

(Office Consolidation as of March 6, 2024)

Corporation of the Town of Greater Napanee

By-law No. 2023-0060

**A By-Law to to Provide Rules Governing the Order and Procedures of the Council
and Committees of the Town of Greater Napanee, and to Repeal By-law 2008-58
as amended**

Originally Passed: September 12, 2023

As Amended By:

By-law Number:

2024-0009

Date Passed:

February 27, 2024

Note: This consolidation is provided for convenience purposes only. Every effort is made to ensure the accuracy of this information, however it is not to be used in place of actual by-laws. Users should consult the original by-laws for purposes of interpretation and application.

**THE CORPORATION OF THE TOWN OF GREATER NAPANEE
BY-LAW NO. 2023-0060**

**Being a By-law to Provide Rules Governing the Order and Procedures of the
Council and Committees of the Town of Greater Napanee, and to Repeal By-law
2008-58 as amended.**

WHEREAS Section 238(2) of the Municipal Act, 2001, S.O.2001, c. 25, as amended, (the "Municipal Act") provides that Council shall pass a procedure by-law for governing the calling, location and proceedings of meetings;

AND WHEREAS the Council of the Corporation of the Town of Greater Napanee deems it expedient to repeal and replaced By-law No. 2008-58, being a by-law to govern the calling, place and proceedings of Council and committees of Council and conduct of its members, as amended, which was passed on December 16, 2008;

NOW THEREFORE the Council of the Corporation of the Town of Greater Napanee enacts as follows:

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SECTION 1: DEFINITIONS AND INTERPRETATION

Title

1.1 This short title of this by-law is the “**Procedural By-law.**”

Definitions

1.2 For the purposes of this by-law, the following definitions shall apply:

Act: means the *Municipal Act, 2001*, S.O.2001, c. 25, as amended or re-enacted from time to time.

Addendum: means any addition or removal to a completed written agenda or addition or removal to an item on the agenda after the initial publication.

Agenda: means the written order in which business shall be conducted at a Meeting.

Chair: means the person presiding at a meeting, and includes the Mayor, the Deputy Mayor, the Committee chair or vice-chair while they preside at a meeting, or such other person as may be authorized to preside in their absence.

Chief Administrative Officer: means the Chief Administrative Officer of the Town of Greater Napanee, or their designate.

Clerk: means the Municipal Clerk of the Town of Greater Napanee or their designate.

Closed Meeting or Closed Session: means a meeting, or part of a meeting, which is closed to the public as permitted by the Act.

Committee: means a standing committee, advisory committee, legislated committee, or special purpose (*ad hoc*) committee established by Council, but does not include the Committee of the Whole. Committee members are appointed by Council for a set term and have clearly defined terms of reference which outline the mandate and parameters for committee activity.

Committee of the Whole: means a committee constituting all members of Council sitting as a Committee of the Whole and where:

- a) Members consider and debate matters in an environment that is procedurally more relaxed than a formal Council Meeting; and
- b) Substantive motions adopted therein are not deemed to represent the final decision of Council until confirmed by resolution of Council.

Confirmation By-law: means a by-law to confirm all of the actions of Council during the meeting as intended to be legal and binding.

Consent Agenda: means a listing of general or regularly occurring reports or communication that can be dealt with in a single motion.

Council: means the Council of the Corporation of the Town of Greater Napanee.

Deputation: means a person or group of persons who are not members of Council or Town staff who have requested and are permitted to address Council, individually or on behalf of a group, in relation to a matter appearing on the Agenda.

Electronic Participation: includes telephone, video, audio conferencing or other interactive methods whereby Members, staff and the public are able to hear the Member(s), staff and public participating by electronic means and the Member(s), staff and public participating by electronic means are able to hear other Members, staff and the public.

Emergency: means an immediate threat to the well-being of health, property or the environment, and includes a period of time during which an emergency has been declared to exist in all or part of the Town of Greater Napanee under the *Emergency Management and Civic Protection Act*, R.S.O. 1990, Chapter E.9, as amended or re-enacted from time to time.

Ex-officio Member: refers to the Mayor's membership on all internal committees, sub-committees and working groups. Ex-officio means by virtue of office and therefore this member may attend any Town committee meeting and take part in the discussion. The ex-officio member shall be a non-voting member and shall not be included when determining the number of members required for quorum or counted when determining if a quorum is present.

Inaugural Meeting: means the first meeting of Council after a regular election.

Live-Streaming: means a method of providing video over the internet in real time to anyone who has high-speed internet access. The video stream can be saved and archived, allowing those with internet access the ability to view recordings at their convenience.

Local Board: means a local board as defined by the Act.

Meeting: means any regular or special Council or committee meeting where a quorum is present as defined in the Act and where Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council or Committee, and includes meetings where some or all Members are attending via electronic participation.

Member: means, according to the circumstances, a Member of Council, including the Mayor, or a member of the committee, including the chair.

Motion: means a proposal, moved by a mover and seconded by another member, for the consideration of Council or a committee.

Motion to Amend: means a Motion to alter or vary the terms of a Main Motion without materially changing its purpose.

Motion to Defer: means a Motion to delay consideration of a matter until later in the same Meeting or to a future Meeting, where the length of and reason for deferment is specified.

Motion to Receive: means a motion to acknowledge the particular item, report or recommendation under consideration and to have it placed in the records of Council with no additional action being taken.

Motion to Refer: means a Motion to delay consideration on a matter in order to request that a Committee, staff, or another body provide additional input prior to a decision of Council.

Municipality or Town: means the Corporation of the Town of Greater Napanee.

Notice of Motion: means a written notice, given by a member, advising Council that the motion described therein will be brought forward at a meeting.

Presentation: means an occurrence where staff, an individual or group have been invited to present information to Council or a committee and includes:

- a) A ceremonial presentation to or from the Town of Greater Napanee;
- b) A presentation made by Town staff and/or consultants retained by the Town or by another level of government; or
- c) A presentation made at the request of Council, a committee or staff.

Point of Order: means a statement made by a Member during a Meeting regarding a departure from or contravention of the rules and procedures contained in this By-law.

Point of Personal Privilege: means a request related to the rights and privileges of any of the Members and may include a request for assistance, a request related to personal comfort such as noise or temperature, or a request to immediately respond where a Member believes that their integrity or the integrity of Council as a whole has been impugned or called into question.

Public Meeting: means a meeting held to hear public input, and includes:

- a) a statutory public meeting as prescribed by legislation;
- b) a matter for which public input is sought by direction of Council, including as directed in any by-law or policy which may be enacted; and
- c) a matter for which public input is initiated by Town staff.

Quorum: means more than 50% of the applicable membership of Council or a committee.

Recorded Vote: means a written record of the name and vote of every voting Member on any matter or question. A request by a Member for a recorded vote shall be made immediately prior to the commencement of the vote being taken or immediately thereafter, prior to proceeding to the next item on the agenda. When a recorded vote is called for each member present, except a member who is disqualified from voting by any Act, shall announce their vote openly in the order called by the Clerk, and any failure to vote by a member who is not disqualified shall be deemed to be a negative vote. A vote is not recorded if no request is made.

Recess: means an interruption in a meeting's proceedings which does not close a meeting and after which business will be resumed at exactly the point where it was stopped.

Resolution: means the decision of Council or a committee on any motion that has been carried.

Time-Sensitive: means a situation in which the timing to initiate and/or complete a matter is paramount, but the time available to follow normal procedures or processes is insufficient.

Urgent: means a time sensitive matter which if not dealt with may have serious ramifications, including but not limited to, the inability to address or influence the matter at a later date.

Severability

- 1.3 If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law will be considered severed from the remainder of this By-law, which shall continue to be in full force and effect.

SECTION 2 – APPLICATION

General

- 2.1 The rules of procedure set out in this by-law shall govern all proceedings of Council, Committee of the Whole, and, with necessary modifications, the committees of the municipality.

Statutory Requirements

- 2.2 Notwithstanding anything in this by-law, where Council or a committee convenes for the purpose of holding a hearing as required by any statute, the provisions of the statute and the *Statutory Powers Procedure Act*, as applicable, shall govern the proceedings. In the event of a conflict between this by-law and legislation, the provisions of legislation prevail to the extent of the conflict.

Rules of Order Not Covered

2.3 To the extent that a matter is not dealt with in the Act or this by-law, Council and committees shall have regard to Robert's Rules of Order, as revised.

Suspension of Rules and Procedures

2.4 Subject to Subsection 2.6 of this By-law, the rules and procedures contained in this By-law may be suspended by a vote of two-thirds of the Members present and voting at a Meeting.

2.5 The suspension shall only apply to the rule and/or procedure which is stated within the Motion to suspend and only during the Meeting in which such Motion to suspend was introduced.

2.6 Notwithstanding Subsection 2.4 of this By-law, the following rules and procedures may not be suspended:

- a) Quorum necessary for Meetings;
- b) the Special Meeting rule set out in Subsection 7.6 of this By-law; and
- c) any rules or procedures that are set out by legislation.

SECTION 3 - PRINCIPLES

Purpose

3.1 The principles of openness, transparency, and accountability to the public guide the Town's decision-making process as standards of good governance. The purpose of this by-law is to adopt measures to ensure, to the best of the Town's ability, that all activities are undertaken using a process that is open and accessible to stakeholders.

Parliamentary Principles

3.2 The following principles of parliamentary law are upheld through the meeting rules:

- a) The majority of Members have the right to decide;
- b) The minority of Members have the right to be heard;
- c) Members have a right to information to help make decisions, unless otherwise prevented by law;
- d) Courtesy and respect for others are required;
- e) All members have equal rights, privileges, and obligations; and
- f) Members have the right to an efficient meeting.

Public Participation and Information Sharing

3.3 Meetings will be open to the public, except in the limited situations specifically authorized by the Act. The Town will ensure participation by the public can be meaningful and effective through timely disclosure of information, providing appropriate notice of meetings, and a meeting process that encourages public participation.

Applicable Jurisdiction

- 3.4 No item shall be placed on an agenda with respect to a matter which is not within the jurisdiction of Council or committee. The Mayor and/or chair, in consultation with the Clerk, will determine if a matter is within the jurisdiction of Council or committee.

Decision-Making Authority

- 3.5 Decisions binding the Council may be made only at Council Meetings unless authority has been specifically delegated by by-law. Decisions shall be enacted through resolution or by-law.

Direction to Staff

- 3.6 No Member shall individually direct the actions of Town staff. Requests for reports by any Member shall be by resolution of Council.

SECTION 4 – DUTY AND ROLES OF MEMBERS AND STAFF

Role of Council

- 4.1 In exercising its powers, Council shall:
- a) represent the public and consider the well-being and interests 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 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 Act or any other applicable legislation.
- 4.2 It shall be the duty of Members to:
- a) attend all Council meetings and prepare for meetings, including reviewing meeting agendas and background information prior to the meeting;
 - b) speak only to the subject under debate;
 - c) vote on all motions before Council unless prohibited from voting by law;
 - d) observe the Rules at all meetings;
 - e) work through the presiding officer at meetings;
 - f) support Council;
 - g) attend meetings of committees and local boards to which the Member has been appointed by Council; and
 - h) act in accordance with their Declaration of Office.
- 4.3 Council shall determine the appropriate number of Committees, their membership, mandates and reporting practices, subject to the requirements of applicable legislation.

- 4.4 No Member has the authority to direct or interfere with the performance of any work being done for the Town by staff, a temporary worker, contractor or a consultant.

Role of the Head of Council (Mayor)

- 4.5 The Mayor, as the head of Council, shall:
- a) act as chief executive officer of the municipality;
 - b) preside over Council meetings so that its business can be carried out efficiently and effectively, and shall:
 - i. maintain order and preserve the decorum of the Meeting;
 - ii. rule on procedural matters, without debate or comment;
 - iii. receive and submit to a vote all Motions presented by Members that comply with the rules and procedures in this By-law;
 - iv. decline to put to a vote Motions that do not comply with the rules and procedures in this By-law, or which are not within Council's jurisdiction;
 - v. announce the results of the vote on Motions;
 - vi. expel or exclude from the Meetings and person that breaches the rules of conduct set out in this By-law;
 - vii. adjourn, suspend or recess a Meeting when it is not possible to maintain order;
 - viii. close the Meeting when business is concluded or recess the Meeting as required;
 - ix. without limiting the foregoing, preside over the Meeting fairly and objectively without becoming actively involved in debates while in the Chair; and
 - x. vacate the Chair in order to move or second a motion, resuming the Chair following the vote on the matter;
 - c) provide leadership to Council;
 - d) provide information and recommendations to the Council with respect to the role of Council described in subsection 4.1 of this By-law;
 - e) represent the municipality at official functions;
 - f) authenticate by signature all by-laws and minutes of Council;
 - g) be an ex-officio member of all Town initiated committees, subcommittees or working groups; and
 - h) carry out the duties of the head of Council under the Act or any other applicable legislation.
- 4.6 As chief executive officer, the Mayor shall:
- a) uphold and promote the purposes of the municipality;
 - b) promote public involvement in the municipality's activities;
 - c) act as representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
 - d) participate in and foster activities that enhance the economic, social and environmental well-being of the County and its residents.

- 4.7 When the Chair wishes to move or second a resolution before Council or enter into debate on a specific topic, they may call the Deputy Mayor to the Chair, present their resolution or comments from the floor and remain out of the Chair until the motion, all amendments, and the main motion to it have been disposed of. In the event that the Deputy Mayor is unable to assume the Chair, the Mayor shall call for an alternate member to assume the Chair.

Deputy Mayor

- 4.8 The Deputy Mayor shall:
- a) in the absence of the Mayor, preside at meetings of Council and while so acting, the Deputy Mayor shall have all the powers and duties of the Mayor; and
 - b) during a meeting of Council, and at the request of the Mayor, take the chair and while so acting the Deputy Mayor shall have all the powers and duties of the Mayor.
- 4.9 Pursuant to Section 23.1 of the 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 and to act in any other capacity as required to fulfill the obligations and requirements generally performed by the Mayor.
- 4.10 In the absence of the Mayor and Deputy Mayor, the Clerk shall convene the meeting and call for a motion to fill the role of Chair. The member chosen shall preside during such absence and shall, while in the chair, have vested in them all the powers as given by this by-law to the Mayor.
- 4.11 The Mayor or Deputy Mayor may assign or delegate ceremonial functions to another Member in their absence.

Municipal Administration

- 4.12 It is the role of the officers and employees of the municipality to:
- a) implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
 - 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.

Role of Clerk

- 4.13 As per the Act, Council shall appoint a clerk whose duty it is:
- a) to record, without note or comment, all resolutions, decisions and other proceedings of the Council;
 - b) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question;

- c) to keep the originals or copies of all by-laws and of all minutes of the proceedings of the Council;
 - d) to perform the other duties required under this Act or under any other Act; and
 - e) to perform such other duties as are assigned by the municipality.
- 4.14 Other duties of the Clerk as assigned by the municipality include:
- a) to sign every by-law approved at Council;
 - b) to advise the Chair on procedural matters;
 - c) to prepare and circulate the agenda and supporting information;
 - d) to schedule deputations and presentations for Council meetings;
- 4.15 The Clerk may delegate in writing to any person, other than a member of Council, any of the Clerk's powers and duties, but may continue to exercise the delegated powers and duties despite the deputation.
- 4.16 The Clerk or designate is authorized to make corrections for typographical or minor administrative errors to agendas, minutes and By-laws.

Role of Chief Administrative Officer

- 4.17 Council may appoint a chief administrative officer who shall be responsible for;
- a) exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
 - b) performing such other duties as are assigned by the municipality.

PART 5 – CONDUCT AT MEETINGS

Role of Chair

- 5.1 The Chair shall be responsible for preserving order and decorum and ruling on Points of Order and Points of Personal Privilege. The Chair shall call Meeting participants to order for improper conduct in accordance with the rules and procedures set out in this By-law. Where circumstances warrant, the Chair may recess or suspend a Meeting until order is restored and/or expel or exclude any participant that breaches the rules set out in this By-law.

Addressing Members

- 5.2 All Members of Council, except the Mayor, shall be addressed as "Councillor [surname]". The Mayor shall be addressed as "Mayor [surname]" or "Your Worship".

Conduct of Council and Committee Members

- 5.3 All Members shall govern themselves according to the rules and procedures set out in this By-law, the "Council Code of Conduct", the "Council-Staff Relations Policy" and the "Respect in the Workplace Policy", as amended or replaced from time to time.

- 5.4 All Members shall cooperate with the Chair in preserving order and decorum. A Member shall not:
- a) by conversation or otherwise, disturb, delay or disrupt the conduct of business at the Meeting;
 - b) interrupt another participant who is speaking, except to raise a Point of Order or Point of Personal Privilege;
 - c) speak on any subject other than the subject under debate;
 - d) criticize any decision of Council or Committee except in the context of a Motion to Reconsider;
 - e) speak disrespectfully of the Royal Family, the Governor General, the Lieutenant Governor of any Province, any member of the federal or provincial governments, another Member, staff or the public;
 - f) engage in debate with Deputations or presenters;
 - g) question the motives of another Member; or
 - h) disobey the rules and procedures of Council or a Committee or a decision of the Chair on questions of order or practice or the interpretation of the rules and procedures of this By-law.

- 5.5 Subsection 5.4 of this By-law shall not preclude a Member from expressing opinions on any policy related to the Government of Canada or the Province of Ontario.

Member Absent from Council

- 5.6 The office of a Member of Council becomes vacant if the member has been absent from meetings of the Council for three (3) successive months without being authorized to do so by a resolution of Council unless otherwise permitted by section 259 (1.1) of the Act for a parental leave.

Conduct of Public and Deputations

- 5.7 The following rules of conduct shall apply to members of the public, including, without limitation, Deputations, 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) 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;
 - d) no person shall speak disrespectfully or malign the integrity 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.

Use of Electronic and Recording Devices

- 5.8 Each Member of Council, staff, and the audience shall place any communication devices on an inaudible setting during any open or closed meeting, with the

exception of assistive devices for people with disabilities or authorized devices which facilitate the official duties of Members of Council and staff related to the agenda of the current meeting.

- 5.9 Members and staff should make every effort to refrain from sending or receiving electronic communication during Meetings, though it may sometimes be necessary to send or receive urgent/emergency communications.
- 5.10 No person shall use an electronic device to broadcast, record or otherwise publish or distribute audio or video of any portion of any closed meeting.
- 5.11 Visual and/or audio recording by meeting attendees may be permitted at Council or Committee meetings that are open to the public provided that it is not disruptive to the proceedings and does not interfere with municipal computer and audio-visual systems. If attendees wish to record at a Meeting, they shall notify the Clerk in advance of the Meeting. If the Clerk has been notified that a recording will occur, the Clerk shall notify the Chair who shall make an announcement at the start of the Meeting to those in attendance that the proceedings are being recorded by a third party.

SECTION 6 – MEETING LOCATIONS, TIMES AND NOTICE

Public Notice of Meetings

- 6.1 The Clerk shall give public notice of all regular open and closed Council and committee meetings in accordance with this section:
- a) the primary method of notice will be publication of meeting dates and agendas on the Town's website at least 72 hours prior to the meeting;
 - b) the Clerk may, at their discretion, publish notice of Council and committee meetings in any other media source;
 - c) the notice shall include the date, time and location of the meeting;
 - d) notice of all special open and closed meetings will be given by inclusion on the Town's website as soon as possible after the meeting is called and at least 24 hours prior to the meeting, except in the case of an emergency meeting.

Location of Meetings

- 6.2 Regular Council, Special meetings, and Committee of the Whole shall meet in the Council Chambers located in Town Hall at 124 John Street, Napanee, unless, with adequate public notice, Council selects an alternate meeting location that is accessible to the public.

Inaugural Meeting

- 6.3 In the year of a general election, the inaugural meeting of Council shall be held on the first Tuesday falling after November 15 at 1:00 p.m. in the Council Chambers of Town Hall.

- 6.4 At the inaugural meeting, the Clerk shall have prepared for the Members of Council an Order of Business which shall include:
- a) Call to Order
 - b) Declarations of Office
 - c) Mayor's Inaugural Address
 - d) Passage of confirmation by-law and any other relevant by-laws; and
 - e) Any other ceremonial proceedings as deemed appropriate by the Mayor, Chief Administrative Officer, or the Clerk.

Regular Meetings of Council

- 6.5 Regular Council Meetings shall be held on the second and fourth Tuesday of each month at 7:00 p.m., save and except the month of December, when only one meeting will be held on the second Tuesday of the month, and the month of August, when only one meeting shall be held on the fourth Tuesday of the month.
- 6.6 Council may, by resolution, alter the time, day or place of any Council and/or Committee meeting.
- 6.7 Where a conflict between the scheduled date or time of a Regular Council Meeting and another event of significance arises, the Mayor may cancel the Council Meeting or reschedule the meeting to a different date or time.

Inclement Weather

- 6.8 In the event of inclement weather, the Chair or designate has the authority to cancel a Council meeting, or to direct that a meeting shall be held Electronically pursuant to Section 6.13.
- 6.9 In the event of a meeting cancellation, staff will post notice of the meeting cancellation on the Town's website and will notify the members by email or by telephone. If the cancellation occurs at the last minute or after regular business hours and staff are unable to post the cancellation as noted, notice shall be posted as soon as it is practical to do so.

Variation to Notice does Not Invalidate

- 6.10 If a Meeting Notice is substantially given but varies from the form and manner provided in this Procedure By-law, the ability to hold the Meeting and the actions taken at the Meeting are not invalidated.

Electronic Meetings

- 6.11 A Regular Meeting or Special Meeting, including a Closed Session, may be conducted by Electronic Meeting during an Emergency or when, in the opinion of the Mayor and the Chief Administrative Officer, it is not feasible for an in-person meeting to be held in Council Chambers and no alternate accessible facility is available.

- 6.12 Members participating in an Electronic Meeting shall be counted in determining quorum and shall have the same rights and responsibilities as if the Member was in physical attendance at the Meeting, including the right to vote.
- 6.13 A public notice of an Electronic Meeting shall include sufficient information as to provide the public with a means to electronically view the open session of such Electronic Meeting, and any Electronic Meeting shall be live-streamed to the public.

Live-streaming of Meetings

- 6.14 As a general rule, the Town will aim to record and live-stream all Regular, Special and Committee of the Whole meetings, and will provide notice when live-streaming is not provided. Inability to record and/or live-stream a meeting that is held in person at a publicly accessible location shall not invalidate the proceedings of that meeting.

SECTION 7 – SPECIAL MEETINGS AND EMERGENCY MEETINGS

Mayor's Request

- 7.1 The Mayor may, at any time, call a Special Meeting of Council by instructing the Clerk to issue a notice of Special Meeting and giving at least twenty-four (24) hours' notice to the Members, except in emergency or extraordinary circumstances, in which case the Mayor may call a Special Meeting without notice.

Members' Request

- 7.2 Upon receipt of a petition by a Majority of the Members, the Clerk shall call a Special Meeting of Council for the purpose and at the time noted in the petition. The Clerk shall give at least twenty-four (24) hours' notice of the Special Meeting to all Members, which notice shall include the date, time, place and business to be considered.

CAO / Clerk Request

- 7.3 The Chief Administrative Officer and/or Clerk may, at any time, request a Special Meeting of Council when required, and to deal with items specifically outlined on the agenda. Special Meetings may be called for the purposes of training, workshops, items which may need immediate attention or items which are required for the purposes of the continuity of municipal business.

Notice of Special Meeting

- 7.4 Notice of the Special Meeting shall be given to each Member by electronic mail, personal contact or by telephone from the Clerk specifying the purpose for which the meeting is convened as well as the time, date and location. The Clerk shall provide all members with at least twenty-four (24) hours' notice of a Special Meeting.

- 7.5 Notice for Special Meetings of Council shall be posted on the Town's website as soon as practical after being established. Agendas and supporting documentation shall be posted as soon as practicable prior to the special meeting.

Content of Special Meeting Agenda

- 7.6 The only business to be dealt with at a Special Meeting is that which is identified in the notice of the meeting. Items may not be added to the Special Meeting Agenda.

Emergency Meetings

- 7.7 Notwithstanding any other provision in this by-law, a Special Meeting may be called by the Mayor to deal with an emergency or extraordinary situation, including an emergency situation as defined under the *Emergency Management and Civil Protection Act*.
- 7.8 The notice provisions under Section 7.4 may be waived for an emergency meeting, provided the Clerk has endeavoured to notify the Members, and public about the meeting in the most expedient manner. No business, except business dealing directly with the emergency situation, shall be transacted at that meeting.

SECTION 8 – CLOSED MEETINGS

Circumstances where Meeting May be Closed

- 8.1 Subsections 239(1) and (2) of the Act require that all Meetings of Council, Committee of the Whole and a Committee shall be open to the public, except that a Meeting or part of a Meeting may be closed to the public if the subject matter being considered is:
- a) the security of the property of the Town;
 - b) personal matters about an identifiable individual, including municipal or local board employees;
 - c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - d) labour relations or employee negotiations;
 - e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
 - i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice

- significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- j) 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.

Education or Training Purposes

- 8.2 Subsection 239(3.1) of the Act provides that a Meeting of Council or of a Committee may be closed to the public if the following conditions are both satisfied:
- a) the Meeting is held for the purpose of educating or training the Members; and
 - b) at the Meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council or Committee.

Circumstances where Meeting Must be Closed

- 8.3 Subsection 239(3) of the Act provides that a Meeting of a Council or of a Committee shall be closed to the public if the subject matter being considered is:
- a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the Council is the head of an institution for the purposes of that Act; or
 - b) an ongoing investigation respecting the City or a municipally-controlled corporation by the ombudsman appointed under the *Ombudsman Act*, R.S.O. 1990, c. O.6, as amended or re-enacted from time to time, an ombudsman referred to in Subsection 223.13(1) of the Act, or the investigator referred to in Subsection 239.2(1) of the Act.

Timing of Closed Session Meetings

- 8.4 Closed Session Meetings shall be held preceding the Regular 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, but as a general practice will normally be 5:00 p.m.
- 8.5 Where applicable, Council may hold Committee of Adjustment meetings between the Closed Session and Regular Meeting of Council, starting at 6:30 p.m.
- 8.6 In the event that the Closed Session Agenda items are not completed in the allotted time prior to the Regular Meeting, the Closed Session may be recessed. The recessed Meeting may then resume following completion of the Regular Meeting business items and prior to the passing of by-laws.

Resolution Required

- 8.7 Prior to Council or a Committee resolving into Closed Session, they shall state by Resolution in an open Meeting:
- a) that the Council or Committee will be holding a Closed Session;
 - b) the general nature of the subject matter(s) to be considered; and
 - c) the specific provision(s) under the Act under which each item of business is permitted to be considered in Closed Session.

Notice of Closed Meetings

- 8.8 Notice of Closed Meetings of Council shall be included on the regular Council agenda. When a Closed Meeting is required, Council shall be provided with a closed session agenda in accordance with the publishing timeframes set out on regular agendas.

Agenda and Order of Business

- 8.9 The Clerk shall prepare for the use of the Members at Closed Council Meetings an agenda that shall conform to the following order of procedure, with necessary modifications where the closed meeting is in the midst of a Regular or Special Council Meeting:
- a) Call to Order
 - b) Motion to go into Closed Session
 - c) Disclosure of Pecuniary Interest
 - d) Approval of Minutes
 - e) Items for Discussion
 - f) Motion to Rise and Report (or to adjourn if the meeting is standalone)
- 8.10 No matter shall be discussed at a Closed Meeting that is not consistent with the motion to go into closed session adopted during the opening procedure.

Closed Session Voting

- 8.11 In a Closed Session, Members may only vote:
- a) on procedural matters;
 - b) on Motions to rise, report and introduce a proposed recommendation on an open Meeting Agenda; and/or
 - c) to give direction or instructions to staff or agents of the Town, or persons retained by or under contract with the City.
- 8.12 Votes held in Closed Session shall be by a show of hands. No recorded votes shall be permitted in closed session.

Closed Session Minutes

- 8.13 The Clerk and/or their designate shall attend all Closed Session Meetings and record, without note or comment, the proceedings. The record shall indicate:
- a) the matter(s) discussed;
 - b) the specific provision(s) under the Act permitting the Closed Session;
 - c) the Members and staff in attendance;

- d) any declarations of Pecuniary Interest;
- e) the disposition of the matter(s); and
- f) the starting and concluding times for the Closed Session.

Reporting in Open Session

- 8.14 The Mayor or chair shall report out in an open meeting immediately following the closed meeting and summarize the actions taken in the closed meeting.
- 8.15 In the event that a Special Meeting is called which only contains Closed Session business, the Mayor shall rise and report on the actions of Council at the next possible open meeting.

Closed Session Confidentiality

- 8.16 Members shall ensure that confidential matters discussed during Closed Meetings are kept confidential.

Meeting Procedures Apply

- 8.17 The rules governing the procedure of Council and the conduct of Members, including the requirements to declare any pecuniary interest, shall be observed in Closed Meetings, and the rules of debate shall follow the more relaxed format of Committee of the Whole.

Closed Meeting Policy

- 8.18 Council may adopt a Closed Meeting Policy which outlines in greater detail the purpose of holding meetings in Closed Session and the standards for reporting information back to the public, when possible.

SECTION 9 – QUORUM

Quorum

- 9.1 A quorum shall be a majority of the Members constituting the Council, except as may otherwise be authorized pursuant to the provisions of the *Municipal Conflict of Interest Act*. For a Council of seven (7) members, four (4) members are required for quorum to be present.
- 9.2 Members shall notify the Clerk in advance if the Member is unable to attend a Meeting.

Lack of Quorum

- 9.3 If no Quorum is present fifteen (15) minutes after the scheduled commencement time, the Meeting shall stand adjourned until the next Regular Meeting, unless a Special Meeting is called sooner. The Clerk shall record the names of the Members present.

Leaving a Meeting

- 9.4 If any Member desires to leave a meeting prior to the adjournment thereof and not return, the Member shall so advise the Presiding Officer and the Clerk, and the Member's departure and the time shall be recorded in the minutes.

Loss of Quorum During a Meeting

- 9.5 If Quorum is lost during a Meeting, the Chair shall request the Clerk to call a recess for a period of fifteen (15) minutes, or until a Quorum is present, whichever is sooner.
- 9.6 If there is no Quorum after fifteen (15) minutes, the Meeting shall stand adjourned and the Clerk shall record the names of the Members present. The Confirmation By-law shall reflect all business conducted at the Meeting before a Quorum was lost. All unfinished business shall be carried forward to the next Regular Meeting, unless a Special Meeting is called sooner.

Quorum and the Municipal Conflict of Interest Act

- 9.7 Where the number of Members declaring a Pecuniary Interest results in a loss of Quorum, then, despite any other general or special act, the remaining Members shall be deemed to constitute a Quorum, provided that there are at least two (2) Members able to vote on the matter.

SECTION 10 – AGENDA PREPARATION

Creation of Agenda

- 10.1 The Clerk, or their designate, shall be responsible for preparing a meeting agenda for each Council Meeting. In preparing a meeting agenda, the Clerk shall consult with the Mayor and the Chief Administrative Officer, and shall reflect the direction of the Mayor and the Chief Administrative Officer in finalizing the meeting agenda.

Timing

- 10.2 The final agenda, along with copies of any supporting documentation shall be prepared by the Clerk and made available to members and posted on the Town website. As a normal practice, agendas will have a target publication of 5:00 p.m. on the Thursday preceding the date of the meeting (four clear days prior to the meeting).

Agenda to Guide Meeting

- 10.3 The business of Council shall be considered in the order in which it appears on the Agenda, unless otherwise directed by Council. Amendments to the order of business shall require an affirmative vote by a Majority of the Members present and voting at the Meeting. A motion to amend the order of business shall not be amended or debated.
- 10.4 An item of business not listed on the Council Agenda cannot be introduced at a Council Meeting without the approval of Council, expressed by motion at the time the Agenda is adopted, and supported by at least two-thirds of the Members

present. When so placed on the agenda these matters shall then be considered during the New Business portion of the agenda.

Addendum

- 10.5 Notwithstanding subsection 10.4, after the publication and delivery of the Agenda, the Clerk may amend the Agenda by way of an Addendum in the following situations:
- a) at the direction of the Mayor or Chief Administrative Officer where a matter is urgent or time-sensitive and requires a decision prior to the next regularly scheduled meeting; and
 - b) to include the names of registered deputations and written submissions relating to matters of the agenda in accordance with subsection 15.14.
- 10.6 Upon the inclusion of Addenda items, the Clerk shall republish the agenda and shall provide notice of such to Council.

Deadlines for Submissions

- 10.7 All reports, presentations, written correspondence, and other materials provided by external entities for publication on the agenda are due to the Clerk's office by 12:00 noon on the Tuesday prior to the scheduled meeting date. Materials from internal entities are due to the Clerk's office by 12:00 noon on the Wednesday prior to the scheduled meeting date.
- 10.8 As described in subsection 15.14, the deadline for receipt of additional materials to be included as part of a deputation on a matter on the agenda is 12:00 noon on the business day before the scheduled meeting date. Where the meeting date is immediately preceded by a statutory holiday, the deadline shall be adjusted to 10:00 a.m. on the scheduled meeting date.

SECTION 11 – MINUTES

Content of Minutes

- 11.1 The Clerk shall prepare and maintain minutes of all Council Meetings, to include:
- a) the place, date and time of the Council Meeting;
 - b) the names of presiding officer and record of attendance of the Members and staff;
 - c) any declarations of Pecuniary Interest
 - d) each item considered by Council and the decisions;
 - e) the results of any recorded vote; and
 - f) the reading, if requested, correction and adoption of the minutes of the prior Meeting(s).
- 11.2 Pursuant to the Act, the minutes shall be recorded without note or comment.
- 11.3 The minutes of each Meeting shall be submitted to Council for confirmation or amendment at its next Regular Meeting or as soon thereafter as is reasonably practicable.

- 11.4 Once adopted by Council, the minutes shall be signed by the Chair and the Clerk after which, with the exception of minutes of Closed Meetings, they shall be posted on the Town's website and available for public viewing.

SECTION 12 – ORDER OF BUSINESS AND PROCEDURES – REGULAR MEETINGS

Time of Meetings

- 12.1 In accordance with Section 6, Regular Council meetings shall be normally held at 7:00 p.m.
- 12.2 When a Closed Session of Council is required, it shall be held prior to a scheduled Regular Council meeting and shall start at 5:00 p.m. At the request of the Mayor or Chief Administrative Officer, the Closed Session meeting may be scheduled to start at an earlier hour.

Order of Business

- 12.3 The Clerk shall prepare and deliver the Agenda for all Council meetings with the following headings, as required:
- a) Call to Order
 - b) Closed Session
 - c) Rise and Report from Closed Session
 - d) Opening Proceedings
 - e) Confirmation of Agenda
 - f) Disclosure of Pecuniary Interest
 - g) Public Meeting
 - h) Presentations
 - i) Deputations
 - j) Unfinished Business
 - k) Administrative Consent Agenda
 - l) Items for Consideration
 - m) By-laws
 - n) Information Reports from Members
 - o) Inquiries
 - p) Notice of Motions
 - q) New Business
 - r) Announcements
 - s) CAO's Remarks
 - t) Forward Calendar
 - u) Confirmation By-law
 - v) Adjournment

Public Meeting

- 12.4 Public meetings at Council shall include meetings required under the provisions of the *Municipal Act*, the *Planning Act*, other statutory acts or any item where Council desires to receive additional public input, and may be conducted at a Regular or Special Meeting of Council.

- 12.5 The Chair shall call each item listed on the Agenda for which a Public Meeting is required under the Planning Act and shall determine:
- a) if Town Staff wish to present any supplemental information with respect to a report on the application at the public meeting;
 - b) if there any person or persons in attendance at the public meeting wish to make oral submissions to Council with respect to an application that is the subject of a public meeting;
 - c) if the applicant is present and wishes to make any oral submissions to Council at the public meeting; and
 - d) if any member of Council wishes to discuss or further consider the application that is the subject of the public meeting, ask any questions of staff or any other persons, or provide direction to staff with respect to the application that is the subject of a public meeting.
- 12.6 The rules for deputations shall apply to public meetings, save that once all registered delegates have spoken, the Chair shall ask if anyone else present wishes to speak to the application, and such individuals shall be permitted to speak without advance notice pursuant to the *Planning Act*.

Presentations

- 12.7 Presentations that are requested by Council, a committee or staff shall be held to a ten (10) minute time limit unless otherwise indicated on the Council agenda.
- 12.8 Presentations can include training for Council, information from staff, presentations of study findings by consultants or other such requests. Presentations may also include ceremonial presentations from the Town to a person or body.

Deputations

- 12.9 Deputations shall be made in accordance with Section 15 of this by-law.
- 12.10 Deputations who have registered with the Clerk in accordance with subsection 15.19 as a new item of business shall be listed first. Deputations who have registered in accordance with subsection 15.14 to speak to another item on the agenda shall be listed second, and in the order in which their item(s) appear on the agenda.

Adoption of Minutes

- 12.11 Council shall adopt the minutes of previous Council Meetings by a single resolution at the next regular meeting through the Administrative Consent Agenda.
- 12.12 Where any Member identifies an error in the minutes of a previous Council Meeting, the Member shall so advise the Clerk to correct the minutes prior to approval, and the Clerk shall so note such change in the minutes.

Unfinished Business

12.13 When any agenda item or items are left undisposed of at the time of adjournment, either for want of a quorum or otherwise, such agenda item or items shall be taken up in succession under the heading Unfinished Business.

Administrative Consent Agenda

12.14 The Administrative Consent Agenda shall include, but is not limited to, matters where no discussion is anticipated, and matters that are considered routine in nature. The Administrative Consent Agenda may include minutes and reports from committees, staff reports for information, items of correspondence, listings of proclamations, and other items deemed to be repetitive or routine in nature.

12.15 All items in the Administrative Consent Agenda shall be the subject of one Motion. However, any Member, before the motion is voted on, may identify any items contained on the Consent Agenda which they wish to speak to, and the matter shall be extracted from the Consent Agenda to be dealt with separately under the heading of Items for Consideration.

12.16 Notwithstanding subsection 12.15, prior to the approval of the Administrative Consent Agenda, a Member may ask clarifying questions related to any item contained on the Consent Agenda without requiring the item to be removed, but shall not enter into debate on the matter.

12.17 In the event that a Member discloses a pecuniary interest on a motion that is included in the Administrative Items for Consent, that motion shall be removed and dealt with separately and in the order in which the item appears on the agenda.

12.18 Any item which has a corresponding presentation or deputation shall not be included within the Consent Agenda.

Items for Consideration

12.19 Under Items for Consideration, Council shall consider the following:

- a) Items that have a corresponding presentation or deputation;
- b) Staff reports which, in the opinion of the Chief Administrative Officer, are not of a routine nature and discussion is anticipated;
- c) Correspondence requiring the direction of Council;
- d) Correspondence that has been extracted from the weekly Items for Information at the request of a Member; and
- e) Items that have been removed from a Consent Agenda.

Information Reports from Members

12.20 Under Information Reports from Members, information reports may be submitted by Members who have been appointed or elected to a local board, committee, or County Council, in order to communicate information to other Members and the public. Information Reports from Members may be submitted verbally or in writing.

Inquiries

12.21 Under Inquiries, a Member may make an inquiry regarding a general municipal concern. Inquiries shall be:

- a) Specific, brief, in the form of a question, and answerable by a brief statement;
- b) Where practicable, provided to staff in advance of the meeting in order to allow staff an opportunity to investigate the matter and report the details at the meeting when the inquiry is made;
- c) Provided to the Clerk in writing after the meeting with the precise wording of the inquiry.

12.22 Responses to inquiries shall be brief and factual. Responses to inquiries shall either be:

- a) Provided verbally by staff during the meeting, where advance notice has been given or where the information is readily known; or
- b) Provided electronically to Members and included as an item for information on the next Regular Agenda.

12.23 When the cost to respond to an inquiry is likely to be \$500 or higher due to:

- a) The time of Town employees which must be taken away from their regular duties, or overtime which must be worked; or
- b) The need to obtain and pay for the information required to answer the inquiry;

the Department Head shall report the anticipated cost to Council, and an affirmative motion of Council shall be required prior to undertaking a response to the inquiry.

Notice of Motions

12.24 A Notice of Motion may be introduced by the mover at a Regular Meeting for consideration at a subsequent Meeting or may be provided in advance of the Meeting to the Clerk for inclusion on the Agenda.

12.25 When introducing a Notice of Motion, the Member shall either:

- a) by no later than 12:00 noon on the Tuesday preceding the Council Meeting, provide the Clerk with a full copy of the motion in writing for inclusion on the Agenda; or
- b) during a meeting, verbally disclose the general subject matter of the Motion they are seeking to introduce. Following the introduction, and by no later than 12:00 noon on the Tuesday preceding the next Council Meeting, the Member shall provide the Clerk with a full copy of the motion in writing for inclusion on the Agenda.

12.26 The Clerk shall place Notices of Motion on the Agenda in the order in which they are received.

12.27 If at the meeting at which the motion is to be considered, it is not proceeded with or there is no seconder, it shall be deemed to have been withdrawn.

New Business

12.28 Any item added to the Agenda during the Confirmation of Agenda will be considered under New Business. Items of New Business require minimum of two-thirds support of the voting Members in order to be added and shall be used to address urgent or time-sensitive matters.

Announcements

12.29 Under Announcements, Members may verbally introduce information respecting special events, meetings, congratulations and condolences, and other matters that are considered to be of general interest to the community.

CAO's Remarks

12.30 The CAO may provide Council and the public with announcements of any good news, milestones or achievements of the municipal organization.

Forward Calendar

12.31 At the direction of the Chief Administrative Officer, the Agenda may include a listing of upcoming meeting dates and times, as well as any known items of business to be considered, for the coming quarter. The forward calendar is intended as a communication tool for Council and the public and is not considered to be binding on the timing or content of future meeting agendas.

SECTION 13 – COMMITTEE OF THE WHOLE

Time of Meetings

13.1 A Committee of the Whole meeting may be held from time to time in order to allow Council to meet in a more informal manner to discuss items such as strategic and policy issues. The calling and notice for such meetings shall be in accordance with Section 6 and Section 7.

13.2 Council may establish Committee of the Whole as a regularly scheduled forum for discussion, and may establish that the Committee of the Whole be supported by standing committees or any other structure Council deems desirable.

Governing Rules of Procedure

13.3 The rules governing the procedures of Council and the conduct of members shall be observed by the Committee of the Whole as far as they are applicable, with the following specific exceptions:

- a) The number of times speaking on any question shall not be limited;
- b) A majority vote shall be required to decide any matter before the Committee;
and
- c) The Committee of the Whole may pass procedural motions. However, any substantive motion must be forwarded to the next Regular Meeting as a recommendation for ratification by Council.

Agenda and Order of Business

- 13.4 The Clerk shall prepare and deliver the Agenda for all Committee of the Whole meetings with the following headings, as required:
- a) Call to Order
 - b) Adoption of Agenda
 - c) Disclosure of Pecuniary Interest
 - d) Items for Discussion
 - e) Adjournment

Minutes

- 13.5 The minutes of the Committee of the Whole shall record all of the recommendations, decisions and other proceedings of the meeting without note or comment and shall be submitted to the next Regular Meeting of Council for Council's approval.

SECTION 14 – DISCLOSURES OF PECUNIARY INTEREST

Member to Identify and Disclose

- 14.1 It shall be the responsibility of each Member to identify and disclose any Pecuniary Interest in any item or matter at a Meeting.
- 14.2 As per the *Municipal Conflict of Interest Act* Section 5(1), where a Member, either on their own behalf or while acting for, by, with or through another, or the Member's spouse, child or parent, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting at which the matter is the subject of consideration, the member shall, in accordance with the *Municipal Conflict of Interest Act*:
- a) prior to any consideration of the matter at the meeting, disclose the member's interest and the general nature thereof; and
 - b) not take part in the discussion of, or vote on any question in respect of the matter, and
 - c) not attempt, in any way, whether before, during or after the meeting, to influence the voting on the matter; and
 - d) prior to the meeting, or as soon as possible afterwards, file a written statement of the Pecuniary Interest and its general nature with the Clerk.

Closed Meeting Considerations

- 14.3 At a Closed Session Meeting, in addition to complying with the requirements of the *Municipal Conflict of Interest Act* and Subsection 14.2 of this By-law, the Member shall immediately leave the Meeting or the part of the Meeting during which the matter is under consideration.

Disclosure at Next Meeting where Member Absent

14.4 Where the Pecuniary Interest of a Member has not been disclosed by reason of the Member's absence from a particular Meeting, the Member shall disclose the Pecuniary Interest, and otherwise comply with Subsection 14.2 of this By-law, at the next meeting which the Member attends as per Section 5(3) of the *Municipal Conflict of Interest Act*.

Quorum Maintained

14.5 Notwithstanding the quorum requirements of this by-law, when a majority of the Members has disclosed a Pecuniary Interest, the remaining number of Members shall be deemed to constitute a quorum, provided such number is not less than two.

Record of Disclosure

14.6 The Clerk shall record, in reasonable detail, the particulars of any disclosure of Pecuniary Interest made by a Member, and this record shall appear in the minutes of that Meeting as per Section 6(1) of the *Municipal Conflict of Interest Act*.

14.7 The Clerk shall maintain a registry of each written statement of Pecuniary Interest filed in accordance with this By-law which shall be available for public inspection through the Town website.

SECTION 15 – DEPUTATIONS

Deputations Permitted

15.1 Any person may, by written notice to the Clerk, request an opportunity to address the members of the Council or Committee on any matter within the jurisdiction of the Council. Deputations may participate in-person, or electronically.

Certain Topics Prohibited

15.2 No deputations shall be permitted on the following topics:

- a) labour relations or staff negotiations;
- b) a matter that has been or is to be considered by the Committee of Adjustment;
- c) a matter where there has been or will be held at least one public meeting at which the public was provided an opportunity to make presentations on the subject;
- 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) from a bidder in a competitive purchasing process in respect of the award of the relevant purchase;
- f) any matter that is deemed not within the jurisdiction of Council or Committee;
- g) any matter that is properly the subject of a Closed Session;

- h) a policy matter upon which Council has already made a decision within the previous twelve (12) months, unless Council has decided to reconsider the matter; or
- i) from a candidate nominated for an upcoming election.

Clerk Granted Authority to Schedule

- 15.3 The Clerk, in consultation with the Chief Administrative Officer, may refuse and/or reschedule deputations under the following circumstances:
- a) the request has not been submitted within the timelines established in this by-law;
 - b) the request does not contain sufficient information to reasonably determine the subject of the deputation request;
 - c) the maximum number of permitted deputations for the meeting has been exceeded; or
 - d) the request is one of the prohibited matters listed in Section 15.2.
- 15.4 In the event a deputation request is refused, the Clerk shall provide to the person(s) in writing the reasons for the refusal with a copy to Council.

Conduct of Deputations

- 15.5 A Deputation shall only address a Meeting with respect to the item(s) on the Agenda or Addendum which they have registered to speak to and shall confine their remarks to such item.
- 15.6 Each Deputation shall have a maximum time limit in which to speak. The allotted time may be used by one (1) or more persons, as decided by the Deputation. Council may extend the time period by a majority vote of the members present. Such a motion shall be decided without debate.
- 15.7 Notwithstanding Subsection 15.6 of this By-law, representatives of senior levels of government appearing before Council or Committee shall have no time limitations placed on their Deputation.
- 15.8 Deputations may speak on a matter only once during the Meeting, unless new information has come forward, an error was made in the documentation presented, or incorrect statements were made during the previous debate of the Agenda item.
- 15.9 Members may only address a Deputation to ask questions for clarification and shall not express opinions or enter into debate or discussion with a Deputation.
- 15.10 Deputations shall conduct themselves in accordance with the provisions of Subsection 5.7 of this By-law.
- 15.11 The Chair may curtail any deputation, any questions of a delegate or debate during a deputation for disorder or any other breach of this by-law, and if the Chair rules that the deputation is concluded, the person or persons appearing

shall withdraw.

- 15.12 Every communication, including petitions designed to be presented to Council must be legibly written, typed or printed and shall not contain any obscene matter or language and shall be signed by at least one person and filed with the Clerk.

Types of Deputations

- 15.13 Deputations shall be differentiated as deputations to speak to an item on the current agenda, and deputations to speak to an item not on the current agenda.

Deputation for Item on Current Agenda

- 15.14 Any person who wishes to appear before Council regarding an item on the current agenda shall make written application to the Clerk, by no later than 12:00 noon of the business day prior to the meeting, in order to be placed on the Agenda to appear before Council at the meeting at which it will be dealing with the item of interest to the deputation. Where the meeting date is immediately preceded by a statutory holiday, the deadline shall be adjusted to 10:00 a.m. on the scheduled meeting date. Presentation material must be submitted with the request to appear and shall be copied and distributed as "Deputation" submissions to Members.
- 15.15 The Clerk shall review the presentation material in accordance with subsection 15.3 and advise the individual as to the scheduling of their deputation.
- 15.16 A maximum of five (5) minutes shall be allotted for each deputation to present their position of support or opposition to the relevant item on the Agenda. Where there are numerous deputations taking the same position on a matter, they shall be encouraged to select a spokesperson to present their views. Deputations are encouraged not to repeat information presented by an earlier deputation. The five-minute limit shall be strictly enforced. The Chair shall, at the conclusion of the five minutes, inform the deputation that the time limit has been exceeded and thank the deputation for the presentation. Only upon a verbal motion to extend the five-minute limit, adopted by a majority of Members, shall the five-minute limit be extended. In the case where there are five or more deputations on the same issue, the time limit may be reduced to two minutes per speaker.
- 15.17 The number of deputations to address an item on the current agenda will be unlimited, but subject to the discretion of Members, may be limited in order to allow for the efficient and effective operation of the meeting proceedings.
- 15.18 Where a particular matter is expected to generate a large number of deputations, the Mayor or a majority of Members of Council by petition, may call a special meeting to afford deputations an opportunity to address the Council or Committee of the Whole.

Deputation for Item not on Current Agenda

- 15.19 When a request is received for a deputation wishing to be heard on an item which is not listed on the agenda, the person shall submit in writing, the nature of the presentation to the Clerk.
- 15.20 The minimum deadline for a deputation to be submitted is 12:00 noon on the Tuesday prior to the meeting at which the person wishes to present. However, pursuant to subsections 15.20 and 15.21, submission by this deadline is not a guarantee the matter will be considered at the desired meeting if, in the opinion of the Chief Administrative Officer, additional time is required for the request to be reviewed by staff.
- 15.21 The Clerk shall review the presentation material in accordance with subsection 15.3 to determine the eligibility of the presentation.
- a) If the matter is within Council's jurisdiction, the Clerk shall forward a copy of the written submission to the Chief Administrative Officer to determine if an administrative report should accompany the submission on the next or subsequent agenda. The Clerk shall advise the deputation accordingly.
 - b) Where the matter falls outside of the scope and responsibility of Council, the Clerk shall notify the person(s) that the presentation should be properly referred to the most appropriate Committee, Local Board, Commission, Agency or Provincial or Federal Government Ministry for consideration.
- 15.22 For deputations other than speaking to items listed on the agenda, a maximum of ten (10) minutes will be allocated to each person or group to present their information or request to Council.
- 15.23 No more than a combination of three planned deputations or presentations shall be allowed at any meeting, unless all matters are of an urgent and time-sensitive nature. Deputations will be selected as determined by the Clerk and may be postponed at the Clerk's discretion.
- 15.24 Following a deputation, Council may adopt a motion to:
- a) Receive for information; or
 - b) refer to a Committee, Local Board, or staff member for a report.
- 15.25 As a general rule, Council will not consider a substantive motion on the matter raised in a deputation where this is the first time the matter has been brought before Council and there is no accompanying staff report. A substantive motion to address the matter raised in the deputation will require a two-thirds majority to pass.

SECTION 16 – CORRESPONDENCE

General Rules Respecting Correspondence

- 16.1 Every item of correspondence intended for presentation to Council or a Committee shall be legibly written, typed, or printed and signed by at least one

- (1) person giving their address. Anonymous communications will not be accepted, but personal information will be redacted from the information published in the agenda.
- 16.2 Every item of correspondence which is placed on a Council Agenda becomes a public document and may be made available through the agenda process, which includes publication on the Town's website.
- 16.3 The rules respecting deadlines, content, and authority of the Clerk, in consultation with the Chief Administrative Officer, to schedule items placed before Council which are set out for Deputations in Section 15 also apply to any written correspondence to be placed before Council.
- 16.4 The Clerk shall note on the Agenda the recommended disposition for any standalone item of correspondence.
- 16.5 Any correspondence received by the Town through the Chief Administrative Officer's Office, Clerk's Office, or general office and addressed to Council shall be reviewed and deemed to be an Item for Information or an Item for Action.

Items for Information

- 16.6 Items for Information shall be collected by the Clerk's Office and shall be distributed to Council and Senior Management on a weekly basis through email. The Information Listing shall include items such as:
- a) updates from associations or organizations;
 - b) resolutions from other municipalities; and
 - c) other items of general information which do not require a decision.
- 16.7 Any member may request that an item from the Information Listing be included on an upcoming Agenda for discussion by notifying the Clerk of such by no later than 12:00 noon on the day prior to the meeting. The Item will then be added as an Addendum.

Items for Action

- 16.8 Items requesting a specific action of Council will be addressed as follows:
- a) requests for proclamation endorsement will be reviewed by the Clerk's office in accordance with Council's Proclamations Policy and will be included in the Consent Agenda either with a request for endorsement or for information;
 - b) inquiries or complaints shall be addressed in accordance with the Town's Complaint Policy;
 - c) funding requests shall be forwarded to the Treasurer and appropriate Department Head for comment. If no existing policy applies to the request, communications requesting funds after the annual budget has been approved will, be placed on an agenda for Council consideration and/or a staff report;

- d) at the direction of the Chief Administrative Officer, the inclusion of an item of correspondence on an agenda may be delayed in order to allow an accompanying staff report to be created;
- e) requests for action may be referred to the appropriate Committee or Department Head where, in the opinion of the Clerk and the Chief Administrative Officer, they are the more appropriate body to hear the request and such referrals shall be reported to Council.

SECTION 17 – BY-LAWS

Introduction of By-laws

- 17.1 The Clerk shall include on the Agenda or Addendum a listing of all by-laws proposed for adoption. The listing shall include the proposed by-law number and title and the complete copy of every proposed by-law.

Reading and Passing of By-laws

- 17.2 Unless otherwise requested, all by-laws proposed for adoption shall be given all three readings and passed in one single motion.
- 17.3 At the request of a Member, any by-law may be discussed and voted on separately, and any By-law may have separate readings given by distinct motion.
- 17.4 Following the second reading of a by-law, Members may debate and Council may entertain motions to amend any provision of the proposed by-law. Where a motion is adopted to amend a by-law that has received first and second reading, the proposed by-law shall be amended accordingly by the Clerk before being placed before Council for third and final reading.

Amendments to By-laws

- 17.5 All amendments to any by-laws approved by Council shall be deemed to be incorporated into the by-law and if the by-law is enacted by Council, the Clerk shall be authorized to publish a consolidated copy of the by-law containing all amendments.

Signing of By-laws

- 17.6 Every by-law, once passed, shall be dated and duly signed by the Mayor and the Clerk or their deputies, and sealed with the corporate seal.

Confirmation By-law

- 17.7 The proceedings of every meeting of Council shall be confirmed by by-law so that every decision of Council and every resolution thereof shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted. The Confirmation By-law shall be given all three readings and passed before Council adjourns.

SECTION 18 – RULES OF DEBATE

Addressing Council

18.1 To address Council, a member shall request to speak, be recognized by the Chair and direct all comments through the Chair.

Order of Speakers

18.2 When two or more members indicate their desire to speak at the same time, the Chair shall designate the order of speakers.

Interruptions

18.3 When a member is speaking, no other member shall interrupt the member speaking except to raise a point of order, privilege or personal privilege.

Motion may be Read at any Time

18.4 A Member may request that the question or Motion under discussion be read aloud at any time during the debate but not so as to interrupt a Member who is speaking.

Mover Speaks First and Last

18.5 The mover and seconder of the Motion have the opportunity to speak first to a motion, and the mover may also reserve the right to speak last.

Speaking Limitations

18.6 No member shall speak more than twice to the same question without Council's permission, except that a reply shall be permitted only from the member who has presented the main motion. The total time a member may take to speak and obtain any necessary clarification shall not be more than five (5) minutes regardless if they speak one or two times. A Member's speaking time shall not include any time required for staff to respond to that Member's question.

Exception for Committee of the Whole

18.7 When meeting as Committee of the Whole, a Member may speak more than once to an item of business. The Chair shall give each Member the chance to speak before allowing a Member to speak again.

Content of Questions Permitted

18.8 When a motion is under debate, a member may ask a question only for the purpose of obtaining information relating to the matter under discussion and the question shall be stated briefly and asked only of the Chair, the previous speaker, the CAO, Department Heads or their designate. A member may also state a point to the matter under discussion without asking a question.

Points of Order and Points of Personal Privilege

18.9 A Member may raise a Point of Order or Point of Personal Privilege at any time, whereupon the Chair shall:

- a) interrupt the matter under consideration;

- b) ask the Member raising the Point of Order or Point of Personal Privilege to state the substance of and basis for the Point of Order or Point of Personal Privilege; and
- c) rule on the Point of Order or Point of Personal Privilege immediately without debate.

18.10 To raise a Point of Order or Point of Personal Privilege, a Member shall ask the Chair for permission to speak. Once recognized, the Member shall state the reason for raising a Point of Order or Point of Personal Privilege, provided that the Member shall not enter into any argument or introduce any Motion related to the Point of Order or Point of Personal Privilege. The Member shall have a maximum of one (1) minute in which to speak.

18.11 A Member may challenge the ruling of the Chair to Council, which will then decide on the challenge, without debate, by way of a Majority vote of the Members present and voting on the question "That the ruling of the Chair be sustained." If there is no challenge, the ruling of the Chair shall be final.

Ceding to Points of Order or Personal Privilege

18.12 When a Member raises a Point of Order or a Point of Personal Privilege, any Member who has the floor shall stop speaking until the Chair has resolved the matter.

Chair Participation

18.13 During debate, the Chair may ask or answer questions and comment in a general way without leaving the chair.

18.14 If the Chair wishes to make a Motion or to speak to a Motion taking a definite position and endeavouring to persuade the Members to support that position, then the Chair shall first leave the chair, and shall designate another Member to take their place until the Chair resumes the chair.

SECTION 19 – MOTIONS

Motion on the Floor has Priority

19.1 When a Motion is under consideration, no other Motion may be received except a Motion to:

- a) adjourn;
- b) recess;
- c) refer the meeting to committee, staff, or any other body;
- d) defer the motion to another time;
- e) table the motion;
- f) amend the motion; or
- g) call a vote on the question.

Requirement for Mover and Seconder

- 19.2 Council shall not debate any Motion until it has been moved and seconded. A Member may move a Motion in order to initiate discussion and debate and that Member may vote in opposition to the Motion. A seconder of a Motion may also vote against the Motion.

Motion by Chair

- 19.3 If the Chair wishes to propose a Motion, the Chair shall relinquish the chair until such time as the vote has been taken on the Motion.

Form of Motion

- 19.4 In order to be considered, motions shall be clearly stated and shall not contain disjointed thoughts or directions that in the opinion of the Chair are excessively difficult to interpret.
- 19.5 Where the Chair believes a motion is complex, not clearly stated, or contains disjointed thoughts or directions, the Chair may:
- a) require the Member to put forward the motion in written form; and/or
 - b) rule that such motion is out of order due to its uncertainty and not place the question before Council for consideration.
- 19.6 When a motion has been seconded, it may upon request, be read or stated by the Chair or Clerk at any time during the debate.
- 19.7 A motion containing two or more distinct proposals may be divided by leave of Council, and Council shall consider each part separately.

Motions outside Jurisdiction

- 19.8 A motion or notice of motion in respect of a matter which is not within the jurisdiction of the Council shall not be in order and shall not be considered by the Council or put forward by the Chair. The Chair, in consultation with the Clerk, shall determine if the matter is within the jurisdiction of Council.

Withdrawal of Motion

- 19.9 After a motion has been moved and seconded, it shall be deemed to be in the possession of Council. Council may consent to the withdrawal of the motion at any time before amendment or decision.

Motion to Adjourn

- 19.10 A Motion to Adjourn shall not be amended or debated and shall always be in order except when:
- a) another Member is speaking;
 - b) a vote has been called;
 - c) the Members are voting; or
 - d) a Member has indicated to the Chair a desire to speak on the matter being considered.

19.11 A Motion to Adjourn shall take precedence over any other Motion and shall be put immediately, subject to Subsection 19.8 of this By-law.

19.12 If a Motion to Adjourn carries, the Meeting shall immediately come to a halt, regardless of the stage of proceedings.

19.13 If a Motion to Adjourn fails, a new Motion to Adjourn shall not be made until the conclusion of the item that was being considered when the failed Motion to Adjourn was made.

Motion to Extend Time

19.14 Every meeting of Council shall be deemed to be adjourned at the hour of 10:00 p.m. unless a meeting has been expressly scheduled for an extended period or unless there is a motion to extend the time by a unanimous vote. If Council is adjourned before the agenda is completed, Council shall establish a time and date for consideration of the balance of the agenda.

19.15 Any further extensions of time shall be in one-hour increments and shall require a unanimous vote of the Members present at the meeting.

19.16 Notwithstanding Section 19.14, if a motion to extend the automatic adjournment time is required prior to hearing all of the delegates on a matter being considered at the time such a motion is made, Council shall not adjourn the meeting until all listed delegates on the matter have been heard. Once the listed delegates have been heard, Council shall deal with the matter being considered at the time the motion to adjourn was made, as well as any other time-sensitive issues on the agenda identified by the Clerk.

Motion to Recess

19.17 A Member may move a Motion to recess at any time during a Meeting, but not so as to interrupt a speaker or during a vote.

19.18 A Motion to recess:

- a) is not debatable; and
- b) shall specify the length of the recess.

19.19 A Motion to recess requires an affirmative vote by a majority of the Members present and voting on the Motion.

19.20 The Chair shall call for a ten (10) minute recess at an appropriate time in the Meeting, approximately two (2) hours after the commencement of the Meeting, for a wellness break. Should the Meeting extend beyond 10:00 p.m., the Chair shall call for a second ten (10) minute recess at an appropriate time.

19.21 The Chair may declare a recess at any point during a meeting without the necessity of a motion to enable any unusual circumstance or condition that has arisen to be addressed.

Motion to Defer

19.22 A Motion to Defer is debatable, may be made while the Main Motion or an amendment is on the floor, and takes precedence, and shall include:

- a) the time to or period within which consideration of the matter is to be deferred; and
- b) whatever explanation is necessary to demonstrate the purpose of the motion to defer.

19.23 When a Motion to Defer is passed, the matter to which the Motion to Defer applies shall not be reintroduced at Council until the time specified in the Motion to Defer.

Motion to Refer

19.24 A Motion to Refer is debatable, may be made while the Main Motion or an amendment is on the floor, and takes precedence, and shall include:

- a) the name of the committee or official to whom the motion or amendment is to be referred; and
- b) the terms upon which it is to be referred and the time or period, if any, on or within which the matter is to be returned.

Motion to Table

19.25 A motion to table is not amendable or debatable and shall apply to the motion and any amendments under debate when the motion to table is made. If the motion to table carries, in the absence of any direction from Council, the matter may not be discussed until a member, through a Notice of Motion, brings it forward to a subsequent meeting.

Motion to Amend

19.26 A Motion to Amend:

- a) may be debated;
- b) shall be made only to a Main Motion or to an amendment to a Main Motion;
- c) shall be relevant to the main question to be decided; and
- d) shall not be a direct negative to the main question.

19.27 Only one Motion to Amend shall be on the floor at any given time and debate shall be confined to the amendment. When that question is settled, another Motion to Amend may be made. Once all the amendments have been settled, a vote shall take place on the Main Motion, or if any amendments have carried, on the Main Motion as amended.

Consideration of Matter Previously Deferred

19.28 A motion that Council consider a matter previously deferred indefinitely or to a time or circumstance which has not yet been reached or occurred, is debatable and shall be presented only if the Council so decides, by a two-thirds majority vote of the Members present.

Motion to Call the Question

19.29 A motion to call the question is not permissible until every Member present has had the opportunity to speak to the question at least once. A motion to call the question shall be put immediately without debate, and if carried, then the vote is to be taken without further debate or comment.

Motion to Reconsider

19.30 A motion to reconsider may be made by any Member, and shall require a majority vote of the Members present and voting on the Motion, and:

- 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) 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;
- d) shall be submitted in writing to the Clerk and form part of the agenda, when possible;
- e) requires a two-thirds majority vote of the Members present in order to be carried; and
- f) may be brought forward only once in the twelve (12) month period from the date the Motion or matter was first decided.

19.31 If a Motion to Reconsider carries, reconsideration of the decided matter shall be the next order of business. Debate on the matter being reconsidered shall proceed as though it had never previously been considered.

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

Motion to Rescind

19.33 Resolutions and by-laws may be rescinded by a majority vote. However, a motion to rescind is not in order when it applies to a resolution or by-law on which irreversible action has been taken.

Improper Motions

19.34 No motion shall be entertained by the Chair which tends or is intended to cause delay, which shall include:

- a) any motion made subsequent to a motion that was lost that is substantially the same as the lost motion, and is not made through a motion to reconsider; and
- b) any motion made that is absurd or frivolous, or that cannot be effected.

Motions not on the Agenda

19.35 A Motion may only be added to the Agenda with an affirmative vote by two-thirds of the Members present and voting on the Motion.

SECTION 20 – VOTING

Requirement to Vote

- 20.1 Every Member present at a Meeting where a question is put shall vote on the question, unless the Member declares a Pecuniary Interest, in which case the Member shall recuse themselves from the vote. A failure to vote shall be deemed a vote in the negative, except where the Member is prohibited from voting by statute.
- 20.2 The Presiding Officer shall be entitled to vote on any question, but is not required to vote unless:
- a) a Member has requested a Recorded Vote; or
 - b) the votes of all other member present produces an equality of votes.

Reading the Question

20.3 Immediately preceding the taking of the vote on a motion, the Presiding Officer may read the motion or request the Clerk to read the motion in the form introduced and shall do so if requested by a Member, and the motion shall be stated in the form in which it will be recorded in the minutes.

Method of Voting

- 20.4 A member shall vote by raising a hand or otherwise indicating the member's vote, except where a recorded vote is requested.
- 20.5 When one or more Members is attending through an electronic method and cannot see or be seen by other members, the Chair may require that all votes be made verbally, and in such case shall call on each Member individually to vote.
- 20.6 No vote shall be taken by ballot or by any other method of secret voting.

Voting Order

- 20.7 Voting on a Motion and any amendments to the Motion shall be conducted in the following order:
- a) a Motion to Amend a Motion to Amend the Main Motion;
 - b) a Motion (as amended or not) to Amend the Main Motion; and
 - c) the Main Motion (as amended or not).

Putting Motion to a Vote

20.8 A Motion shall be put to a vote by the Chair immediately after all Members desiring to speak on the Motion have spoken.

20.9 After a Motion is put to a vote by the Chair, no Member shall speak on that Motion nor shall any other Motion be made until after the result of the vote is announced by the Chair.

Division of the Question

20.10 A separate vote shall be taken upon each proposal contained in a motion that has been divided with leave of the Council.

Majority Vote Required

20.11 All decisions of Council or Committee shall require a Majority vote except as otherwise set out in this By-law or by statute.

Tie Vote Deemed Lost

20.12 Any motion on which there is a tie vote shall be deemed to have been decided in the negative.

Decisions Requiring Two-Thirds Vote

20.13 The following decisions of Council require a two-thirds vote:

- a) A motion to consider an item that does not relate to a matter listed on the agenda – amending the agenda;
- b) A motion to consider a matter previously tabled or deferred to a time of eventuality that has not been reached or occurred; and
- c) A motion to revisit any question passed within the previous 12 months.

Results of Vote

20.13 The Chair shall announce the result of the vote, with the exception of the recorded vote where the Clerk will announce the result.

Recorded Votes

20.14 A request by a member present at the meeting for a recorded vote shall be made prior to, or immediately after, the vote and must be requested prior to any consideration of another matter.

20.15 When a recorded vote is requested by a member, the Clerk shall record the name and vote of every member on any question in the order taken.

SECTION 21 – ELECTRONIC PARTICIPATION IN MEETINGS

Electronic Participation by Members

21.1 A Member may participate electronically in open or closed meetings. Any such member shall be counted towards quorum of members present at any point in time and shall be able to vote, as permitted by the Municipal Act.

- 21.2 In the case of an interruption in the communication link to the member(s) participating electronically, Council will recess to a maximum of 15 minutes until it is determined whether or not the link can be re-established. If communications are not re-established, the meeting will resume without the electronic participant(s).
- 21.3 A Member participating by Electronic Means will be deemed to have left the meeting when they are no longer electronically connected to the meeting, and if a member loses electronic connection temporarily to the meeting, that member shall be treated as if they left the physical room of a traditional meeting and the time noted by the Clerk or Recording Secretary.
- 21.4 Pursuant to the *Municipal Conflict of Interest Act*, as amended, members who have declared a Pecuniary Interest regarding a matter being discussed, and are participating electronically, shall leave the electronic meeting and not participate in any way with respect to the matter in question. The Clerk shall advise the Member when to re-connect to the meeting, or bring the Member back into the meeting, as appropriate.
- 21.5 Members are requested to notify the Clerk a minimum of twenty-four (24) hours in advance of any Meeting at which they intend to participate electronically.
- 21.6 Members participating electronically shall make every effort to keep their camera on through the entirety of the meeting.
- 21.7 All votes shall be by show of hands or, where a Member cannot see or be seen, shall be confirmed verbally.
- 21.8 Members participating electronically in a Closed Meeting will be required to confirm that confidentiality is maintained, and that no other person is able to see, or hear, the meeting taking place and that the internet connection is secure and not publicly accessible.
- 21.9 The Clerk, in consultation with the Information Technology staff, is authorized to establish and amend protocols regarding electronic participation in meetings, including the authority to determine whether or not electronic participation can be accommodated in a specific circumstance.

Electronic Participation by Members of the Public

- 21.10 Individuals attending for a deputation or presentation may participate electronically. Participants may be placed in a waiting room until their item on the agenda is reached.
- 21.11 Members of the public participating electronically must register with the Clerk a minimum of twenty-four (24) hours in advance of the meeting.

Electronic Participation by Staff

- 21.12 Members of Town staff may participate in open and closed meetings of Council or committees electronically at the discretion of the Chief Administrative Officer, and the Chief Administrative Officer may establish guidelines for such.
- 21.13 During an emergency or when the entire meeting is being held through electronic means the Clerk or Recording Secretary may participate in the meeting electronically.

SECTION 22 – COMMITTEES

Application of this By-law to 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 appointment by-law or terms of reference of the Committee.
- 22.2 In applying the By-law to Committees, references to the Clerk shall be understood to apply the Recording Secretary appointed to the Committee, and in the absence of such an appointment, to the Clerk.

Establishment of Committees

- 22.3 Council shall determine the appropriate number of committees, their membership, mandates and reporting practices.
- 22.4 Council may establish policies governing the appointment of citizens to committees and other bodies, and in the absence of such policy, appointments shall be determined by resolution of Council.
- 22.5 Council may, from time to time, appoint task forces, working groups or special committees which will report directly to Council. The establishment of such committees should include a specific mandate, terms of reference, and term of appointment.

Appointment of Chair

- 22.6 Council may designate the Chair of any Committee or allow the Committee to elect a Chair from its members.
- 22.7 Where Council has not appointed a Chair, a Chair and Vice-Chair shall be appointed by the members at the first regular scheduled meeting. Each Chair and/or Vice Chair shall preside at every meeting of their committee, may vote on every question submitted for consideration and may require that resolutions be in writing.
- 22.8 Where Council has not appointed a Chair, at the first meeting of the Committee, the Recording Secretary shall call the meeting to order and preside over the meeting until the appointment of a Chair and Vice-Chair.

Date and Time

22.9 Committees shall establish regular meetings dates, times and location at the beginning of each term or appointment. Additional or emergency meetings may be held at the call of the Chair.

Agendas and Notice

22.10 The recording secretary shall be responsible for preparing Meeting agendas, issuing notice as required and preparation of meeting minutes. Agendas for meetings of Committee shall be published a minimum of twenty four (24) hours in advance.

22.11 Notice of meetings including agendas, minutes and supporting documentation to the members shall be via electronic mail. Notice may also be provided by telephone or personal contact in case of an emergency. In the event of a meeting cancellation, staff will notify the members by email or by telephone as soon as possible.

22.12 Notice to the public shall be given by posting on the Town's website in accordance with Section 6.1 of this by-law.

Role of Committees

22.13 The role of committees shall generally be to make recommendations to Council on matters which are in their jurisdiction, and guide and request staff to provide reports on the direction and nature of policy development, fact-finding, analysis and generation of public policy matters. Additional roles and responsibilities may be delegated to a committee by statute or by-law.

Meetings to be Open

22.14 All meetings of committees shall be open to the public, except that committees may hold a closed session or move into a closed session in accordance with Section 8 of this by-law.

Quorum

22.15 Unless otherwise stated in the establishing by-law or terms of reference, a quorum shall be a majority of the current voting members of the committee, but shall in no case be less than two.

Vacancies

22.16 Where a position on a committee becomes vacant through the resignation of a member, or where the member fails to attend three or more consecutive meetings and has their position declared vacant by the committee, Council may appoint another member in their place for the remainder of the appointment term.

Minutes and Reports to Council

22.17 Copies of committee minutes shall be forwarded to the Clerk for inclusion on the next Council agenda as an item for information and shall note whether they are approved or draft.

22.18 Committee recommendations shall be forwarded to Council by way of a committee report. Unless the authority for such action has previously been delegated to the committee and/or staff, no action shall be taken on committee recommendations until they are subsequently approved by resolution at a Council meeting.

SECTION 23 – ENACTMENT

Repeal of Existing Council Procedural By-law

23.1 By-law No. 2008-0058, a by-law to govern the calling, place and proceedings of Council and committees of Council and conduct of its members, and all amendments thereto including By-laws 2017-0063 and 2020-0020, are hereby repealed.

Review of this By-law

23.2 The Clerk shall initiate a review of this By-law every five (5) years or at such earlier date as deemed necessary at the discretion of the Clerk.

Effective Date

23.3 This By-law shall come into force and take effect on the date of passage.

Read a first, second and third time and finally passed this 12th day of September, 2023.

Terry Richardson, Mayor

Jessica Walters, Clerk