

CORPORATION OF THE MUNICIPALITY OF CALVIN

BY-LAW NO. 2008-008

BEING A BY-LAW TO GOVERN AND REGULATE THE MEETINGS AND PROCEEDINGS OF COUNCIL AND COMMITTEES OF THE CORPORATION OF THE MUNICIPALITY OF CALVIN AND COMMONLY CALLED "THE PROCEDURAL BY-LAW".

WHEREAS pursuant to the *Municipal Act*, 2001 c.25, Section 238(2) as amended, every municipality and local board shall pass a Procedural By-law governing the calling, place and proceedings of meetings, including Regular, Special, Committee or other Meetings of a Council;

AND WHEREAS the Council of the Corporation of the Municipality of Calvin deems it advisable to enact a By-Law to govern the proceedings of Council, the conduct of its Members and the calling and place of meetings;

BE IT ENACTED as a By-law of the Corporation of the Municipality of Calvin as follows:

**1.0 DEFINITIONS**

- 1.1 "AD-HOC COMMITTEE" means a Committee established by Council to review a specific matter and once the Committee has reported to Council with respect to its findings and recommendations, the Committee is automatically dissolved;
- 1.2 "ADVISORY COMMITTEE" means a Committee established by Council to advise on matters which Council has deemed appropriate for the Committee to consider;
- 1.3 "AGENDA" and "ORDER OF THE DAY" shall be considered synonymous;
- 1.4 "CHAIR" shall mean the person presiding at a Meeting whether it be the Mayor or any other Member;
- 1.5 "CLERK" means the Clerk-Treasurer of the Corporation or his/her delegate;
- 1.6 "COMMITTEE" means any advisory or other committee, subcommittee or similar entity of Council;
- 1.7 "CORPORATION" means the Corporation of the Municipality of Calvin;
- 1.8 "COUNCIL" means the elected members of council of the Municipality of Calvin;
- 1.9 "DEPUTATION/DELEGATION" shall mean a person making a verbal presentation to Council or to a Committee, as the case may be;
- 1.10 "DEPUTY MAYOR" means the Councillor appointed by Council to act in the absence of the Mayor in accordance with this By-law;
- 1.11 "DESIGNATED AREA" shall mean the spectator areas within the Council Chambers;
- 1.12 "EX-OFFICIO" means by virtue of office or position and carries with it the right to participate fully in all committee meetings and to vote unless prohibited by law, but does not count towards a quorum;
- 1.13 "IMPROPER CONDUCT" means conduct which offers any obstruction to the deliberations of proper action of Council;
- 1.14 "IN-CAMERA" means a closed session of Council, Standing Committee or an Advisory Committee Meeting which is closed to the public in accordance with the *Municipal Act*;
- 1.15 "INAUGURAL MEETING" means the first meeting of Council held after a municipal election in a regular election year;

- 1.16 “LOCAL BOARD” means a municipal service board, board of health, planning board and any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board, a conservation authority, a police services board or a public library board;
- 1.17 “MAYOR” means the Head of Council acting as Chief Executive Officer of the Corporation;
- 1.18 “MAJORITY VOTE” means the vote of more than half of the members present and voting at a properly constituted meeting at which a quorum is present;
- 1.19 “MEETING” means any regular, special or other meeting of a council, of a local board or of a committee of either of them;
- 1.20 “MEMBER OF COUNCIL” means a person duly elected to serve on the Council;
- 1.21 “MUNICIPAL ACT” means the *Municipal Act S.O. 2001, c. 25, as amended* and any successor legislation thereto;
- 1.22 “MUNICIPAL ELECTION” shall mean a general municipal election held pursuant to the *Municipal Elections Act*;
- 1.23 “NOTICE OF MOTION” means signal of intent by a member to have a motion dealt with at a subsequent meeting;
- 1.24 “PECUNIARY INTEREST” means a direct or indirect interest within the meaning of the *Municipal Conflict of Interest Act, R.S.O. 1990, chapter M. 50 as amended*, and any successor legislation thereto;
- 1.25 “POINT OF ORDER” means a matter that a member of Council considers to be a departure from or contravention of the rules, procedures or generally accepted practices of Council; raised when a member feels the rules of order are being broken.
- 1.26 “POINT OF PRIVILEGE” means that a member of Council considers that she/he is being insulted, misquoted, or deliberately misinterpreted or that their right of access to information is being impeded (noisy room, bad overheads, etc.).
- 1.27 “QUORUM” means the minimum number of members who must be present at the meetings for business to be legally transacted and in the case of the Municipality of Calvin shall mean three (3) members;
- 1.28 “RECORDED VOTE” means the recording of the name and vote of every Member on any matter of question. In the case of a Member who has declared a pecuniary interest in the matter or question, the minutes shall reflect the Members declaration and the general nature thereof;
- 1.29 “REGULAR MEETING” means a scheduled meeting held in accordance with the approved calendar/schedule of meetings;
- 1.30 “SPECIAL MEETING” means a meeting not scheduled in accordance with the approved calendar/schedule of meetings.

## **2.0 GENERAL**

### **2.1 Rules – procedures observed – at all times**

The rules and regulations contained in this by-law shall be observed in all Meetings and shall be the rules and regulations for the order and dispatch of business before Council and Committees of Council and its Advisory Committees and local boards.

### **2.2 Rules – observed – modifications – permitted**

The proceedings of the Council and its Committees; the conduct of the Members of Council and the calling of meetings shall be governed by the rules and regulations contained in this By-law.

- 2.3 **Rules – suspended – 2/3 consent – Council**  
Any rules or procedures contained in this by-law may be suspended with the consent of two-thirds of the Council/Committee present, unless prohibited by law.
- 2.4 **Rules - Rules of Order - Parliament of Canada - Roberts' Rules of Order**  
Subject to the provisions of the Municipal Act and except as herein expressly provided, the Rules of Order of the Parliament of Canada shall be the rules governing the proceedings of the Council and Committees and the conduct of members of same. The most recent edition of Roberts' Rules of Order in existence from time to time shall be referred to and abided by as far as applicable when questions arise respecting the interpretation of the rules contained herein or respecting the rules of order of the Parliament of Canada.
- 2.5 **Rules - members chairs forming enclosure**  
No persons, except Members or the Clerk-Treasurer or his/her delegate or Department Heads, as the case may be, shall come within the enclosure formed by the members chairs during meetings without permission from the Mayor or Chair. Any person contravening this rule shall be guilty of improper conduct and may be subject to expulsion or exclusion from the meeting by the Mayor or Chair.
- 2.6 **Seating - allocation - designate arrangement**  
The Clerk, in consultation with the Mayor, shall designate the seating arrangements for the media, municipal staff and the public at Council
- 2.7 **Seating - contravention**  
Any person who contravenes any established seating arrangement shall be guilty of improper conduct and may be subject to expulsion or exclusion from the meeting by the Chair.
- 2.8 **Meetings – location – Council Chambers – exception**  
All meetings of Council, Standing Committees and Advisory Committees shall take Place in the Calvin Community Centre at 1355 Peddlers Dr., or as otherwise designated by Council or the Chair of a Committee.
- 2.9 **Use of Audio – Video Equipment**  
The use of audio and video recording equipment during a Meeting is not permitted within the designated areas unless the Chair or the majority of the Council Members permit the use of such equipment or devices and it is not disruptive to the conduct of the Meeting at which the recording privileges are granted. Any and all audio/video recordings recorded other than by the municipality shall not, under any circumstances, be deemed to be official records.

### PART 3

#### 3.0 ROLES AND DUTIES

- 3.1 **Role of Mayor**  
It is the role of Mayor,
- 1) to act as Chief Executive Officer of the municipality;
  - 2) to preside over Council Meetings;
  - 3) to provide leadership to Council;
  - 4) to represent the municipality at official functions;
  - 5) to carry out the wishes of Council;
  - 6) to act as Council's representative when dealing with the Clerk-Treasurer and

- other levels of government, their agencies and the private sector;
- 7) to carry out the duties of the Head of Council under this or any Act.
- 8) as Chief Executive Officer of the municipality, the Mayor shall:
  - i) uphold and promote the purpose of the municipality;
  - ii) promote public involvement in the municipality's activities;
  - iii) promote the municipality locally, nationally and internationally;
  - iv) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

### 3.2 **Duty of Mayor**

It is the duty of the Mayor to preside at all meetings of Council, and in addition to the requirements in the Municipal Act shall be responsible

- 1) to open the meeting of Council by taking the Chair and calling the meeting to order;
- 2) to receive and submit, in the proper manner, all motions presented by the members;
- 3) to put to a vote all motions and to announce the result;
- 4) to sit as an ex-officio member of any Committees of Council and is entitled to vote at meetings;
- 5) decline to put motions to vote which infringe upon the rules of procedure;
- 6) to inform the members of the proper procedure to be forwarded and to enforce the rules of procedure;
- 7) to enforce on all occasions, the observance of order and decorum among the members;
- 8) to call by name any member persisting in a breach of the rules of procedure and order the members to vacate the Council Chambers;
- 9) to permit questions to be asked through the Mayor of any officer of the Municipality for information to assist in any debate when the Mayor deems it proper;
- 10) to provide information to members on any matter relating to the business of the Municipality;
- 11) to authenticate by signature all by-laws, agreements and minutes of Council;
- 12) to rule on any points of order raised by members;
- 13) to represent and support the Council;
- 14) to maintain order. Where it is not possible to maintain order, the Mayor may, without any motion being put forward, adjourn the meeting to a time to be determined by the Mayor;
- 15) to adjourn the meeting when the business is concluded;
- 16) to carry out the duties of the Head of Council under the Municipal Act or any other Act; and,

- 17) to act in accordance with his/her Oath of Allegiance and Oath of Elected Office (Section 225.)

### 3.3 **Role of Council**

It is the role of Council,

- 1) to represent the public and to consider the well-being and interests of the municipality;
- 2) to develop and evaluate the policies and programs of the municipality;
- 3) subject to legislative restrictions, develop regulations to be adopted in by-laws and resolutions for the overall benefit of the community;
- 4) to determine which services the municipality provides in accordance with applicable legislation;
- 5) to maintain the financial integrity of the municipality;
- 6) to carry out the duties of council under this or any other Act; and
- 7) to ensure accountability & transparency of the municipal operations, and of activities of Senior Management (Section 225).

### 3.4 **Duty of Councillors**

It is the duty of the Councillors to attend all meetings of Council, and;

- 1) to prepare for meetings including reviewing the agenda and background information prior to the meeting;
- 2) to speak only to the subject under debate;
- 3) to vote on all motions before the Council unless prohibited from voting by law;
- 4) to observe proper procedure and decorum at all meetings;
- 5) to state questions to be asked through the Mayor;
- 6) to support the Council;
- 7) to attend Standing Committee, Advisory Committee and AD-Hoc Committee meetings to which the member has been appointed by Council;
- 8) to carry out the duties of Councillor under the Municipal Act or any other Act; and
- 9) to act in accordance with their Oath of Allegiance and Oath of Elected Office (Section 224).

### 3.5 **Duty of Clerk**

It is the duty of the Clerk to attend all Council meetings, and:

- 1) to prepare and distribute agendas for all meetings of Council in accordance with this by-law;
- 2) to record, without note or comment, all resolutions, decisions and other proceedings of the council, whether it is closed to the public or not;
- 3) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question (recorded votes);

- 4) to keep the originals or copies of all by-laws and of all minutes of the proceedings of the council;
- 5) to make such minor clerical, typographical or grammatical corrections in form to any bylaw, motion, resolution and/or minutes as may be required for the purpose of ensuring correct and complete implementation of the actions of Council;
- 6) to perform other duties required under the Municipal Act, Municipal Elections Act 1996, or as required under any other Act;
- 7) to act as Commissioner for the municipality;
- 8) to authenticate by signature all by-laws, agreements and minutes of Council;
- 9) to advise Council on parliamentary procedure; and
- 10) to perform such other duties as are assigned by the municipality (Section 228(1) & 239 (7 & 8)).

#### **PART 4**

#### **4.0 SCHEDULE OF MEETINGS**

- 4.1 **Inaugural Meeting – second Tuesday – December – time**  
The Inaugural meeting of Council shall be held not later than the second Tuesday in December following a Municipal Election and the meeting shall be held at 7:00 p.m. or at such hour as may be fixed by by-law.
- 4.2 **No business – Inaugural – until Declarations**  
No business shall be conducted at the Inaugural Meeting of Council until the Declarations of Oath have been made by the members of Council.
- 4.3 **Regular Meetings**  
The Council shall hold its regular meetings every second and forth Tuesday of each month at 7:00 p.m. in the Calvin Community Centre.
- 4.4 **In – Camera – time**  
In – Camera meetings (closed session) shall be held at the call of the chair, as deemed necessary.
- 4.5 **Election – meeting time – November**  
In the event that such a day falls on when a Municipal Election or municipal by – election is being held, the Council may meet at the same hour on the first day thereafter, unless otherwise provided by resolution of Council.
- 4.6 **Holiday**  
In the event that such a day is a Holiday, the Council shall meet at the same hour on the first day thereafter, which is not a Holiday, unless otherwise provided by resolution of Council.
- 4.7 **Special – Emergency Meeting – called by Mayor**  
The Head of Council, at any time, may summon a Special Meeting of Council or Emergency Meeting.
- 4.8 **Special Meeting – called by Council**  
Notwithstanding the provision of Section 4.3, the Clerk shall, upon receipt of a petition signed by a majority of the members of Council, summon a special meeting for the purpose and at the time mentioned in the petition, to be held in the Calvin Community Centre unless otherwise noted. (In accordance with the provisions of the Municipal Act, 2001 as amended, c.25, s. 240)

**4.9 Special Meetings – public offices – emergency**

The council shall hold its meetings as set out in Section 4.8 and keep its public offices within the Calvin Community Centre; however, in the case of an emergency, it may hold its meetings and keep its public offices at any convenient location within or outside the municipality (Municipal Act, 2001, as amended, c.25, s. 236(1)).

**PART 5**

**5.0 NOTICE OF MEETINGS**

**5.1 Agendas – delivered – in advance**

The Clerk or the Clerk’s representative shall provide each Member of Council an Agenda with support Reports for each regular meeting of Council to be available to the Councillors by 4 p.m. on the Friday prior to the meeting.

**5.2 Public Notice of Meeting Schedule / Posting of Agendas**

Public Notice of meetings shall be given by posting the meeting schedule on the Township Website. The meeting schedule shall include time and location of Council and Committees meetings. The meeting schedule is subject to change as necessary. All agendas will be posted no later than 24 hours before the hour appointed for the holding of such meeting on the Municipality of Calvin website. Agendas shall be available at the beginning of meetings.

**5.3 Posting of Agendas – Failure to post**

Notwithstanding section 5.2 above, failure to post the agenda to the Township Website, or its being available at the beginning of meetings shall not affect the validity of the meeting or any action lawfully taken thereat.

**5.4 Special Meetings – notice – delivered – 24 hours prior – exception**

Notice of a special meeting called in accordance with this by-law shall be delivered to the Members of Council by either telephone, facsimile transmission or electronic mail, to the phone number; fax number or e-mail address as provided by the Members. It shall be the responsibility of the Clerk-Treasurer or the Clerk’s representative to forward to Members all notices and agendas for Special Council Meetings a minimum of 24 hours in advance of such Meetings.

**5.5 Special meetings – business specified – transacted**

No business except the business dealing directly with the purpose mentioned in the notice shall be transacted at a Special Meeting.

**5.6 Emergency or disaster – notice not required**

In the case of a disaster or emergency as defined in the Emergency Plan, an emergency meeting may be held without notice, to deal with the emergency or extraordinary situation, provided that an attempt has been made by the Clerk-Treasurer and/or the Clerk’s representative to notify the Members about the meeting as soon as possible and in the most expedient manner available.

**5.7 Agenda – notice – not received – validity**

Lack of receipt of a Notice or an Agenda by the Members of Council shall not affect the validity of the meeting or any action lawfully taken thereat.

**5.8 Standing Committees / Advisory Committees – deemed notice**

The Agenda of a Standing Committee/Advisory Committee meeting shall be considered as notice of the meeting.

**5.9 Agendas – Media**

The Council and Committee agendas will be made available for the media on the Township Website.

5.10 **Agenda – In – Camera – material**

All In-Camera material will be circulated to members of Council and/or Committee Members at the In-Camera meeting. The In-Camera material must be immediately handed back to the Clerk-Treasurer or designate at the close of the In-Camera session.

5.11 **Agenda – In Camera – not sent electronically**

Agenda of an In-Camera Meeting or In-Camera Session shall not be sent electronically to Members of Council.

**PART 6**

**6.0 IN – CAMERA MEETINGS “CLOSED SESSION”**

6.1 **Council, Standing Committees and Advisory Committees – Closed Sessions**

All or part of meetings may be held In-Camera in accordance with the Municipal Act, 2001, as amended. The In-Camera session, if required, will be held at the call of the Chair. For Standing Committees and Advisory Committees, In-Camera sessions, if required, will be held at the call of the Chair.

6.2 **Matters – In – Camera**

The only matters that may be considered In-Camera shall only be held in accordance with Section 239 of the Municipal Act.

- (a) the security of the property of the municipal of local board;
- (b) personal matters about an identifiable individual, including municipal or local board employees;
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act, 2001, c. 25, s. 239 (2);
- (h) a matter in respect of the consideration of a request under the Municipal Freedom of Information and Protection Privacy Act, if the council is designated as the Head for the purpose of that Act; 2001, c. 25, s. 239(3);
- (i) for the purpose of education or training the members and when there is no discussion or material advancement of the “business or decision-making of the council, local board or committee,” 2006, c.32, Sch. A, 103 (1), s. 239(3.1).

6.3 **Procedure – moving into – In Camera**

Prior to moving to In-Camera for one or more of the reasons listed in Section 6.2, the Council, Standing Committee or Advisory Committee shall pass a motion in open session stating:

- 1) the fact that Council, Standing / Advisory Committee is convening into In-Camera session;



- 2) the fact of the holding of the closed meeting the general nature of its subject-matter and that it is to be closed under that subsection, 2001, c. 25, s. 239(4); 2006, c. 32, Sch. A, s. 103(2).
- 3) if closed under s. 239(3.1), the resolution must also note that it is closed under that subsection.

**6.4 No votes at a closed meeting**

No votes at a closed meeting, except for when the vote is:

- 1) for giving instructions to officers, employees or agents of the Corporation or persons retained by or under contract with the Township;
- 2) for procedural matters; and
- 3) adjournment

**6.5 Minutes – Closed Session**

The Clerk or his/her designate shall record, without note or comment the proceeding of the Council and all Committees of Council in Closed Session;

**6.6 Adoption of Closed Session Minutes**

Minutes of a Closed Session of Council or a Committee of Council shall be presented for adoption at the next Closed Session portion of a Regular Meeting of Council/Committee. The adoption of the minutes is a procedural matter and does not affect the validity or effect the resolutions recorded in the minutes.

**6.7 Preservation of Confidentiality**

All information, documentation or deliberations received, reviewed or taken in a Closed Session is confidential. No Member or staff person shall release, make public or comment in any way information considered during a Closed Session or discuss the content of any Closed Session with persons other than Members or relevant staff members.

**PART 7**

**7.0 COUNCIL AGENDAS / ORDERS OF THE DAY**

**7.1 Council Agendas – Composition – prepared by Clerk**

The Clerk shall prepare the Council Agendas with the Orders of the Day for Regular Council Meetings consisting of the following:

- 1) Call to Order
- 2) Written Disclosure of Pecuniary Interest/Conflict of Interest
- 3) Petitions and Delegations
- 4) Reports from Municipal Officers
- 5) Reports from Committees
- 6) Action Letters
- 7) Information Letters
- 8) Information Letters Available
- 9) Old and New Business
- 10) Accounts Approval Report

- 11) Closed Session
- 12) Business Arising from Closed Session (if applicable)
- 13) Notice of Motion
- 14) Adjournment

and with necessary modifications for Special and Emergency meetings.

**NOTE:** In-Camera “Closed Session”, will be added to the Agenda at the call of the chair and shall be placed on the Agenda either after 1.0 “Adoption of the Agenda” or after 10.0 “Accounts Approval Report”.

**7.2 Deadline – material inclusion**

The deadline for receipt of material by the Clerk-Treasurer to be included on the Agenda for Regular Meetings shall be 12:00 noon on the Thursday prior to the regular meeting.

**7.3 Order of business – as specified – exception**

The business of each meeting shall be taken up in the order in which it stands on the Agenda unless otherwise decided by a majority vote of the members present.

**7.4 Motion – to change order – not amendable – not debatable**

A motion changing the order of business shall not be amendable or debatable.

## **PART 8**

### **8.0 COMMENCEMENT OF COUNCIL MEETINGS – QUORUM**

**8.1 Quorum – majority – required**

The majority of Members of Council and Committees shall constitute a quorum.

**8.2 Call to order – quorum present**

As soon after the hour fixed for the Meeting if there is a quorum present, the Mayor or Chair of the Committee shall take the chair and call the meeting to order.

**8.3 Quorum – time appointed – meeting**

If there is not a quorum within fifteen (15) minutes after the time appointed for the meeting, the Clerk shall record the name of the members present, the meeting shall stand adjourned and the items included on the agenda shall be included on the agenda of the next regular meeting of council or on a special meeting of council, if called for that purpose, and in the case of a Standing Committee or Advisory Committee, at the next regularly scheduled meeting.

**8.4 Quorum – lost – adjourn to reconvene – exception**

If during the course of a meeting, the quorum is lost, then the meeting shall stand adjourned to reconvene as determined by the Mayor. If in the opinion of the Mayor, it is not essential that the balance of the agenda be dealt with before the next regularly scheduled meeting, then the Mayor shall announce that the unfinished business will be considered at that time.

**8.5 Mayor – to preside – all meetings**

The Mayor, if present, shall preside at all Council Meetings.

**8.6 Mayor – absence – Deputy Mayor – to preside**

In the event the Mayor does not attend the Meeting within fifteen minutes after the time appointed, the Deputy Mayor shall call the Members to order and if a quorum is present, shall preside as Chair during the Meeting or until the arrival of the Mayor.

**8.7 Member appointed – to preside**

In the absence of the Mayor and Deputy Mayor, the Clerk shall be present and, if a quorum is present, shall call the Members to order. A Chair shall then be chosen by the Members present from amongst the Members and shall preside during the Meeting or until the arrival of the Mayor or Deputy Mayor.

**8.8 Members of Council – notify – Clerk – absence**

Members of Council are requested to notify the Clerk when the Member is aware that he/she will be absent from any meeting of Council.

**PART 9**

**9.0 RULES OF DEBATE AND CONDUCT**

**9.1 Order – decorum – maintained – Mayor**

The Mayor shall preside over the conduct of Council meetings, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal to the Council.

**9.2 Mayor – speaking on motion – to leave chair**

The Mayor may answer questions and comment in a general way without relinquishing the chair, but if he/she wishes to speak to a motion taking a position and endeavoring to persuade the Council to support that position, then he/she shall first relinquish the chair.

**9.3 Mayor – leaving chair – member designated in place**

If the Mayor desires to relinquish the chair for the purpose of taking part in the debate or for any other reason, the Mayor shall relinquish the chair to the Deputy Mayor. In the absence of the Deputy Mayor the Mayor shall designate another member to fill the Mayor's place until the Mayor resumes the chair.

**9.4 Speaking – recognition by Mayor – required**

Before a Member may speak to any matter, he/she shall first be recognized by the Mayor.

**9.5 Speaking – order – determination**

When two or more Members indicate simultaneously that they wish to speak, the Mayor shall name the member who is to speak first.

**9.6 Speaking – limitation – subject – maximum 5 minutes**

When a Member is speaking to a motion, he/she shall confine his/her remarks to the motion and in speaking shall be limited to a maximum of 5 minutes.

**9.7 Speaking – once only – exception – vote – reply**

No person shall speak more than once to any motion, unless otherwise decided by the Mayor, but the Member who has made a motion shall be allowed to reply for a maximum of 5 minutes.

**9.8 Motion – under debate – read – at any time**

A Member may require the motion under debate to be read at any time during the debate, but shall not interrupt a member who is speaking.

**9.9 Disruption – Council – by member – prohibited**

A Member shall not disturb the Council by disorderly conduct or comments.

**9.10 Offensive language – insults – prohibited**

A Member shall not use profane or offensive words or insulting or offensive expressions.

**9.11 Disobedience – rules - points of order – prohibited**

A Member shall not disobey the rules of the Council or a decision of the Mayor or of the Council on points of order or on the interpretation of the rules of procedure.

- 9.12 **Leaving seat – disturbance during vote – prohibited**  
No person shall leave his/her seat or make noise or cause a disturbance while a vote is being taken or until the result is declared.
- 9.13 **Speaking – without addressing – prohibited**  
No person shall speak until he/she has addressed himself/herself to the Mayor or Chair.
- 9.14 **Interruption – speakers – exception**  
A Member shall not interrupt a Member who is speaking, except to raise a point of order or a question of privilege.
- 9.15 **Leaving meeting – not to return – Mayor informed**  
A Member shall not leave the meeting when he/she does not intend to return thereto without first advising the Mayor or Chair.
- 9.16 **Disorderly conduct – member to be removed – question**  
In the event that a member persists in a breach of the rules of this By-law, after having been called to order by the Chair, the Chair shall put the question “shall the Member be ordered to leave his/her seat for the duration of the meeting?” and such question is not debatable.
- 9.17 **Disorderly conduct – member to leave seat**  
If the Council decides the question set out in Section 9.16 of this By-law in the affirmative by a majority vote of the members, the Chair shall order the Member to leave his/her seat for the duration of the meeting.
- 9.18 **Apology – member to resume seat – by permission**  
If the Member apologizes, the Chair, with the approval of the Council, may permit him/her to resume his/her seat.
- 9.19 **Council – contact – Senior Staff – prior to meeting**  
Members of Council are encouraged to contact the appropriate Senior Staff prior to a meeting to raise questions or clarify issues relevant to a matter on the Council Agenda.

## **PART 10**

### **10.0 POINT OF ORDER**

- 10.1 **Point of Order -raising - precedence**  
When a Member desires to address Council upon a matter which concerns the contravention of or departure from the rules, procedures or generally accepted practices of Council, the Member shall be permitted to raise such point of order. A point of order shall take precedence over other matters. While the Chair is ruling on the point of order, no one shall be considered to be in possession of the floor.
- 10.2 **Point of Order - violation - right to floor**  
A Member who desires to call attention to a violation of the rules of procedure shall ask leave of the Chair to raise a point of order. When leave is granted, the Member shall state the point of order with a concise explanation and shall attend the decision of the Chair upon the point of order. The Speaker in possession of the floor when the point of order was raised, shall have the right to the floor when debate resumes.
- 10.3 **Member called to order - vacate floor**  
A Member called to order by the Chair shall immediately vacate the floor until the point of order is dealt with and shall not speak again without the permission of the Chair unless to appeal the ruling of the Chair.

- 10.4 **Point of Order - believed violation - Chair to rule**  
When a Member desires to call attention to what the Member believes to be a violation of the rules of procedure, the Member shall, when once been recognized by the Chair, rise on a point of order. On raising a point of order, a Member shall state the point of order with a concise explanation and the Chair shall rule upon the point of order.
- 10.5 **Appeal - immediate**  
Unless a Member immediately appeals the ruling of the Chair, the ruling of the Chair on the point of order shall be final.
- 10.6 **Appeal - procedure**  
If the ruling is appealed, the appeal procedure set out in Section 12.0 shall be followed.
- 10.7 **Point of Order dealt with - debate to resume**  
Once the point of order has been dealt with, the debate shall resume at the point it was before the point of order was raised unless the decision on the point of order has changed this procedure.
- 10.8 **Chair - decision final unless immediately appealed**  
The decision of the Chair shall be final, subject to an immediate appeal by a Member of Council.
- 10.9 **Decision appealed - Council ruling final**  
If the decision is appealed, the Chair shall give concise reasons for his ruling and Council, without debate, shall decide the question and the ruling of Council shall be final.

## PART 11

### 11.0 POINTS OF PRIVILEGE

- 11.1 **Point of Privilege - raising**  
When a Member desires to address the meeting upon a matter that concerns the rights or privileges of Council or Committee, as the case may be, or of a Member thereof, the Member shall be permitted to raise such point of privilege.
- 11.2 **Point of Privilege - precedence**  
A point of privilege shall take precedence over other matters except for points of order and motions to adjourn.
- 11.3 **Member called to order - stop speaking - resumes floor after decision dealt with**  
When a Member is called to order by the Chair so that a point of privilege can be dealt with, the Member shall stop speaking until the point of privilege has been dealt with, after which such Member shall be entitled to resume the floor and continue speaking unless the decision on the point of privilege requires the procedures to be changed.

## PART 12

### 12.0 RULES OF APPEAL

- 12.1 **Chair presides - ruling of points of order/privilege**  
The Chair shall preside over the conduct of the meeting including the preservation of good order and decorum, ruling on points of order, points of privilege, points of information and ruling on all questions relating to the procedure of the meeting.
- 12.2 **Ruling of Chair - subject to appeal**  
Any ruling of the Chair is subject to an appeal to the Members by a Member.

- 12.3 **Member appealing - member to state reason - Chair may make indications**  
If an appeal is made by a Member for a ruling of the Chair, the Member appealing shall, after announcing the appeal, state the reasons for such appeal and the Chair may then indicate why the appeal should be rejected and the Chair's ruling upheld.
- 12.4 **Member vote - without debate**  
Without debate on the appeal, the Members by roll call shall then vote on the appeal.
- 12.5 **Appeal upheld - Appeal rejected**  
If the appeal is upheld, then the Chair shall change his/her ruling accordingly; if the appeal is rejected the Chair's ruling stands.

### PART 13

#### 13.0 MOTIONS – ORDER – PUTTING MOTIONS

- 13.1 **Motion – filed with Clerk**  
A Member of Council may file a motion to be placed on the agenda with the Clerk no later than 12:00 noon on the Thursday prior to the regular Council meeting, as deemed appropriate.
- 13.2 **Notice of Motion – filed with Clerk-before meeting**  
A Member of Council may file a Notice of Motion with the Clerk, to be noted on the agenda, of which will be deliberated at the next regular Council meeting.
- 13.3 **Notice of Motion - filed with the Clerk - at meeting**  
A Notice of Motion in writing may also be received by the Clerk prior to the closing of the meeting and in this event the Chair or other presiding officer or the Clerk shall read the Notice of Motion and it shall be duly recorded in the minutes and shall form part of the Agenda for the subsequent meeting.
- 13.4 **Motion - not on Agenda - not presented**  
A motion not on the Agenda shall not be presented without the prior notice required under this section.
- 13.5 **Suspend notice - without prior notice - resolution passed by 2/3 of Council**  
Notwithstanding section 13.4, any motion may be introduced without notice, if Council/Committee dispenses with such notice by resolution passed by 2/3 of the members present.
- 13.6 **Notice of Motion - no mover or seconder required - until debate**  
The presentation of a Notice of Motion does not require a mover or a seconder until it comes before a meeting for debate.
- 13.7 **Notice of Motion - prior notice received - moved and seconded at meeting**  
A motion for which notice was given in accordance with this by-law must be moved and seconded at the meeting on which it appears on the Agenda for debate.
- 13.8 **Notice of motion - presented on appropriate form**  
A Notice of Motion must be presented in the appropriate motion format on the appropriate municipal form.
- 13.9 **Motion – moved and seconded before debate**  
Motions of Council shall be moved, seconded and be received by the Chair before being debated or put to a vote.
- 13.10 **Withdrawal – before put – requirement**  
Every motion shall be deemed to be in the possession of Council for debate after it is accepted by the Chair, but may be withdrawn with the joint support of the mover and seconder at any time before the question is put to a vote

**13.11 Calling the Question**

After a question is finally put by the Chair, no Member shall speak to the question, nor shall any other motion be made until after the vote is taken and the result has been declared.

**13.12 Decision – voting**

The manner of determining the decision of the Council or Committee of Council on a motion shall be at the discretion of the Chair and shall be by a show of hands, unless stated by the Chair and any motion shall require votes from a majority of the Members present in order to be valid and binding on Council or Committees of Council.

**13.13 Motion under debate – other motions permitted**

When a motion is under debate, no other motion shall be in order except a motion:

- a) to adjourn;
- b) to proceed beyond the hour of 11:00 p.m.;
- c) to lay on the table (to set a motion aside temporarily in order to take up a more pressing matter);
- d) to put the question (to close the debate);
- e) to postpone (defer);
- f) to refer; or
- g) to amend.

**13.14 Motion to adjourn – qualifications**

A motion to adjourn shall:

- a) not be amended;
- b) not be debated;
- c) always be in order, except when a member is speaking or the members are voting.

**13.15 Adjournment – 11:00 p.m.**

All Regular Council and Standing Committee meetings shall stand adjourned when the Council has completed the business as listed on the Agenda, or upon the arrival of the hour of 11:00 p.m.

**13.16 Adjournment – extensions – reconvene – subsequent Council Meeting**

If other business on the Agenda is not completed after an extension or extensions, the meeting(s) shall reconvene at 7:00 p.m. on the subsequent regular Council Meeting or on another day and time as agreed upon by Council by majority vote.

**13.17 Motion to proceed beyond 11:00 p.m. – qualifications**

A motion to proceed beyond the hour of 11:00 p.m. shall:

- a) not be amended;
- b) not be debated; and
- c) always be in order, except when a Member is speaking or the Members are voting

**13.18 Motion to proceed past midnight – qualifications**

A motion to proceed past midnight and each hour thereafter shall:

- a) not be amended;
- b) not be debated;
- c) always be in order, except when a member is speaking or the Members are voting;  
and
- d) shall require a unanimous vote of those Members present or the meeting shall automatically be adjourned.

**13.19 Motion to lay on the table – qualifications**

A motion to lay on the table a particular matter removes the subject from consideration until Council votes to take from the table. A matter can be tabled for a specific period of time or tabled indefinitely. A motion to take from the table is required to bring the matter back before Council for consideration. A motion to lay on the table shall:

- a) not be amended;
- b) not be debated; and
- c) apply to the main motion and any amendments thereto under debate at the time when the motion to set aside the pending motion was made.

**13.20 Motion to postpone (defer) – to certain time – procedure**

A motion to postpone (defer) is used to postpone discussion for a certain period of time. A motion to postpone (defer) a matter to a certain time shall:

- a) be open to debate; however, the debate must be limited to the advisability of the proposed postponement;
- b) be amendable.

**13.21 Motion to refer – qualifications**

A motion to refer is used to give closer study of the subject. It is used to require a committee or staff to examine the matter under consideration in greater detail. A motion to refer a matter should include the name of the committee or official, etc. to whom the matter is to be referred and instructions respecting the terms upon which the matter is to be referred, and, shall:

- a) be debatable (debate restricted to the pros and cons of making the referral);
- b) be amendable; and
- c) preclude amendment or debate of the preceding motion, unless the motion to refer is resolved in the negative, in which case the preceding motion shall be open to debate and amendment.

**13.22 Motion to amend – qualifications**

A motion to amend, add to, delete from, or substitute words in the main motion, shall:

- a) be open to debate;
- b) not propose a direct negative to the main motion; and
- c) be relevant to the main motion.

**13.23 Motion to amend – main motion – one at a time**

Only one motion to amend the main motion shall be allowed at one time.

**13.24 Motion – not within jurisdiction – not in order**

A motion relating to a matter not within the jurisdiction of the Council is not in order and shall not be entertained by the Chair.



**PART 14**

**14.0 VOTING**

**14.1 Request – call the question – decision – Mayor**

A Member of Council may request that the Mayor or Chair “call the question” and the Mayor or Chair may accept or deny the request. Unless a Member immediately appeals the decision to the Council, the decision of the Mayor or Chair shall be final.

**14.2 Amendment – to amendment – voted on first**

A motion to amend an amendment to a motion shall be voted on first.

**14.3 Voting – order**

Voting on the main motion and amending motions shall be conducted in the following order:

- a) a motion to amend a motion to amend the main motion;
- b) a motion, as amended, to amend the main motion; and
- c) the main motion, as amended.

**14.4 Motion to vote – immediately – after all have spoken**

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

**14.5 Speaking – after motion – before vote announced**

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.

**14.6 Mandatory vote – all members – exception**

Every Member present shall vote on every motion unless the Member has declared a pecuniary interest in the matter. The Chair’s declaration of the vote shall be deemed to reflect how he/she voted on the motion.

**14.7 No vote – deemed negative – exception**

Notwithstanding the provisions of Section 14.6 of this by-law, every Member who is not disqualified from voting by reason of a declared pecuniary interest shall be deemed to be voting against the motion if he/she declines or abstains from voting.

**14.8 Secret voting – prohibited - except for provision of Municipal Act**

No vote shall be taken by Council by ballot or by any other method of secret voting and every vote so taken is of no effect, except as provided by Section 233(5) of the Municipal Act, 2001, c. 25 as amended whereby the Head of Council may be appointed by secret ballot.

**14.9 Result – announced – by Mayor**

The Mayor or Chair shall announce the result of every vote taken as either Carried or Defeated.

**14.10 Tie vote – deemed defeated**

When a vote is taken and a tie results, the motion is deemed to be defeated.

**14.11 Recorded vote – required – when called for**

A recorded vote shall be taken when called for by any Member or when required by law. The Clerk shall call upon each Member of Council entitled to vote on the motion, to answer “Yea or Nay”.

**14.12 Recorded vote – called for – before/after – vote**

A Member may call for a recorded vote immediately prior to or immediately after the taking of the vote.

**14.13 Recorded vote – names – entered in minutes**

When a recorded vote is taken, the names of the Members of Council who voted in support and those who voted in opposition to the motion shall be entered in the minutes.

**14.14 Recorded vote – all members to vote – exception**

All Members present shall vote when a recorded vote is called for, except when they have been disqualified from voting by reason of a declared conflict or pecuniary interest.

**14.15 Voting – numbers of members – calculation**

In any vote required of the whole Council, the number of Members constituting the Council shall be determined by excluding:

- a) the number of Members who are present at the meeting but who are excluded from voting by reason of the Municipal Conflict of Interest Act, R.S.O. 1990, cM.50, as amended, and any successor legislation thereto.

**14.16 Opposition – support – not recorded in Minutes – exception**

The Clerk shall not note dissenting votes in the Minutes, unless a request has been made by a Member of Council for a recorded vote.

**PART 15**

**15.0 RECONSIDERATION**

**15.1 Introduction – by majority voter**

A motion to reconsider a decided matter shall only be moved by the Member who voted with the majority on the original motion.

**15.2 Reconsideration – 2/3 vote – whole Council required**

A motion to reconsider a decided matter at the same meeting shall require the approval of two-thirds support of the whole Council.

**15.3 Reconsideration – subsequent meeting**

A motion to reconsider a decided matter at a subsequent meeting shall require the approval of a majority of Council.

**15.4 Reconsideration – qualifications**

A motion to reconsider:

- a) is not debatable;
- b) is not amendable
- c) cannot be considered if the action approved in the motion cannot be reversed;
- d) suspends action on the motion to which it applies until it has been decided.

**15.5 Members – responsible – determination – how voted**

Each Member of Council shall be responsible for making a determination on how the Member voted on a specific matter. The Clerk shall not record or note in the minutes how a Member votes unless a request for a recorded vote has been made.

**15.6 Reconsideration – once – twelve months**

No motion shall be reconsidered more than once during a period of twelve months following the date on which the question was decided.

**15.7 Debate – prohibited – statement of reason – permitted**

No debate on a motion to reconsider a decided matter shall be permitted; however the mover of a motion may give notice at the next Regular Meeting of Council and may provide or may make a brief and concise statement outlining the reasons for proposing

such reconsideration.

**15.8 Affirmative vote – original matter – next business**

If a motion to reconsider is decided in the affirmative, then consideration of the original matter shall become the next order of business.

**15.9 Succeeding Council – not reconsideration**

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

**PART 16**

**16.0 PETITIONS - DELEGATIONS**

**16.1 Appearance – before Council – written request – spokesperson**

Any person desiring to be heard must submit to the Clerk a request in writing and signed, stating the purpose of the deputation, not later than 12:00 noon on the Thursday preceding the Council Meeting. Only one spokesperson shall speak on behalf of a delegation to Council.

**16.2 Delegations – not on Agenda - to be included on subsequent Agenda**

Following the preparation of the agenda, any person, desiring to be heard on an item or subject already listed on a Council or Committee of Council agenda, must submit a request in writing and signed stating the Agenda item he or she wishes to speak on and that delegation shall be included on the subsequent Council or Committee Agenda.

**16.3 Business – stated – related to**

Persons addressing Council or a Committee of Council shall confine their remarks to the stated business.

**16.4 Delegation – time limit**

Deputations shall limit their presentations to not more than ten (10) minutes, and successive extensions of five minutes may be granted by approval of the Mayor or Chair. Persons requesting to appear before Council or a Committee of Council shall be advised by the Mayor or Chair of the time limitation in advance of their presentation.

**16.5 Appearance – before Council – copy of presentation**

Persons appearing before Council shall provide a copy of their presentation to the Clerk at the meeting and the Clerk shall retain a copy of the presentation for an appropriate period of time.

**16.6 Curtail – delegation – reason**

The Mayor or Chair may curtail any delegation, any questions of a delegation or debate during the presentation, for disorder or other breach of this by-law and if the Mayor or Chair rules that the delegation is concluded, the person or persons appearing shall withdraw from the delegation table.

**16.7 Limit – Deputations - Council Meetings - emergency nature**

No more than two deputations shall be scheduled for any one Council Meeting unless otherwise approved by the Mayor or Chair, or unless the matter is considered by the Mayor or Chair to be of an emergency/urgent nature.

**PART 17**

**17.0 PETITIONS – COMMUNICATIONS**

**17.1 Presentation – information – legibly written – signed**

Every communication or petition intended for presentation to Council shall be legibly written or printed and shall be signed by at least one person giving his/her address.

- 17.2 **Material – distribute to Council – prohibited – unless authorized**  
No person, except a Member of Council or authorized staff shall, before a Meeting of Council, place on the desks of Members or otherwise distribute any material whatever unless such person is acting with the approval of the Clerk.
- 17.3 **Listed – under New Business**  
The Clerk shall list under New Business only those communications and petitions which pertain to matters of Council business.
- 17.4 **Language – obscene – defamatory – prohibited**  
Communications or petitions containing obscene or defamatory language shall not be listed on the Agenda, but shall be directed to the Clerk.

## PART 18

### 18.0 ADOPTION OF MINUTES

- 18.1 **Minutes - Council meeting - previous meeting - changes**  
During the adoption of the Minutes of a previous Meeting of Council, no changes can be made in the action taken by Council at the previous meeting; only changes in the form of errors and omissions and recording of any action taken at the previous meeting may be made in adopting the Minutes.
- 18.2 **Minutes - Committees - changes**  
During the adoption of the Minutes of a Committee Meeting any Council Member may discuss any items mentioned in the Committee Minutes; and Council may, by resolution, change any action taken or not taken by the Committee; and changes in the form of errors and omissions in the recording of any action taken at the Committee Meeting may be made in the adopting of the Minutes.
- 18.3 **Minutes - Council/Committee - available to public**  
Minutes of Council or Committee Meetings shall be available to the public once they have been adopted by Council at the subsequent Council Meeting.

## PART 19

### 19.0 COMMITTEE MINUTES

- 19.1 **Minutes – completed – Committee recommendations**  
Minutes of Committees of Council shall be listed in the Section on the Agenda designated for Reports from Committees for the next Regular Council Meeting following the Committee Meeting and the Minutes shall include all of the recommendations made at the Committee Meetings.
- 19.2 **Minutes – adopted – confirmed – by motion of Council**  
Minutes of each Committee may be adopted by Council in a single motion and the passage of such a motion shall be taken to confirm and adopt all of the resolutions contained in the Minutes, except for those resolutions dealt with or voted on separately.
- 19.3 **Resolutions – pulled – vote on separately – notification**  
The Clerk or his/her designate, requires notification from Councillors on any Committee resolutions that are to be pulled from the Minutes and voted on separately by Council, no later than 10:00 a.m. on the day of the Council Meeting.

## PART 20

### 20.0 REPORTS FROM MUNICIPAL OFFICERS

#### 20.1 **Reports – signatures required**

Reports from Municipal Officers must be signed by the writer. The signatures are required from the writer, Manager and the Clerk-Treasurer.

#### 20.2 **Reports – deadline – submitted to Clerk and Mayor – approval**

Reports must be submitted to the Clerk and thereafter the Mayor no later than 12:00 noon on the Thursday before the Council Meeting for approval and signature of the Clerk and approval of the Mayor.

#### 20.3 **Reports – urgent matter – exception**

Should an urgent matter arise where a report needs to be presented to Council for approval and the deadline has passed, the approval of the Mayor and Clerk is required before the Report can be placed before Council.

## PART 21

### 21.0 ENACTMENT OF BY-LAWS

#### 21.1 **By-laws – introduced**

By-laws shall be introduced in the Section on the Agenda designated for Action Letters.

#### 21.2 **Reading – 3 – required – before enactment**

Every By-law shall receive First Reading, Second Reading and Third Reading by Council before being enacted, unless provided otherwise by law.

#### 21.3 **Introduction – same motion – First Reading**

All the By-laws may be introduced in the same motion, duly moved and seconded, specifying the number and title of the By-law, giving them a First Reading, with no debate. Debate on amendments to the By-law may take place after the reading of the Motion of Second and Third Reading.

#### 21.4 **By-law – introduced – final form**

Every By-law introduced at a Council meeting shall be in its final form and contain no blanks, except such as may be required to conform to accepted procedure or to comply with the provisions of any Act.

#### 21.5 **Councillor – Pecuniary Interest – By-law**

If a Member of Council has a pecuniary interest on a By-law, the Clerk shall note in the Minutes the Member of Council and the cause of the particulars of the disclosure.

#### 21.6 **Draft by-law – Standing Committee**

A draft By-law may be presented in writing to Council at a Council Meeting for discussion and amendments if required, or to an Advisory Committee for discussion and amendments if required, prior to its passing at a Council meeting.

#### 21.7 **By-law – enacted – Council**

Every By-law enacted by the Council shall be numbered and shall be signed by the Mayor and Clerk, sealed with the seal of the Corporation and shall show the dates of the three readings by the Council. The Clerk shall ensure that the By-law is properly stored for safekeeping.

#### 21.8 **By-law – Clerk – safekeeping**

Every By-law enacted by Council shall be deposited with the Clerk for safekeeping.

**PART 22**

**22.0 STANDING COMMITTEES - MEETINGS**

**22.1 Standing/Advisory Committees – composition**

There shall be the following Standing Committees of Council.

- 1) Committee of Adjustment
- 2) Recreation Committee

**22.2 Standing Committees – mandate - schedule “A”**

Schedule “A” (attached) sets out the mandate for each committee.

**22.3 Meeting – special – called by Chair**

Special meetings of a Standing Committee may be called by the Chair whenever he/she considers it necessary.

**22.4 Chairs – members – appointment – procedure**

The Chair and Members of the Standing Committees shall be appointed by the Mayor at the Inaugural Meeting in each term of Council of a regular municipal election year or at the 1<sup>st</sup> regular meeting of Council thereafter.

**22.5 Mayor – member – ex-officio – all standing committees**

The Mayor shall be ex officio, a Member of all standing committees and entitled to vote and to make motions and amendments.

**22.6 Procedure – modifications**

The rules governing the procedure of the Council and the conduct of its members shall be observed in all Standing Committee meetings, with the necessary modifications, except that:

- 1) motions do not require a seconder;
- 2) a Member shall not speak more than once to a motion until every Member who desires to speak has spoken once;

**22.7 Points of order – decision by Chair**

Points of order arising in Standing Committee shall be decided by the Chair, subject to an appeal by a Member of the Committee.

**22.8 Standing Committee – recommendations – to Council**

Each Standing Committee may make recommendations to Council by Report of the Standing Committee at the next regular Council meeting, unless otherwise decided.

**22.9 Minutes – kept – report to Council**

Minutes of Standing Committees shall be kept and the proceedings shall be recorded in the form of recommendations voted upon by the members.

**22.10 Agenda – distribution – deemed notice**

The Agendas shall be deemed notice of regular Standing Committee meetings.

**22.11 Agenda – distribution**

The Chair, through the Clerk or his/her delegate (Recording Secretary), shall cause to be delivered to each Member of Council and Committee Member an Agenda for each Standing Committee in accordance with Section 5.2.

**22.12 Agenda – not received – validity – not affected**

Lack of receipt of the Agenda by the Members shall not affect the validity of the Standing Committee Meeting or any action lawfully taken thereat.

**PART 23**

**23.0 AD-HOC COMMITTEES**

**23.1 Ad – Hoc Committees – composition – mandate**

Ad-Hoc Committees may be established by Council from time to time for consideration of specific matters within the jurisdiction of the Council. When Council establishes an Ad-Hoc Committee a mandate for the Committee, as well as the composition shall be adopted. The resolution appointing the Ad-Hoc Committee shall include the name of the Ad-Hoc Committee and a sunset provision being the date by which the Committee must report back to Council and will cease to exist. If an Ad-Hoc Committee requires extra time the Chair must come back to Council requesting the additional time needed.

**23.2 Chairs – Vice Chairs – appointment – procedure**

The Chairs and Vice-Chairs shall be determined and appointed by the Mayor.

**23.3 Mayor – member – ex officio – Ad-Hoc Committees**

The Mayor shall be ex-officio, a Member of Ad-Hoc Committees and entitled to vote and to make motions and amendments.

**23.4 Meetings – regular – exception**

Ad-Hoc Committees shall meet in accordance with the meeting schedule established by the Ad-Hoc Committee at a location to be determined by the Chair.

**23.5 Meetings – special – called by Chair**

Special meetings of Ad-Hoc Committees may be called by the Chair whenever he/she considers it necessary.

**23.6 Motions – procedure**

Motions do not require a seconder.

**23.7 Agenda – distribution**

The Chair shall determine the method and manner of distribution of the Agendas for Special Purpose Committees.

**23.8 Agenda – not received – validity – not affected**

Lack of receipt of the Agenda by the Members shall not affect the validity of the Meeting or any action lawfully taken thereat.

**PART 24**

**24.0 DISCLOSURE OF PECUNIARY/CONFLICT OF INTEREST**

**24.1 Provision of Matters**

- 1) Members of Council are bound by the provisions of the Act and have personal responsibilities and duties.
- 2) The Clerk shall provide each Member of Council with a copy of the Act prior to being sworn into Office.
- 3) A Member who knows that he or she will be declaring a pecuniary/conflict of interest at an upcoming Meeting should notify the Clerk prior to the Meeting, and
- 4) Each Member of Council and Local Board has an individual responsibility to satisfy himself/herself as to whether he/she has a pecuniary/conflict of interest in accordance with the legislation. No Member of Council or Local Board shall seek specific advice from any member of the municipal administration.

**PART 25**

**25.0 CONTENTS OF BY-LAW**

**25.1 Standing and Advisory Committees**

The contents of this By-law, which are applicable, shall apply to all Standing Committees of Council and Advisory Committees of Council.

**PART 26**

**26.0 AMENDMENT TO THIS BY-LAW**

**26.1 Procedure suspended – majority of members**

Any procedure required by this By-law may be suspended for the duration of the Meeting with the consent of a majority of the Members of the Council or Committee of Council present.

**26.2 Notice – no amendment or repeal**

No amendment or repeal of this By-law or any part thereof shall be considered at any Meeting of the Council unless notice or proposed amendment or repeal has been given at a previous Regular Meeting of the Council and the waiving of this notice by the Council is prohibited. A motion adding or dissolving a Committee passed at the preceding Regular Council Meeting is of sufficient notice.

**26.3 “Notice of Provisions” – published in local publication**

In accordance with the “Notice of Provisions” in the new Municipal Act, 2001, c.25, s. 251, as amended, no amendment or repeal of this By-law shall take place until notice is published in the local newspaper, within fourteen (14) days prior to the proposed action being taken.

**26.4 Proposed By-law – deferred – notice**

If the proposed By-law is not passed at the Council Meeting specified in the notice, but consideration of the matter is deferred, no further notice is required. This also applies to any further deferrals of the matter.

**PART 27**

**27.0 SEVERABILITY**

**27.1 Validity – By-law**

Should any section, subsection, clause, paragraph or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the provisions so declared to be invalid.

**PART 28**

**28.0 REPEAL OF PREVIOUS BY-LAW & AMENDMENTS**

**28.1 By-law – previous**

By-law 2003-023 is hereby repealed.



**PART 29**

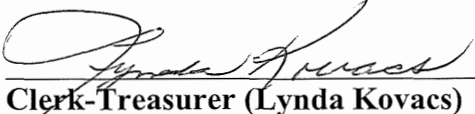
29.0 **ENACTMENT**

**Take Force and Effect**


This By-law shall take full force and effect on the final date of passing thereof.

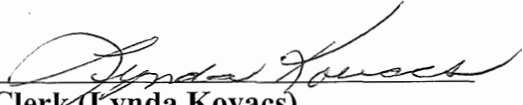
**READ** a first time this 22<sup>nd</sup> day of APRIL, 2008.

  
\_\_\_\_\_  
Mayor (Wayne Brown)

  
\_\_\_\_\_  
Clerk-Treasurer (Lynda Kovacs)

**READ** a second and third time and finally passed this 22<sup>nd</sup> day of APRIL, 2008.

  
\_\_\_\_\_  
Mayor (Wayne Brown)

  
\_\_\_\_\_  
Clerk (Lynda Kovacs)