motion

A motion to amend shall be germane to the main motion, meaning closely related to or having bearing on the subject of the motion to be amended.

21.28 Contrary to main motion – not in order

A motion to amend shall not be in order if it is contrary to the main motion.

21.29 Amended – once only

Only one secondary amendment shall be allowed to a *primary* amendment (*better known as an amendment to an amendment*)

21.29.1 Council disposition – before amendment – motion

The motion to amend (*secondary amendment*) shall receive disposition of the Council before a previous amendment is voted on – identified as the *primary* amendment to a main motion.

Motion for Reconsideration

21.30 A Motion to Reconsider:

- a) is not debatable; however, the mover and seconder of a Motion to Reconsider may provide a brief and concise statement outlining the reasons for proposing such reconsideration;
- b) is not amendable;
- c) may be made at the same Meeting at which the original Motion was decided;
- d) made at the same Meeting at which the original Motion was decided shall require a Majority vote regardless of the vote necessary to adopt the Motion;
- e) made at a Meeting subsequent to the Meeting at which the original Motion was decided shall require an affirmative vote by two-thirds of the Members present and voting on the Motion;
- f) shall be submitted in writing to the Clerk and printed on the Agenda;
- g) shall not be in order if the action approved in the Motion to Reconsider cannot be reversed or if the original Motion has been implemented, resulting in a legally binding commitment that is in place on the date that a Motion to Reconsider is being debated;
- h) may be brought forward only once in the twelve (12) month period from the date the Motion or matter was first decided;
- i) suspends action on the Motion to which it applies until the Motion to Reconsider has been decided.

21.31 When a matter previously decided is brought before a succeeding Council, it shall be deemed new business and not a matter of reconsideration.

- 21.32 If a Motion to Reconsider carries, reconsideration of the decided matter shall be the next order of business. Council shall consider and vote on the reconsidered matter in the same form as it was originally before Council. Debate on the matter being reconsidered shall proceed as though it had never previously been considered.

Motion to Adjourn

21.38 **In Order – exception**

A motion to adjourn shall always be in order, except to when a matter is being debated.

21.39 **Negative – until proceedings completed**

A motion to adjourn, when resolved in the negative, shall not be re-introduced again until after the Council has completed some intermediate proceedings.

21.40 **Members speaking – voting prohibited**

A motion to adjourn shall not be in order when a Member is speaking or during the verification of a vote on any matter.

21.41 **Non-debatable**

An unqualified motion to adjourn shall not be debatable or amendable.

21.42 **Motion to Adjourn – not required**

A motion to adjourn is not required at the end of a meeting, when all business has been dealt with and disposed. The Chair can simply state: “all business has been dealt with; this meeting is now adjourned”.

Motion to Recess

21.43 **Length of time – specified**

A motion to *Recess* made, that a recess begin immediately when other business is before the assembly, shall specify the length of time of the recess, shall not be debatable and shall only be amendable with respect to the length of the recess.

21.44 **Future time – treated as a main motion**

A motion to recess made for a time later in the meeting, shall have no privilege and shall be treated as a main motion, meaning that the motion is both debatable and amendable.

Motion to Defer (Postpone to a Certain Time)

- 21.45 A motion to *Defer* a matter placed before the Council at a meeting shall be in order at any time.

21.46 All motions to *Defer* shall contain the reason for the deferral and shall provide a proposed date of return.

Article XXII
General Rules – Committees

- 22.1. 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.
- 22.2 Members of Council shall be elected to sit on various Boards and Committees of Council and appointed by resolution at the appropriate Council meeting at the beginning of a new term of office. Appointments shall be for the term of Council unless the Committee By-law specifies a shorter time or where a re-appointment may be made. Council may appoint a member of a committee at any time where necessary to fill a vacancy.
- 22.3 Appointments to any Committee, from non-council Members, shall be made as per the following process:
- a) Public notice soliciting individual applications from citizens of the community shall be conducted.
 - b) All applications shall then be presented to Council for consideration in open session.
 - c) Members of the Public appointed to a Committee shall be appointed by a resolution of Council.
 - d) Any member of a Committee may be removed by Council without cause.
- 22.4 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 and all following meetings.
- 22.5 Council may discharge from responsibility any Committee, which refuses or neglects to give due consideration to any matter before it.
- 22.6 No order or authority to do any matter or thing shall be recognized as emanating from any Committee, and all Committee matters shall be referred to the Council and approved before becoming effective.

**Article XXIV
Repeal / Enactment**

23.1 By-laws – previous

By-law 2017-76, As Amended and any other by-law, policy, practice or parts thereof conflicting with this By-law be repealed.

23.2 Effective date

This By-law shall come into effect on April 1, 2025.

Read and Adopted in Open Council this April 1, 2025.

James Thompson
Clerk

Ron Vandewal
Mayor