



CANTON / TOWNSHIP  
ALFRED AND PLANTAGENET

**PROCEDURE BY-LAW 2021-45**

TABLE OF CONTENTS

.....4

**PART I—INTERPRETATION .....4**

1. RULES OF PROCEDURE .....4

2. DEFINITIONS .....4

**PART II—DUTIES OF THE MAYOR AND OF THE MEMBERS .....7**

3. MAYOR’S DUTIES.....7

4. PARTICIPATION OF THE MAYOR IN DEBATE.....8

5. DUTIES OF MEMBERS .....8

6. INDIVIDUAL AUTHORITY—NOT PROVIDED.....9

7. ESTABLISHED POLICIES—MEMBERS—RESPECT .....9

8. COUNCIL LIAISON WITH CHIEF ADMINISTRATIVE OFFICER .....9

9. INFORMATION—BY STAFF—MEMBERS OF COUNCIL.....9

10. QUESTIONS—OPERATIONAL CONCERNS—COMPLAINTS.....9

11. JUSTIFICATION OF ABSENCE .....9

**PART III—COUNCIL MEETINGS.....9**

12. INAUGURAL MEETING .....9

13. REGULAR MEETINGS .....9

14. SPECIAL MEETINGS .....10

15. PLACE OF MEETING .....10

16. SEATING AT THE COUNCIL TABLE .....10

17. ORIENTATION MEETING .....10

18. MEETINGS OPEN TO PUBLIC .....11

19. CLOSED SESSION (IN CAMERA) MEETINGS.....11

20. COUNCIL RESPONSE—CLOSED SESSION (IN CAMERA) MEETINGS .....12

21. ENQUIRIES AND ANSWERS.....13

22. COMMENCEMENT OF MEETING .....13

23. ABSENCE OF MAYOR.....13

24. NO QUORUM AT BEGINNING OF MEETING.....13

25. UNFINISHED BUSINESS—QUORUM LOST .....14

26. COUNCIL CHAMBERS.....14

27. LEAVING CHAMBERS ON ADJOURNMENT.....14

**PART IV—MEMBERSHIP ON COUNCIL .....14**

28. DECLARATION OF OFFICE.....14

**PART V—INAUGURAL MEETING .....15**

29. AGENDA.....15

**PART VI—ORDER OF PROCEEDINGS—AGENDA AND MINUTES .....15**

30. AGENDA IN COUNCIL .....15

31. DELIVERY OF AGENDA .....17

32. ADDITION TO THE AGENDA AFTER PUBLICATION .....17

33. MINUTES.....17

34. DELEGATIONS.....18

35. QUESTIONS .....18

**PART VII—RULES OF CONDUCT AND DEBATE .....19**

|                                                       |                                                  |           |
|-------------------------------------------------------|--------------------------------------------------|-----------|
| 36.                                                   | ADDRESS THE MAYOR .....                          | 19        |
| 37.                                                   | ORDER OF SPEAKING .....                          | 19        |
| 38.                                                   | RULES OF CONDUCT AND DEBATE .....                | 19        |
| 39.                                                   | PRIVILEGE .....                                  | 19        |
| 40.                                                   | POINT OF ORDER .....                             | 20        |
| 41.                                                   | MEMBERS SPEAKING .....                           | 20        |
| 42.                                                   | QUESTION READ .....                              | 20        |
| 43.                                                   | TIME LIMITED .....                               | 20        |
| 44.                                                   | QUESTION .....                                   | 20        |
| 45.                                                   | QUESTION PUT—NO FURTHER DEBATE .....             | 20        |
| <b>PART VIII—VOTING DURING COUNCIL MEETINGS .....</b> |                                                  | <b>21</b> |
| 46.                                                   | ALL MEMBERS VOTE .....                           | 21        |
| 47.                                                   | UNRECORDED VOTE .....                            | 21        |
| 48.                                                   | SEVERABILITY OF QUESTION .....                   | 21        |
| 49.                                                   | RECORDED VOTE .....                              | 21        |
| 50.                                                   | DISPUTING VOTE .....                             | 21        |
| 51.                                                   | TIE VOTE .....                                   | 21        |
| 52.                                                   | VOTING .....                                     | 21        |
| 53.                                                   | DISCLOSURE OF PECUNIARY INTEREST .....           | 21        |
| <b>PART IX—COMMITTEE OF THE WHOLE .....</b>           |                                                  | <b>22</b> |
| 54.                                                   | PROCEDURE .....                                  | 22        |
| 55.                                                   | COMMITTEE OF THE WHOLE .....                     | 22        |
| 56.                                                   | AGENDA—COMMITTEE OF THE WHOLE .....              | 23        |
| <b>PART X—RESOLUTIONS AND MOTIONS .....</b>           |                                                  | <b>24</b> |
| 57.                                                   | READING .....                                    | 24        |
| 58.                                                   | WITHDRAWAL .....                                 | 24        |
| 59.                                                   | NO DEBATE UNTIL READ .....                       | 24        |
| 60.                                                   | MOTIONS RULED OUT OF ORDER .....                 | 24        |
| 61.                                                   | MOTIONS .....                                    | 24        |
| 62.                                                   | ORDER OF CONSIDERATION .....                     | 25        |
| 63.                                                   | AMENDMENT .....                                  | 25        |
| 64.                                                   | THE QUESTION NOW BE PUT .....                    | 26        |
| 65.                                                   | MOTION TO REFER .....                            | 26        |
| 66.                                                   | MOTION TO LAY ON THE TABLE .....                 | 26        |
| 67.                                                   | MOTION TO POSTPONE OR DEFER .....                | 26        |
| 68.                                                   | NOTICE OF MOTION .....                           | 27        |
| 69.                                                   | DISPENSING WITH NOTICE .....                     | 27        |
| 70.                                                   | RECONSIDERATION .....                            | 27        |
| 71.                                                   | MOTION TO ADJOURN .....                          | 27        |
| <b>PART XI – BY-LAWS .....</b>                        |                                                  | <b>27</b> |
| 72.                                                   | READING OF BY-LAWS AND RELATED PROCEEDINGS ..... | 27        |
| <b>PART XII—COMMITTEES .....</b>                      |                                                  | <b>28</b> |
| 73.                                                   | PROCEDURE .....                                  | 28        |
| 74.                                                   | ESTABLISHMENT/APPOINTMENT .....                  | 28        |

75. MAYOR EX OFFICIO.....28

76. COMMITTEE CHAIR .....28

77. COMPOSITION OF COMMITTEES.....28

78. TERMS OF REFERENCE.....29

79. QUORUM.....29

80. MEETINGS OF COMMITTEES.....29

81. GENERAL PROVISIONS FOR COMMITTEES .....30

82. JOINT COMMITTEE MEETINGS.....30

83. REPORTS OF COMMITTEES .....31

84. VACANCY ON COUNCIL .....31

85. VACANCY ON COMMITTEES AND BOARDS .....31

**PART XIII—GENERAL PROVISIONS .....32**

86. RECORDING EQUIPMENT .....32

87. NOTICE OF COUNCIL AND COMMITTEE MEETINGS .....32

88. EXECUTION OF DOCUMENTS .....32

89. ELECTRONIC PARTICIPATION.....32

90. REPEAL.....33

91. EFFECT .....33

92. SHORT TITLE.....33

**THE CORPORATION OF THE TOWNSHIP OF  
ALFRED AND PLANTAGENET**

**BY-LAW NO. 2021-45**

---

**A BY-LAW TO GOVERN THE PROCEEDINGS OF THE COUNCIL AND THE COMMITTEES OF THE TOWNSHIP OF ALFRED AND PLANTAGENET.**

**WHEREAS** pursuant to Section 238, Chapter 25, of the Municipal Act, 2001, every municipality shall pass a procedure by-law for governing the calling, place, proceedings and public notices of meetings;

**AND WHEREAS** it is necessary and expedient to make and establish rules and regulations for the conduct of its members and to set out certain standing policies to more efficiently transact the business of Township Council;

**AND WHEREAS** Council has from time to time enacted by-laws for the good order of Council and said by-laws have been amended from time to time as Council deemed it expedient;

**AND WHEREAS** Council shall also follow the regulations as set out within the Municipal Conflict of Interest Act, and the parliamentary authority of Robert's Rules of Order, latest edition;

**AND WHEREAS** Council now deems it expedient to pass a new by-law incorporating the original Rules of Procedure and all the amendments made thereto and to make further amendments as required;

**NOW THEREFORE BE IT ENACTED** by the Council of the Corporation of the Township of Alfred and Plantagenet that:

**PART I—INTERPRETATION**

**1. RULES OF PROCEDURE**

The proceedings of the Council and its Committees, the conduct of the Members and the calling of meetings will be governed by the provisions of the Act and the rules and regulations contained in this By-law, and, except as provided herein, the rules of parliamentary procedure as contained in the Robert's Rules of Order.

- (1) Notwithstanding subsection (1) hereof, the rules and regulations contained in this By-law may be suspended by a two-thirds vote of the Council.
- (2) The majority of the Council shall decide on all points of order not provided for herein and their decision on such points will be the Rules of Procedure for similar cases in the future.

**2. DEFINITIONS**

**“Abstention”** shall mean a refusal to vote either for or against a proposal;

**“Act”** shall mean the Municipal Act, 2001, as amended from time to time;

**“Acting Mayor”** shall mean the Member of Council appointed, under the By-law to act, from time to time in the place and instead of the Mayor;

**“Ad Hoc Committee”** shall mean a special purpose committee of limited duration, created by Council to enquire into and report on a particular matter or concern and which dissolves automatically upon submitting its final report unless otherwise directed by Council;

**“Advisory Committee”** shall mean a committee appointed by Council to act in an advisory capacity to Council on operational and strategic issues during the full term of Council;

**“Chair”** shall mean the Mayor or the Acting Mayor or Chairperson at the meeting;

**“Chief Administrative Officer”** shall mean the Chief Administrative Officer referred to in Section 229 of the Municipal Act, 2001;

**“Clerk”** shall mean the position appointed pursuant to Section 228 of the Municipal Act, 2001;

**“Committee”** shall mean a committee of Council and includes Standing Committees, Joint Committees, Ad Hoc Committees and Advisory Committees;

**“Committee Chair”** shall mean the Chair of Standing Advisory Committee appointed by Council;

**“Committee of the Whole”** shall mean all the members presently sitting on Council;

**“Council”** shall mean the Council of the Corporation of the Township of Alfred and Plantagenet, comprised of the Mayor and six (6) Councillors;

**“Debate”** shall mean a discussion to put forth reasons for or against, in which a difference of opinion is expressed;

**“Closed Session-In Camera”** shall mean a meeting, or portion of a meeting closed to the general public;

**“Joint Committee”** means a committee whose members are from two or more different organizations;

**“Local Board”** shall mean a public service board or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purpose of one or more municipalities, excluding a school board, a conservation authority, a public library board and a police services board;

**“Mayor”** shall mean the Head of Council;

**“Meeting”** shall mean any regular, special or other meeting of a Council, of a local board or of a committee of either of them, where:

- a) a quorum of members is present, and
- b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee.

**“Member”** shall mean a member of Council;

**“Motion to Receive and File”** shall mean a motion which is made for the purpose of acknowledging the particular item, report or recommendation under consideration, and of having the item, report or recommendation placed in the records of the Clerk for future reference, with no additional action being taken at that time;

**“Motion (Substantive or Main)”** shall mean an independent motion complete in itself. A Substantive or Main Motion is a motion to bring before the council any particular subject; it cannot be made when any other question is on the floor; it takes precedence over no other motions;

**“Motion (Subsidiary or Secondary)”** shall mean one which affects the disposition of a substantive or main motion, by bringing it to an immediate vote, by delaying or by deferring a decision thereon.

**To Lay on the Table:** If there is a reason for the council to lay the main motion aside temporarily without setting a time for resuming its consideration, but with the provision that it can be taken up again whenever a majority so decides, this can be proposed by the motion To Lay on the Table.

**To Move the Question:** If it is desired to close debate of a motion or pending motion so that it will come to an immediate vote, this can be proposed by Moving the Question which shall be in the following words: “I move that the question now be put.”

**To Limit or Extend Limits of Debate:** If it is desired to continue consideration of a motion but debate is consuming too much time, a member can move to place a limit on the debate; on the other hand, if special circumstances make it advisable to permit more or longer speeches than under the normal rules, a motion to do so can be made; or, it may sometimes be desirable to combine the elements of limitation and extension, as in limiting the length of speeches but allowing more speeches per member. All such modifications of the normal limits of debate on a pending motion are proposed by means of the motion to Limit or Extend Limits of Debate.

**To Postpone to a Certain Time, Postpone Definitely, Postpone:** If the assembly might prefer to consider the main motion later in the same meeting or at another meeting, this can be proposed by moving to Postpone Definitely or simply to Postpone.

**To Commit or To Refer:** If may be that much time would be required to amend the main motion properly, or that additional information is needed, so that it would be better to turn the motion or resolution over to a committee for study or redrafting before the assembly considers it further. Such action can be proposed by moving to Commit the main question or Refer it to a committee.

**To Amend:** If a main motion might be more suitable or acceptable in an altered form, a proposal to change its wording (either to clarify or, within limits, to modify the meaning) before the main motion is voted on can be introduced by moving to Amend.

**“Notice of Motion”** shall mean a written notice, including the names of the mover and seconder, advising Council that the motion described therein will be brought at a subsequent meeting;

**“Municipality”** means a geographic area whose inhabitants are incorporated;

**“Pecuniary Interest”** shall include a direct or indirect pecuniary interest of a Member in accordance with the Municipal Conflict of Interest Act;

**“Personal Privilege”** shall mean the raising of a question which concerns a Member of Council, or the Council collectively, when a member believes that their rights, immunity or integrity or the rights, immunity or integrity of the Council as a whole have been impugned;

**“Point of Information”** shall mean a request directed to the Mayor, or through the Mayor to another Member or to the staff, for information relevant to the business at hand, but not related to a Point of Procedure;

**“Point of Order”** shall mean a statement made by a Member of Council during a meeting, drawing the attention of the Mayor to a breach of the Rules of Procedure;

**“Policy”** shall mean a set of general guidelines that outline the Township’s plan for addressing issues and that communicate the organization’s vision and its day-to-day operations;

**“Position or Opinion”** shall mean something believed or accepted as true by a person;

**“Presiding Member”** shall mean the Mayor or Acting Mayor or Chair of a meeting;

**“Procedural Motion”** shall mean any motion dealing strictly with procedure on treating and disposing of substantive main motions or on the procedure of Council, and without limiting the generality of the foregoing, includes, but is not limited to the following: motions to extend the time of a meeting, motions to refer, motions to amend, motions to table, motions to postpone, motions to adjourn recess, withdraw a motion, divide a motion, raise a point of order, appeal a decision of the Chair and suspend the rules;

**“Privileged Motion”** shall mean motions that don’t relate to the main motion or pending business but relate directly to the meeting generally. They are matters of such urgency that, without debate, they can interrupt the consideration of anything else. These motions are: to fix the time to which to adjourn, to adjourn, to recess, to raise a question of privilege or call for the order of the day;

**“Quorum”** shall mean a majority of Members of Council or Committee;

**“Recorded Vote”** shall mean the recording of the name and vote of every member voting on any matter or question;

**“Resolution”** shall mean a formal determination made by the Council or a Committee on the basis of a motion, duly placed before a regularly constituted meeting of the Council or a Committee for debate and decision, and duly passed;

**“Rules or Rules of Procedure”** shall mean the rules and regulations provided by this By-law;

**“Standing Committee”** shall mean such Committees of Council as are so designated by the Council by by-law or resolution;

**“Township”** shall mean the Corporation of the Township of Alfred and Plantagenet;

**“Two-thirds Vote”** shall mean the affirmative vote of at least two thirds of the Members present and eligible to vote.

## **PART II—DUTIES OF THE MAYOR AND OF THE MEMBERS**

### **3. MAYOR’S DUTIES**

- (1) It is the role of the Head of Council:
  - a) to act as Chief Executive Officer of the municipality;
  - b) to preside over Council meetings so that its business can be carried out efficiently and effectively;
  - c) to provide leadership to the Council and provide information/recommendations to Council with respect to the role of Council described in this Procedure By-law;
  - d) to represent the municipality at official functions; and
  - e) to carry out the duties of the Head of Council under this or any other Act;
- (2) It is the role of the Head of Council as Chief Executive Officer:
  - a) to uphold and promote the purposes of the municipality;
  - b) to promote public involvement in the municipality’s activities;
  - c) to act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally;

- d) to participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents;
- (3) Under the Rules of Procedure, it shall also be the duty of the Mayor as the Chair:
- a) to open the meeting of Council by taking the Chair and calling the members to order;
  - b) to receive and submit, in the proper manner, all motions presented by the members;
  - c) to put vote all questions, which are duly moved and seconded, and to announce the result;
  - d) to decline to put to vote, motions which infringe upon the Rules of Procedure or which are beyond the jurisdiction of Council;
  - e) to restrain the members, when engaged in debate, within the Rules of Procedure;
  - f) to enforce on all occasions, the observance of order and decorum by the members and any other person present in the Chamber;
  - g) to call by name, any member persisting in breach of the Rules of Procedure and to order him/her to vacate the Chamber in which the meeting is being held;
  - h) to authenticate by his/her signature, when necessary, all by-laws, resolutions and minutes of Council;
  - i) to inform the Council on any point of order as seems necessary;
  - j) to represent and support the Council, declaring its will and implicitly obeying its decision in all things;
  - k) to perform other duties when to do so by a resolution of Council;
  - l) If he/she considers it necessary because of grave disorder, to adjourn the sitting without the question being put, or suspend the sitting for a time to be specified by him/her;
  - m) to ensure that no person except a member, officer or employee of the corporation is permitted to enter upon the floor of the Chamber during the sittings of the Council without permission of the Chair or the Council.

#### **4. PARTICIPATION OF THE MAYOR IN DEBATE**

- (1) The Mayor may state relevant facts and his position in any matter before the Council without leaving the chair, but to move a motion or debate a question, he must first leave the chair.
- (2) If the Mayor desires to leave the chair to move a motion or to take part in the debate pursuant to subsection (1), or otherwise, the Mayor will call upon a member to preside until the issue is resolved.

#### **5. DUTIES OF MEMBERS**

It shall be the duty of a Member of Council to carry out the responsibilities set forth in the Municipal Act, 2001, Section 224 and:

- a) to represent the public and to consider the well-being and interests of the municipality;
- b) to develop and evaluate the policies and programs of the municipality;
- c) to determine which services the municipality provides;
- d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of the council;
- e) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- f) to maintain the financial integrity of the municipality;
- g) to deliberate on the business submitted to Council;
- h) to vote when a motion is put to a vote; and

- i) to respect the Rules of Procedure.

## **6. INDIVIDUAL AUTHORITY—NOT PROVIDED**

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

## **7. ESTABLISHED POLICIES—MEMBERS—RESPECT**

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

## **8. COUNCIL LIAISON WITH CHIEF ADMINISTRATIVE OFFICER**

- (1) The Chief Administrative Officer is the only employee that answers to the Council.
- (2) Council members will liaise with the Chief Administrative Officer.
- (3) All requests from any Member of Council concerning any administrative matter of the Corporation of the Township of Alfred and Plantagenet shall be directed to the Chief Administrative Officer for proper action.

## **9. INFORMATION—BY STAFF—MEMBERS OF COUNCIL**

Council members may request information from members of staff who have been assigned the responsibility of providing information, such as meeting times, copies of documents and information on standard operating procedures.

## **10. QUESTIONS—OPERATIONAL CONCERNS—COMPLAINTS**

Questions or issues surrounding operational concerns or complaints, excluding basic issues covered in section 9 shall be directed to the Chief Administrative Officer, who will then direct the questions or issues to the appropriate Department Head.

## **11. JUSTIFICATION OF ABSENCE**

Notice from members unable to attend a Council meeting shall be made directly to the Clerk's Office.

## **PART III—COUNCIL MEETINGS**

### **12. INAUGURAL MEETING**

- (1) In an election year, the inaugural meeting of the Council will be held on the first Tuesday in the month of December at 7:00 p.m., in the Township Administration Building or at such other dates as may be determined by resolution of Council.
- (2) At the first meeting in December of the new term of office, pursuant to Section 232 (1) of the Municipal Act, a member of Council shall not take his seat until he has taken the declaration of office in English or in French on the form established for that purpose.

### **13. REGULAR MEETINGS**

- (1) The regular meetings of the Council will be held on the first Tuesday of every month, at 7:00 p.m., except in the months of July where the regular meeting of Council will be held on the second Tuesday, and August, where the regular

meeting of Council will be held on the third Tuesday of the month, at 7:00 p.m. Meetings of Council shall be held at the Council Chambers in the Township Administration Building, unless otherwise decided upon by the majority of Council.

- (2) The date, place and time of the meeting may be changed by the Mayor, if extenuating circumstances exist.
- (3) Council may alter the date and/or time of a Council meeting provided that a notice of 48 hours (calculated on open days) is posted on the municipal Website. A Council meeting may also be cancelled within 24 hours in case of an emergency.

#### **14. SPECIAL MEETINGS**

- (1) A special meeting of the Council will be convened upon being summoned by the Mayor or upon receipt of the petition of the majority of the members of Council.
- (2) Upon receipt of the petition set out above, the Clerk shall summon a special meeting for the purpose(s) and at the time stated in the petition.
- (3) Notice setting forth the matters to be considered at such special meeting will be given to all members of Council either by regular or electronic mail, or as otherwise practical, not less than twenty-four hours in advance of the time fixed for the meeting, and the Clerk shall attempt to give such other notice of the meeting to the member by telephone or as otherwise practical within the circumstances.
- (4) The Council will not consider or decide on any matter not set forth in the notice calling the special meeting, without the consent, recorded in the minutes, of all of the Members of Council.
- (5) Notwithstanding this section, on urgent and extraordinary occasions, with the consent of two-thirds of all the members of Council, recorded in the minutes, an emergency special meeting of Council may be called by the Mayor without notice, to consider and deal with such urgent and extraordinary matter.

#### **15. PLACE OF MEETING**

All the meetings of the Council will be held in the Council Chamber in the Township Administration Building, 205 Old Highway 17, Plantagenet, Ontario unless otherwise decided upon by the majority of Council.

#### **16. SEATING AT THE COUNCIL TABLE**

Seating at the Council table will be in alphabetical order of members' surnames with the first member in the furthest seat of the Mayor's left.

#### **17. ORIENTATION MEETING**

An orientation meeting of the Council, shall be considered as an information meeting to newly elected members of Council in order to provide members with the general process of what an elected member could expect such as the inaugural meeting process, how many committees they may sit on as Council representatives and how that translates into meetings, process of a council meeting, protocol, dress codes, payroll and overview of the budget process.

## **18. MEETINGS OPEN TO PUBLIC**

All meetings shall be open to the public except as provided for in section 19. The Mayor may expel any person for improper conduct at a meeting.

## **19. CLOSED SESSION (IN CAMERA) MEETINGS**

- (1) Council may, by resolution, close a meeting or part of a meeting to members of the public if the subject matter being considered is:
  - a) the security of the property of the Township;
  - b) personal matters about identifiable individual, including Township employees;
  - c) a proposed or pending acquisition or disposition of land by the municipality;
  - d) labour relations or employee negotiations;
  - e) litigation or potential litigation, including matters before administrative tribunals;
  - f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - g) a matter in respect of which the Council may hold a closed meeting under another Act;
  - h) information explicitly supplied in confidence to the municipality or local board of Canada, a province or territory or a Crown agency of any of them;
  - i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
  - j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
  - k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
- (2) A meeting or part of a meeting 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, board, commission or other body is the head of an institution for the purpose of the Act; or
  - b) an ongoing investigation, respecting the municipality by the Ombudsman appointed under the Ombudsman Act, an Ombudsman or an investigator.
- (3) Educational or training sessions:

A meeting 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;
  - 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.
- (4) Before holding a meeting or part of a meeting that is closed to the public, the Council shall state by resolution the fact of the holding of the closed meeting and the general nature of the matter to be considered, including a closed meeting for educational or training purposes.
- (5) Where a meeting or part of a meeting is closed to the public, all persons not specifically invited to remain by the Council shall retire from the Chambers. When in closed session, no one shall leave and re-enter the meeting room without the approval of the Mayor or Committee Chairman.

- (6) A meeting shall not be closed to the public during the taking of a vote. However, a meeting may be closed to the public during a vote if:
  - a) subsection (1) or (2) permits or requires a meeting to be closed to the public; and
  - b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Township or persons retained by or under contract with the Township.
- (7) Section 239.1 of the Municipal Act 2001, permits a person to request an investigation of whether Council has complied with the requirements of the Municipal Act or this Procedure By-law governing a meeting or part of a meeting that was closed to the public.
- (8) Members are to ensure that confidential matters disclosed to them during closed meeting are kept confidential. Any member, who contravenes the confidentiality clause, may be subject, by majority vote of the Council, to penalties in accordance with section 20 of the Procedure By-law.
- (9) Upon resuming open session, the Chair shall state:
  - a) the matters which were considered and;
  - b) confirmation that no motions were carried in closed session other than procedural motions or directions to staff.
- (10) Where Council is in receipt of a report from the Ombudsman or an Investigator reporting his or her opinion that a meeting or part of a meeting appears to have been closed to the public contrary to the provisions of Section 239 of the Municipal Act, 2001 or the Council Procedural By-law, Council shall pass a resolution stating how it intends to address the report.

## **20. COUNCIL RESPONSE—CLOSED SESSION (IN CAMERA) MEETINGS**

- (1) The response of Council Members to enquiries about any matter dealt with during a Closed session-In Camera meeting, prior to it being reported publicly, shall be: the matter is still under advisement, no comment, or words to that effect.
- (2) Any violation of process to this regulation will result in exclusion of the offending Council Member, requiring a two-thirds vote, from future closed meetings of Council and that Member shall no longer be provided with correspondence, materials or information proposed to be dealt with by Members of Council at a closed meeting.
- (3) The determination of whether or not a violation of process to the closed meeting provisions of this By-law and the length of the exclusion from closed meetings, if so determined, shall be made by Council at a closed meeting and the issues shall be considered by Council prior to the affected Member being excluded from any closed meeting by a two-thirds vote. The results of Council's deliberation shall be reported out publicly.
- (4) If the purported violation of the process to the closed meeting provisions of this By-law by more than a Member is to be considered, a separate resolution of Council with respect to each affected member is to be considered.
- (5) Notwithstanding Section 20(1) and (4), the Member affected shall not be permitted to vote on a motion respecting his purported violation of the closed meeting provision of the procedural By-law, his exclusion from closed meetings, or the length of any such exclusion.

The release of any information about matters dealt with by Council at a closed meeting shall be made by the Mayor or his delegate only upon direction of the majority of Council.

- (6) Notwithstanding Section 20(3), unless Council by vote determines otherwise, upon the public disclosure of any report discussed In Camera, any individual Member may express their own personal position on the item, but shall not refer to or discuss the specific positions or opinions (written or verbal) of other Members or of staff.
- (7) Agendas or any items thereon for consideration by Council at a Closed Session (In Camera) meeting shall not be released to the public.
- (8) It is the obligation of each Member of Council to keep information confidential and this obligation continues even after the member ceases to be a Member of Council.

## **21. ENQUIRIES AND ANSWERS**

- (1) Any special enquiry made by a member at a meeting of the Council must be submitted in writing, signed by the member, and referred to the Chief Administrative Officer for response.
- (2) A response to such enquiry shall be provided in writing in accordance with the procedures under the Municipal Freedom of Information and Protection of Privacy Act, and distributed to all members of Council.
- (3) Should the request involve extraordinary staff research time and production costs, the Council shall be advised.

## **22. COMMENCEMENT OF MEETING**

As soon as there is quorum after the hour set for the meeting, the Mayor shall take the chair and call the members present to order.

## **23. ABSENCE OF MAYOR**

- (1) Should the Mayor not be in attendance within fifteen (15) minutes after the time fixed for a meeting, the Clerk shall call the members to order and a Presiding Officer will be appointed from among the members present and will preside until the arrival of the Mayor.
- (2) While presiding, the Presiding Officer will have the powers of the Mayor and will be so entitled to vote as a member.

## **24. NO QUORUM AT BEGINNING OF MEETING**

- (1) The quorum for a Council meeting is four (4) members of Council
- (2) If no quorum is present to enable a meeting to commence fifteen (15) minutes after the time fixed for a meeting of the Council, the Clerk shall call the roll and record the names of the members present and the members will stand discharged from waiting further.
- (3) If a meeting does not take place because of the lack of a quorum under subsection (1), the Council will meet at the next regularly scheduled meeting of the Council or at such other time and place as the Mayor shall announce.

- (4) The Clerk shall attempt to give notice of any meeting so rescheduled by telephone, electronic mail or as is otherwise practical within the time available.
- (5) During any period where an emergency has been declared by the province or the Municipality, a member of Council, of a local board or of a committee of either of them who is participating electronically in a meeting (any type including closed sessions) may be counted for the purpose of quorum.

## **25. UNFINISHED BUSINESS—QUORUM LOST**

- (1) If during the course of a meeting a quorum is lost then the meeting will stand adjourned, not ended, to reconvene at the next regularly scheduled meeting of the Council, or at such other time and place as the Mayor shall announce.
- (2) If, in the Mayor's opinion, 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 of the Council will be taken up at its next regularly scheduled meeting.
- (3) The Clerk shall give notice of any meeting so adjourned and to be reconvened by telephone or as is otherwise practical within the time available.
- (4) Prior to adjourning a meeting under this section, the Mayor may recess the meeting to determine if a quorum can be found.

## **26. COUNCIL CHAMBERS**

- (1) No person shall, except a member of Council or an authorized employee of the Township shall be allowed to come on the Council floor within or outside the Council Bar during the meeting of the Council without permission of the Mayor.
- (2) No person except a member of Council or an authorized employee of the Township shall, before or during a meeting of Council, place on the desks of members or otherwise distribute any material whatsoever unless such person is acting with the approval of the Mayor.
- (3) Members of Council shall wear proper business attire during the deliberations of Council.

## **27. LEAVING CHAMBERS ON ADJOURNMENT**

At the end of a meeting, the members of Council shall not leave their places until the meeting has been adjourned.

## **PART IV—MEMBERSHIP ON COUNCIL**

### **28. DECLARATION OF OFFICE**

In accordance with the provision of Section 232 (1) of the Act, no person shall take a seat on Council until the person takes the declaration of office in the form established for the purpose.

## **PART V—INAUGURAL MEETING**

### **29. AGENDA**

At the inaugural meeting of the Council, the agenda shall be as follows:

1. Opening of the meeting
2. Declarations of Office
3. Disclosure of Pecuniary Interest
4. Adoption of the Agenda
5. Committee, Board and Commission Appointments
6. Adoption of Council Minutes
7. Reports from Departments
8. Adjournment

## **PART VI—ORDER OF PROCEEDINGS—AGENDA AND MINUTES**

### **30. AGENDA IN COUNCIL**

- (1) The Agenda for regular meeting of the Council shall be as follows:
  1. Opening of the Meeting
  2. Adoption of the Agenda
  3. Disclosure of Pecuniary Interest
  4. Mayor's Report
  5. Deputations
  6. Consent Agenda
  7. By-laws
  8. Question Period
  9. Motions
  10. Correspondence
  11. Closed Session (In Camera)
  12. Confirming By-law
  13. Adjournment
- (2) Regular meetings of the Council shall commence with the Opening of the Meeting and finish with a motion to adjourn, after which Council will stand adjourned.
  1. *Opening of the Meeting*
  2. *Adoption of Agenda*

The agenda with amendments or addition shall be submitted to the Council for adoption.
  3. *Disclosure of Pecuniary Interest*

It is at this point that any member of Council shall disclose any possible conflict of Interest dealing with any item on the agenda or with a matter discussed at a previous meeting from which a member was absent. The member shall also file a written statement of the pecuniary interest and its general nature with the Clerk or the secretary of the committee.
  4. *Mayor's Report*

The Mayor informs members of his recent and upcoming activities.
  5. *Deputations*

Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed, and shall be signed by at least one person and filed with the Clerk, seven days prior to the date of the meeting.

Any person wishing to address Council shall give notice to the Clerk seven (7) days prior to the date of the meeting and shall be limited in speaking to a maximum of ten (10) minutes or twenty (20) minutes for a delegation of more than three (3) persons.

#### *6. Consent Agenda*

All items listed in the consent agenda section of the agenda shall be the subject of one motion and that motion shall be neither debatable nor amendable; provided however, that any member of Council may ask for any item(s) included in the consent agenda motion to be separated from that motion whereupon the consent motion without the separated item(s) shall be put, and the separated item(s) shall each be considered immediately thereafter.

Consent Agenda items include but are not necessarily limited to the following types of matters;

- a) Minutes of Council, Boards and Committees
- b) Staff and/or Committee reports previously presented at the Committee of the Whole meeting for which Council did not request additional information and which contain clear recommendations.
- c) Resolution to approve accounts/salaries paid and account payable
- d) By-laws in first and second readings

#### *7. By-laws*

Every By-law is introduced in third reading by means of a resolution.

#### *8. Question Period*

It is at this point that any member of Council may ask questions to department heads on any matter pertaining to their field of activities. It is also at this point that questions from members of the public, relating to matters listed on the Agenda, may be put.

#### *9. Motions*

#### *10. Correspondence*

All information correspondence will be summarized. Any member may request the reading of a letter. A motion is in order to receive the correspondence. Notwithstanding the foregoing, a motion is in order at any time to take certain actions on any matter pertinent to the correspondence.

A motion is in order to receive the correspondence, refer to Committee or take certain actions on any matter pertinent to the correspondence.

#### *11. Closed Session*

Reports or other matters that are presented to Council under this heading are presented to members so identified by the Mayor and that may remain in the room where the business to be discussed.

#### *12. Confirming By-law*

A confirmatory by-law is adopted at the end of each Council Session to confirm all actions taken by Council at the Session.

#### *13. Adjournment*

Members of Council shall not leave their places on adjournment until the Mayor has adjourned the meeting.

- (3) The business of the Council shall be considered in the order set forth on the Agenda, provided, however, that the Mayor, with the approval of the Council, may

vary the order in which the items are presented to better deal with ammeters before Council.

- (4) The Council shall not consider any By-law that is not listed on the Agenda, nor any report of a Committee or any motion that has not been distributed to the members with the Agenda, unless agreed to by a two-thirds vote of the members present.
- (5) For special meetings, the agenda will be prepared by the Clerk, as directed by the Mayor and if the meeting is called by a petition of the majority of the members, the Agenda will be prepared by the Clerk for the purpose stated in the petition.

### **31. DELIVERY OF AGENDA**

- (1) At least three (3) days in advance of each regular meeting of the Council, the Clerk shall deliver the agenda and all other documents related to other subjects appearing on the Agenda.
- (2) The agenda will be delivered by electronic transmission to each Member of Council and the Administration by the Clerk's department, no later than Friday afternoon, preceding the scheduled public Council meeting. Exceptions may be allowed when preparation of the Council Agenda falls on a week providing four work days, due to Statutory Holidays. Agendas and supporting material shall also be posted on the Website of the municipality.

### **32. ADDITION TO THE AGENDA AFTER PUBLICATION**

Following the publication of the agenda, all modifications/additions/deletions to the agenda must be approved by two thirds of Council members.

### **33. MINUTES**

- (1) Minutes shall record:
  - a) the place, date and time of the meeting
  - b) the names of the Presiding Officer or officers and the record of the attendance of the members;
  - c) the late arrivals and early departures of members
  - d) the reading, if requested, correction and adoption of the minutes of prior meetings;
  - e) declarations of interest; and
  - f) all other proceedings of the meeting without note or comment.
- (2) If the minutes have been delivered to the members of Council than the minutes will not be read, and a resolution that the minutes be adopted as if read shall be in order.
- (3) After the minutes have been adopted they shall be signed by the mayor and the Clerk.
- (4) Closed Session-In Camera Minutes shall record:
  - a) where the meeting took place;
  - b) when the meeting started and adjourned;
  - c) who chaired the meeting and who was in attendance;
  - d) a detailed description of the substantive and procedural matters discussed, including specific reference to any documents considered;
  - e) any motions, including who introduced the motion and seconders, and
  - f) all votes taken, and all directions given.

### **34. DELEGATIONS**

- (1) Anyone desiring to address the Council shall notify the Clerk in writing of such intention, seven (7) days prior to the date of the meeting, shall specify the nature of the business to be discussed and name the delegate who will address the Council. Any delegation that intends to distribute any reports or supporting documentation shall provide same to the Clerk in order that the material can be circulated with the Agenda.
- (2) Delegations shall be limited to a maximum of ten minutes.
- (3) Members of the public who constitute the audience in the Council Chamber during a Council meeting shall maintain order and quiet and may not address the Council without permission of the Mayor.

### **35. QUESTIONS**

- (1) Questions from Council to department heads:

Only questions of public concerns shall be authorized. Questions pertaining to personal files, litigation matters, insurance claims and subjects discussed in camera, matters beyond the municipality's jurisdiction, accusations, and complaints against an individual including a member of Council or staff are considered inadmissible. Speeches shall not be authorized during the question period.

No person shall:

- Speak disrespectfully of any person;
- Use improper language or unparliamentary language;
- Disobey the rules of procedures or a decision of the Mayor;
- At no time shall this question period be taken to make speeches or accusations.

- (2) Questions from the public—Restrictions and permissions

A question period from the public shall be authorized for a maximum of fifteen (15) minutes. It may be extended by a majority vote of Council. A person wishing to put a question to Council shall seek permission from the Mayor by advancing to the podium, introducing himself or herself, giving his or her contact information and addressing his or her question to the Mayor.

The Mayor may answer the question, refer same to another member of Council or of staff, or if not possible to answer it immediately, he or she shall refer it to the Chief Administrative Officer who shall ensure that the concerned department answers shall be circulated to Council. It shall be out of order that a debate be introduced between the person who asked a question and the person who answers it.

A person shall be authorized to ask only one question and a sub-question per meeting and shall be limited to three (3) minutes including the preamble.

Only questions of public concerns shall be authorized. Questions pertaining to personal files, litigation matters, insurance claims and subjects discussed in closed session-in camera, matters beyond the municipality's jurisdiction, accusations and complaints against an individual including a member of Council or staff are considered inadmissible. Speeches shall not be authorized during the question period. A person who has addressed Council in the delegation shall be authorized to ask a question on that matter.

No person shall:

- Speak disrespectfully of any person;
- Use improper language or unparliamentary language;

- Disobey the rules of procedures or a decision of the Mayor;
- At no time shall this question period be taken to make speeches or accusations, or political purposes.

(3) Questions from the public—Virtual meeting

In order to facilitate a virtual meeting, the public question may be modified. In this situation, citizens will send their questions by email, no later than the Friday preceding the scheduled meeting, to the Clerk Department.

## **PART VII—RULES OF CONDUCT AND DEBATE**

### **36. ADDRESS THE MAYOR**

Any member desiring to speak shall so signify their intent in such a manner as the Mayor may direct, and, upon being recognized by the Mayor, will address the Chair.

### **37. ORDER OF SPEAKING**

When two or more members signify their desire to speak, the Mayor will recognize the member who, in his opinion, signified first and next recognize the other member(s).

### **38. RULES OF CONDUCT AND DEBATE**

(1) No member shall:

- a) speak until he has addressed himself and has been recognized by the Mayor;
- b) disturb another member, or the Council itself, by any disorderly behaviour disconcerting to any member speaking;
- c) use offensive words during the Council or committee meetings against the Council or staff;
- d) speak on any subject other than the subject of debate;
- e) when a subject matter has been discussed in Closed Session — In Camera, and it is to be kept confidential, disclose the subject matter or substance of the proceedings of the Closed Session—In Camera meeting;
- f) disobey the Rules of Procedure or a decision of the Mayor or of the Council on questions of order or practice or upon the interpretation of the Rules of procedure; and
- g) no member shall contravene the Council Code of Conduct, adopted by By-law 2019-32, as amended, and hereby incorporated by reference.

- (2) Where a member has been called to order by the Mayor for failing to observe the provisions of subsection (1) and the member persists in any such disobedience after having been called to order by the Mayor, the Mayor may immediately put the question, no amendment, adjournment or debate being allowed, “That such member be ordered to leave his seat for the duration of the meeting of the Council”, but if a member apologizes he may, by vote of the Council, be permitted to retake his seat.

### **39. PRIVILEGE**

- (1) Where a member considers that the member’s rights, immunity or integrity or the rights, immunity or integrity of the Council as a whole has been impugned, the member may, as a matter of privilege, rise at any time, with the consent of the Mayor, for the purpose of drawing the attention of the Council to the matter.
- (2) Upon being recognized by the Mayor, the member shall state the question of privilege.

- (3) The Mayor shall determine the question, or require that the question be seconded and permit a debate and a vote to be held on the question.

#### **40. POINT OF ORDER**

- (1) The Mayor shall preserve order and decide on points of order;
- (2) When a member desires to address a point of order, he shall ask leave of the Mayor to raise a point of order and, after leave is granted, he shall state the point of order to the Mayor and sit down and remain seated until the Mayor has decided the point of order;
- (3) Thereafter, a member shall only address the Mayor for the purpose of appealing the Mayor's decision to the Council;
- (4) If no member appeals, the decision of the Mayor shall be final;
- (5) The Council, if appealed to, shall call a vote without debate on the following question: "Shall the Mayor's decision be sustained?" and its decision shall be final.

#### **41. MEMBERS SPEAKING**

When a member is speaking, no other member will interrupt the member except to raise a point of order.

#### **42. QUESTION READ**

Any member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a member while speaking.

#### **43. TIME LIMITED**

No member, without leave of the Mayor, shall speak to the same question, or in reply, for longer than three (3) minutes, except in explanation of a material part of his speech which may have been misunderstood, but they may not introduce a new matter. A right of reply shall be allowed to a Member who has made a substantive motion to Council, and no Member shall, without leave of the Council, speak to the same question or in reply for longer than three (3) minutes.

#### **44. QUESTION**

- (1) A Member may concisely ask a question through the Chair only for the purpose of obtaining information relating to the motion under discussion.
- (2) A Member, while asking questions through the Chair, shall at not time put into question the Municipal Employee's personal or professional integrity.

#### **45. QUESTION PUT—NO FURTHER DEBATE**

After any question is put by the Mayor, no member shall speak to the question, nor shall any other motion be made until after the result is declared, and the decision of the Mayor as to whether the question has been put, is conclusive.

## **PART VIII—VOTING DURING COUNCIL MEETINGS**

### **46. ALL MEMBERS VOTE**

- (1) Every member present at a meeting of the Council, when a question is put, shall vote thereon, unless prohibited by statute, in which case it shall be recorded.
- (2) Any member who refuses to vote shall be recorded as voting in the negative.

### **47. UNRECORDED VOTE**

The manner of determining the decision of Council on a motion is at the discretion of the Mayor and may be by voice, show of hands, standing or otherwise.

### **48. SEVERABILITY OF QUESTION**

When the matter under consideration contains distinct recommendations or propositions, upon the request of any member, a vote upon each recommendation or proposition shall be taken separately and no vote shall be required to be taken on the matter as a whole.

### **49. RECORDED VOTE**

- (1) Any member, prior to or immediately subsequent to the taking of the vote, may require that the vote be recorded.
- (2) When a recorded vote is requested by a member on any matter or question, the Clerk shall call each member by name and such member shall announce his vote openly. The members shall be called in alphabetical order.
- (3) When a vote is taken, and no dissent is declared, such vote is deemed to be unanimously in favour of the question approved.
- (4) If a vote is to be recorded as herein provided, the Clerk shall announce the division, and record them in the minutes.

### **50. DISPUTING VOTE**

If a member disagrees with the announcement of the Mayor that a question is carried or lost, the member may, but only immediately after the declaration by the Mayor, object to the Mayor's decision and require a recorded vote to be taken.

### **51. TIE VOTE**

A resolution on which the voting results is a tie shall be declared lost.

### **52. VOTING**

When the Mayor calls for the vote on a question, each member shall occupy his seat until the result of the vote has been announced by the Mayor, and during such time, no member shall walk across the room or speak to any other member or make any noise or disturbance. A member who is absent from his seat does not have the right to vote.

### **53. DISCLOSURE OF PECUNIARY INTEREST**

- (1) When a member, either on his/her own behalf or while acting for, by, with or through another, has a pecuniary interest in a matter on the agenda, the member must not attempt in any way, either before, during, or after the meeting, to influence the voting on the matter.

- (2) At a meeting where a matter regarding which the member has a pecuniary interest is being discussed, the member must, prior to any consideration of the matter at the meeting, disclose the interest and its general nature. The member must not take part in the discussion of, or vote on, any question in respect of the matter.
- (3) At a meeting at which a member discloses a pecuniary interest, or as soon as possible afterwards, the member shall file a written statement of the pecuniary interest and its general nature with the Clerk of the municipality or the secretary of the committee, as the case may be.
- (4) At a closed meeting, in addition to complying with the requirements of section (1) and (2) above, the member must immediately leave the meeting or part of the meeting during which the matter is under consideration.
- (5) If the matter under consideration at a meeting or part of a meeting is to consider whether to suspend the remuneration paid to the member under subsection 223.4 (5) and (6) of the Municipal Act, 2001; the member may take part in the discussion of the matter, including making submissions to Council, and may attempt to influence the voting on any question in respect of the matter, either before, during or after the meeting. However, the member is not permitted to vote on any question in respect of the matter.
- (6) When the interest of a member has not been disclosed by reason of the member's absence from the meeting at which the matter was discussed, the member must disclose the interest at the next meeting of the Council, committee or local board, as the case may be, which the member attends. At the next meeting attended, the member shall file a written statement of the pecuniary interest and its general nature with the Clerk or the secretary of the committee or local board, as the case may be.
- (7) Council shall establish and maintain a registry of each statement and declaration of pecuniary interest which said Registry shall be available for public inspection in the manner and during the time that Council determines.

## **PART IX—COMMITTEE OF THE WHOLE**

### **54. PROCEDURE**

- (1) While sitting in Committee of the Whole, the rules governing the procedure of the Council and the conduct of the members shall be observed except that the number of times of speaking on any question shall not be limited, provided that no member speaks more than once until every member who desires to speak has spoken.
- (2) Subject to Section 19, the Committee of the Whole may, by resolution go into closed session and may exclude all persons from a meeting or part of a meeting. During such period, all persons not specifically invited to remain by the Committee shall retire from the Chamber.

### **55. COMMITTEE OF THE WHOLE**

- (1) The Committee of the Whole meeting will be held on the third Tuesday of the month, at 7:00 p.m. except during the months of July and August, where there will be no Committee of the Whole meeting.
- (2) The date, place and time of the meeting may be changed by the Mayor, if extenuating circumstances exist.

- (3) Committee of the Whole meetings shall stand adjourned at 10:30 p.m., but business may be continued upon consent of the majority of Council members present.
- (4) Committee of the Whole will consider recommendations to be put before Council for formal approval at a Council meeting, may provide direction to staff on related matters, but will not receive resolutions and/or by-laws.

## **56. AGENDA—COMMITTEE OF THE WHOLE**

- (1) Agendas will be formatted as follows but modifications to the matters to be included or the order of business may be made without the requirement of an amendment to this by-law.
- (2) The Agenda for the Committee of the Whole meetings shall be as follows:
  - a) Opening of the Meeting
  - b) Adoption of the Agenda
  - c) Disclosure of Pecuniary Interest
  - d) Delegations and Presentations
  - e) Reports from Departments/Committees
  - f) Notices of Motions
  - g) Other Items
  - h) Questions
  - i) Adjournment

### *1. Opening of the Meeting*

### *2. Adoption of the Agenda*

The agenda with amendments or additions shall be submitted to the Council for adoption.

### *3. Disclosure of Pecuniary Interest*

It is at this point that any member of Council shall disclose any possible conflict of Interest dealing with any item on the agenda or with a matter discussed at a previous meeting from which a member was absent. The member shall also file a written statement of the pecuniary interest and its general nature with the Clerk or the secretary of the committee.

### *4. Delegations and Presentations*

Any person wishing to address Council shall give notice to the Clerk seven (7) days prior to the date of the meeting and shall be limited in speaking to a maximum of ten (10) minutes or twenty (20) minutes for a delegation of more than three (3) persons.

### *5. Reports from Departments/Committees*

All reports from Departments and/or Committees are presented for discussion and proposed action to be approved at the next regular Council meeting or referred back to the Head of Department for further information.

### *6. Notices of Motions*

A notice of motion will introduce business that the member intends Council to deal with at the next regular Council meeting and shall be introduced in writing and signed by the mover and the seconder.

### *7. Other items*

Any other item not listed on the Agenda, approved with a resolution to adopt the Agenda as amended, by two thirds vote of Council members.

8. Questions

It is at this point that any member of Council may ask questions to department heads on any matter pertaining to matters listed on the Agenda. It is also at this point that questions from members of the public, relating to matters listed on the Agenda, may be put.

9. Adjournment

Members of Council shall not leave their places on adjournment until the Mayor has adjourned the meeting.

- (3) Business of Council is considered in the order set out in the Agenda, but the Mayor, with the approval of Council, may change the order of proceedings to better address matters before Council.

- (4) Council may not consider a By-law that is not on the Agenda, a Committee Report or a motion that has not been distributed to members at the same time as the Agenda, unless it has obtained a two-thirds majority vote of the members present.

## **PART X—RESOLUTIONS AND MOTIONS**

### **57. READING**

Every motion when seconded shall be received and read by the Mayor, except as provided for by the Rules of Procedure. However, where motions have been distributed or printed in the Agenda, recitals need not be read.

### **58. WITHDRAWAL**

After a resolution has been duly moved and seconded, it shall be deemed to be in the possession of the Council, and it may only be withdrawn before decision or amendment with the permission of the Council.

### **59. NO DEBATE UNTIL READ**

No member shall speak on any motion until it is first read, and the mover is entitled to speak first if the member so elects. If debated, the question or motion shall be read again before being put.

### **60. MOTIONS RULED OUT OF ORDER**

Whenever the Mayor is of the opinion that a motion or resolution is contrary to the Rules of procedure, or is not within its jurisdiction, the Mayor shall rule the motion or resolution out of order.

### **61. MOTIONS**

- (1) The Following matters and motions with respect thereto may be introduced orally without notice and without leave, except as otherwise provided by the Rules of Procedure;
- a) a point or order or privilege;
  - b) presentation of petitions;
  - c) to move the question be put; or
  - d) to adjourn;
- (2) The following motions may be introduced without notice and without leave, except as otherwise provided by the Rules of Procedure:
- a) to refer;

- b) to table, or to postpone, or defer to a date certain;
  - c) to amend;
  - d) to suspend the Rules of Procedure; or
  - e) any other procedural motion.
- (3) Except as provided for in subsection (1) hereof, all motions and resolutions shall be in writing and signed by the mover and the seconder.
- (4) The mover and seconder may withdraw a motion or a Notice of Motion at any time prior to the commencement of debates thereon.
- (5) All motions and resolutions shall commence with the words "Be it resolved that" and shall be moved and seconded.
- (6) There shall never be more than one resolution before the Council at once.
- (7) When the resolution under consideration contains two or more proposals, the same shall, at the request of any members of council, be voted on separately.
- (8) Any Member may require the resolution under discussion to be read a second time for his information, at any time of debate, but not so as to interrupt a member speaking.

## **62. ORDER OF CONSIDERATION**

- (1) When a question is under consideration, no motion shall be received except a procedural motion or motion to amend.
- (2) Procedural motions shall be considered immediately upon receipt and shall have precedence and are subject to debate as follows:
  - a) To extend the time of the meeting (not debatable);
  - b) To move the question be put (not debatable);
  - c) To refer (debatable);
  - d) To lay on the table (debatable);
  - e) To defer to a day certain (debatable);
  - f) To adjourn (not debatable);
  - g) Any other procedural motion (debatable).

## **63. AMENDMENT**

A motion to amend:

- (1) Shall be presented in writing;
- (2) Shall be relevant and not contrary to the principle of the report or motion under consideration;
- (3) May propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the main issue, which was the subject matter of the question;
- (4) Shall be put in the reverse order to the order in which it is moved;
- (5) Only one motion to amend an amendment to the question shall be allowed at once and any further amendments must be to the main question;

- (6) Notwithstanding subsection (4), any amendment(s) to a motion may be placed in the order to be determined by the Mayor as the most logical, practical and expeditious in all of the circumstances.

#### **64. THE QUESTION NOW BE PUT**

A motion that the question be now put:

- (1) Is not debatable;
- (2) Cannot be amended;
- (3) Cannot be moved when there is an amendment under consideration;
- (4) Shall preclude all amendments of the main question;
- (5) When resolved in the affirmative, the question is to be put forward without debate or amendment;
- (6) Cannot be moved by a member who has already debated the question unless another member has subsequently debated the question; and
- (7) Can only be moved in the following words, "that the question be now put".

#### **65. MOTION TO REFER**

A motion to defer is debatable. A motion for reference to a committee, board or commission until it is decided, shall preclude all amendments of the main question and any motion to postpone or defer, or to lay on the table. A motion to refer is debatable.

#### **66. MOTION TO LAY ON THE TABLE**

- (1) A motion simply to "lay a matter on the table" is debatable but cannot be amended.
- (2) A motion to "lay on the table" with some condition, opinion, or qualification added to the option to table shall be deemed to be a motion to postpone or defer made under Section 70.
- (3) The matter tabled shall not be considered again by the Council until a motion has been made to take up the tabled matter at the same or subsequent meeting of the Council.
- (4) A motion to take up a tabled matter is not subject to debate or amendment;
- (5) A motion that has been tabled at a previous meeting of the Council cannot be lifted off the table unless notice is given in accordance with Section 71;
- (6) A motion that has been tabled and not taken from the table for six months is deemed to be withdrawn, and cannot be taken from the table.

#### **67. MOTION TO POSTPONE OR DEFER**

- (1) A matter postponed or deferred to a definite date shall have precedence over all other business on such date.
- (2) A motion to postpone or defer shall be treated as if it was a motion to lay on the table.

## **68. NOTICE OF MOTION**

- (1) A Notice of Motion shall:
  - a) be in writing;
  - b) include the name of the mover and seconder;
- (2) All Notices of Motion received by Clerk prior to or at the Notices of Motion segment of the Agenda may be read out by the mover or the Mayor during that segment. Consideration of a motion, of which notice was given pursuant to this section, shall be in order at the next regular meeting.
- (3) Prior to Council's consideration of a motion of which notice has been given previously, a revised motion on the same subject, approved by both the mover and the seconder, may be substituted for the original one contained in the Notice of Motion.

## **69. DISPENSING WITH NOTICE**

Any motion may be introduced without notice if the Council, without debate, dispenses with notice on the affirmative vote of at least two thirds of the members present and voting.

## **70. RECONSIDERATION**

- (1) Every motion for reconsideration shall be declared lost unless two thirds of the Council votes therefore. A motion to reconsider can only be made from the prevailing side.
- (2) No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

## **71. MOTION TO ADJOURN**

- (1) A Motion to Adjourn:
  - a) shall always be in order except as provided by the Rules of Procedure;
  - b) when resolved in the negative, cannot be made again until after some intermediate proceedings have been completed by the Council;
  - c) is not in order when a member is speaking or during the verification of a vote;
  - d) is not in order immediately following the affirmative resolution of a motion for the previous question; and
  - e) is not debatable.
- (2) A Motion to Adjourn, without qualification, if carried, brings a meeting of the Council to an end.
- (3) A Motion to Adjourn to a specific time, or to reconvene upon the happening of a specific event, if carried suspends the meeting of the Council to continue at such time.

## **PART XI – BY-LAWS**

### **72. READING OF BY-LAWS AND RELATED PROCEEDINGS**

- (1) No by-law, except a by-law to confirm the proceedings of Council, shall be presented to Council unless the subject matter thereof has been considered and approved by the Council at a previous Committee of the Whole meeting.
- (2) The Clerk shall endorse on all by-laws enacted by the Council, the dates of the several readings, if any.

- (3) Every by-law which has been enacted by the Council shall be numbered dated and deposited in the office of the Clerk for safekeeping.
- (4) Every by-law shall be under the seal of the Corporation and shall be signed by the Mayor and the Clerk.

## **PART XII—COMMITTEES**

### **73. PROCEDURE**

Except as otherwise provide for herein, a Committee shall conform to the rules governing protocol and procedure in the Council.

### **74. ESTABLISHMENT/APPOINTMENT**

- (1) Members required to serve on Standing Committees shall be appointed annually by the Mayor and approved thereafter by the Council;
- (2) Special or Ad Hoc Committees may be established by the Council at any time as is deemed necessary for the consideration of matters within the jurisdiction of the Council.
- (3) Members to be appointed to any other Committees, Boards, or Commissions to which the Council is required or empowered to appoint persons shall be determined annually by the Mayor and approved thereafter by Council.

### **75. MAYOR EX OFFICIO**

- (1) The Mayor is ex officio a member of every Committee;
- (2) Where a Committee is established with reference to a specific number of members without specifically providing for the membership of the Mayor such number is automatically increased by one, being the Mayor, as provided for in subsection (1) hereof;
- (3) The Mayor may vote and otherwise participate in the business of the Committee, without any restriction, on the same basis as any other Committee member.

### **76. COMMITTEE CHAIR**

- (1) The Committee Chair and Committee Vice-Chair shall be determined by the Mayor and approved by Council at the inaugural meeting.
- (2) A member shall not be appointed Committee Chair of the Standing Committee for more than two consecutive years.
- (3) The Chairman of each Committee and the members thereof shall hold office until their successors are appointed.

### **77. COMPOSITION OF COMMITTEES**

- (1) The membership of the following Standing Committees shall consist of three members of Council;
  - a) Adjustment Committee
  - b) Property Standards Committee
- (2) The Committee of the Whole shall consist of all the members of Council;

- (3) The membership of the following Advisory Committees shall consist of a maximum of three members of Council:
  - a) Recreation Advisory Committee
  - b) Lefaivre Marina Advisory Committee
  - c) Environment Advisory Committee
  - d) Arts, Culture and Heritage Advisory Committee
  - e) Forest Management Advisory Committee
  - f) Denis St-Pierre Park Advisory Committee
- (4) The membership of the following Committees, Boards, and Commissions shall consist of a maximum of three members of Council:
  - a) Hydro 2000 Inc. Board of Directors
  - b) Public Library Board of Directors
- (5) The membership of the following Joint Committee shall consist of a maximum of three members of Council:
  - a) Alfred-Plantagenet/La Nation Joint Water Supply Committee

## **78. TERMS OF REFERENCE**

- (1) Subject to the provision of any general or special act, the Council, in establishing any Committee, shall set forth the Terms of Reference of the Committee and such other provisions, as the Council deems proper;
- (2) The Council may consider any matter without referring it to a Standing Committee or may refer it to one or more Committees or refer it to the Committee of the Whole and may withdraw a matter from a Committee whether or not the Committee has entered into consideration.
- (3) Each member of Council shall have the opportunity to serve on a Committee;

## **79. QUORUM**

- (1) A quorum in any Committee is the majority of the voting Members of the Committee as appointed by the Council, and the Mayor, if present, is a member to be included in determining the quorum.
- (2) A Committee shall not consider any business if a quorum is not present;
- (3) If there is no quorum within fifteen (15) minutes after the time fixed for the meeting, the meeting shall stand adjourned until the next regular meeting.

## **80. MEETINGS OF COMMITTEES**

- (1) Committees shall meet at such time and place as the Committee Chair or Committee determines, subject to the direction of the Council. A meeting of any Committee shall be called by the Secretary of the Committee, upon instruction of the Committee Chair, on five (5) days' notice;
- (2) The Chair may cancel one or more regular meetings of the Committee if in the Chair's opinion such meetings are not necessary for the proper conduct of the business of the Committee;
- (3) In case of an emergency and in the absence of the Committee Chair and of the Mayor, a Committee meeting may be called by the Clerk in such a way as he may deem best without regard to any length of notice to the Members;
- (4) The Committee Chair shall preside and, in the absence of the Committee chair the Vice-Chair shall preside;

- (5) The Chair of Committee may vote on any question before the Committee, and, in the event of an equality of votes, the question being voted upon is deemed lost;
- (6) Members of Council who are not members of a Committee may attend meetings of the Committee, but shall not be allowed to vote, take any part in the discussion or debate, nor shall they be remunerated
- (7) The Committee shall consider and report on such matters only as have been referred to it by the Council or such matters as come within their Terms of Reference and jurisdiction;
- (8) Members may speak more than once to the same question;
- (9) The meetings of the Committee shall be open to the public and the provisions of Section 18 and 19 shall apply with necessary modifications;
- (10) The Chairman shall report the recommendations of the Committee to the Council.

## **81. GENERAL PROVISIONS FOR COMMITTEES**

- (1) Anyone wishing to address a Committee shall notify the Clerk or the Secretary of the Committee, seven (7) days prior to the date of the meeting, and shall specify the nature of the business to be discussed. No person, without leave of the Committee shall speak for longer than ten (10) minutes.
- (2) Each Standing Committee shall diligently pursue its duties and shall report to Council on every matter and question coming before it within its Terms of reference and jurisdiction.
- (3) When a point of order is raised or when a member is called to order in a Committee, the same procedure shall be adopted as in Council, except that the question shall be decided by the Committee Chair, subject to an appeal to the members of the Committee;
- (4) When an Ad Hoc Committee has completed its work and submitted its final report, it dissolves automatically, unless otherwise directed by the Council;
- (5) The Secretary of the Committee shall be responsible to the Chief Administrative Officer;
- (6) The Chief Administrative Officer or an employee of the Administration designated by him shall attend all Committee meeting unless otherwise provided.

## **82. JOINT COMMITTEE MEETINGS**

- (1) A joint meeting of two committees may be directed by the Council or may be called by their Chairs whenever such Chairs consider it necessary for their respective committees to consider and report jointly on matters within their joint areas of concern.
- (2) A quorum for the joint meeting of two committees shall be a majority of the combined number of members of both of the committees. The Mayor shall be counted as one member in making such quorum and shall have one vote.
- (3) The members in attendance at a joint meeting called pursuant to this Section may appoint the Chair of one of the committees to chair the joint meeting, but if both such Chairs are absent another member of one of the two committees may be so appointed;

- (4) When the Chair of the joint meeting calls for the vote on a question, each member of the two committees shall vote in unison, and the question shall be decided by the majority of votes, so that only one decision is made thereon and the Chair of the joint meeting may vote on all questions submitted and in the case of an equal division, the question shall be deemed to have been decided in the negative.

### **83. REPORTS OF COMMITTEES**

- (1) All Committees, including Ad Hoc Committees, shall submit written reports on any subject or matter referred to by the Council or dealt with between meetings of the Council;
- (2) The Chairman or representative of the Committee will explain the report, if requested. Otherwise, a motion is in order to adopt a report of the Committee without it being read out at the Session;
- (3) When it is desired that the Council take cognizance only of a report which has been submitted rather than adopt the same, the motion shall be: "THAT THE REPORT BE RECEIVED";
- (4) When it is desired that the Council authorize, approve, confirm and cause to be implemented that which a committee has recommended, the motion shall be: "THAT THE REPORT BE ADOPTED";
- (5) Notwithstanding subsection (4) hereof, when a report deals with more than one subject matter and the Council is not prepared to adopt all the report, a separate vote should be taken with respect to each subject matter and any matter which is not adopted should be referred back to the Committee for further consideration.

### **84. VACANCY ON COUNCIL**

- (1) Should any member of Council fail to attend three (3) consecutive regular or special meetings without being authorized to do so by a resolution, the Council may certify such failure and the membership of such person on the Council is terminated and the Council may fill the vacancy;
- (2) If a municipal Council seat becomes vacant, Council must declare the council seat vacant at its next meeting, or if the vacancy is due to the death of a Member, the declaration may be made at either of its next two meetings.
- (3) A copy of the declaration must be forwarded immediately to the upper-tier council.
- (4) Within sixty (60) days of the vacancy, Council must decide if it wants to fill the vacancy through a by-election or by appointment for the remainder of the term.
- (5) If a seat becomes vacant after March 31 of an election year, the seat may only be filled by appointment. A vacancy must be filled unless it occurs within ninety (90) days before voting day of a regular election.

### **85. VACANCY ON COMMITTEES AND BOARDS**

- (1) Should any member of a Committee fail to attend three (3) consecutive meetings without being authorized to do so by a resolution, the Committee may certify such failure and the membership of such person on the Committee is terminated;
- (2) Should a member die, resign or be otherwise disqualified, the Council shall, by resolution, declare his seat vacant and, upon the recommendation of the Council, appoint another member to fill the vacancy.

- (3) Should any Committee neglect or refuse to give due attention to any matter before it, the Council may be resolution, discharge such Committee and appoint another in its place;
- (4) Should the Chair of any Committee neglect to do the business of the Committee without the knowledge or consent of its members, or contrary to their wishes or sanction, the Committee may report such neglect, refusal or action to the Council which may remove such Chair from office and appoint another member as Chair.

## **PART XIII—GENERAL PROVISIONS**

### **86. RECORDING EQUIPMENT**

At the meetings of Council or a Committee, the use of cameras, electric lighting equipment, flash bulbs, recording equipment, television cameras and any other device of a mechanical, electronic or similar in nature used for transcribing or recording proceedings by auditory or visual means by members of the public, including accredited and other representatives of any new media whatsoever, may be permitted and shall be subject to the approval and/or direction of the Mayor or Committee Chair unless otherwise decided by the Council or a Committee.

### **87. NOTICE OF COUNCIL AND COMMITTEE MEETINGS**

The Township of Alfred and Plantagenet will provide notice of Township Council sessions, committee meetings, budget meetings, financial statements, committee schedules, and change to the Rules of Procedure. Posting of these notices will be via the Township's website [www.alfred-plantagenet.com](http://www.alfred-plantagenet.com)

### **88. EXECUTION OF DOCUMENTS**

Whenever the execution of any document is required to give effect to any resolution or by-law of the Township, the Mayor and the Clerk have general authority for and in the name of the Township to execute and to affix the seal of the Township to such documents.

### **89. ELECTRONIC PARTICIPATION**

- (1) Members can participate electronically in a Meeting which is open or closed to the public should they be unable to participate in person for medical reasons, illness or in the event of a situation or pandemic in which physical distancing, limited gatherings or quarantine measures are required by local, provincial or federal public health agencies;
- (2) Any Member participating electronically shall be counted in determining whether or not a quorum of members is present at any point in time and shall have all the rights of any other Member who is participating in person;
- (3) The technology used shall enable electronic participation of Members in decision making and ensure the meeting can be open to the public, for example, but not limited to, telephone, video or audio-conferencing.
- (4) A member must give to the Clerk a notice of at least forty-eight (48) hours of their intent to participate electronically in a Meeting unless extraordinary circumstances apply, to ensure the proper technology is enabled to make electronic participation possible.
- (5) A member of the public may delegate via electronic participation due to a situation or pandemic in which physical distancing limited gatherings or quarantine measures are required by local, provincial or federal public health agencies.

**90. REPEAL**

That By-law Number 2010-104 and its amendments pertaining to the Rules of Procedure of the Council be and the same are hereby appealed.

**91. EFFECT**

This By-law will come in full force and effect on the day of its passing.

**92. SHORT TITLE**

This By-law may be referred to as either the "Procedure By-law" or the "Rules of Procedure".

**READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL THIS  
1<sup>ST</sup> DAY OF JUNE 2021.**

  
Stéphane Sarrazin, Mayor  
Annie Rochefort, Clerk