



Township of
Leeds and the
Thousand Islands

By-law 22-001

Procedural By-Law

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THE CORPORATION OF THE TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS

BY-LAW NO. 22-001

BEING A BY-LAW TO GOVERN AND REGULATE THE PROCEEDINGS OF THE MUNICIPAL COUNCIL, THE CONDUCT OF ITS MEMBERS, AND THE CALLING OF MEETINGS.

WHEREAS Section 238 subsection (2) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended states that every Council and local board shall adopt a procedure By-law to govern the calling, place and proceedings of meetings; and

WHEREAS Council of the Corporation of the Township of Leeds and the Thousand Islands deems it expedient to pass such a by-law; and now therefore,

BE IT RESOLVED THAT the Council for The Corporation of the Township of Leeds and the Thousand Islands enacts as follows:

Article I

1. Definitions

In this By-law;

“Agenda” means a list of items to be discussed at a formal meeting.

“Amendment” means a change in the form of a Motion.

“Briefing” means a verbal update to Council or the Committee of the Whole by Township Staff or consultants to the Township or someone with expertise on a subject matter who has been invited by Staff, Council or Committee of the Whole.

“Clerk” means the Clerk of the Township.

“Closed Meeting Session” means a meeting or part of a meeting of Council or a Committee which is closed to the public. ~~as permitted or required by the Municipal Act.~~ All meetings closed to the public shall be in accordance with the *Municipal Act* (as amended from time to time).

“Committee” means a group of individuals duly appointed by Council in an advisory capacity, including standing (long term) and ad-hoc (special interest) committees.

“Committee Chair” means the Presiding Officer of a committee.

“Committee of the Whole” and “COTW” mean a group of individuals comprised of all Members of Council.

“Consent Agenda” means items on an agenda that may be dealt with by Council or Committee in accordance with Subsection 7.04 of this By-law.

“Council” means the body of the elected officials exercising the powers of the municipality under the Municipal Act.

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

“Deputy Mayor” means the Member of Council appointed to act in the place of the Head of Council when they are absent, refuse to act, or the office is vacant. They are appointed in accordance with section 2.04.

“Emergency” means a sudden, generally unexpected or time sensitive occurrence demanding immediate action by Council.

“Ex officio” means the Mayor is a Member on all committees and they are entitled to receive all notices and relevant information and may participate in the discussion as well as vote and shall be considered part of a quorum.

“Integrity Commissioner” means the person appointed by Council pursuant to Section 223.3 of the *Municipal Act*.

“Local Board” means a municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of the Municipality, excluding a school board and a conservation authority.

“Main Motion” is a motion to consider any subject that is brought before Council for its consideration.

“Mayor” means the Head of Council of the Township for the purposes of the *Municipal Act*.

“Meeting” means a quorum of Members that are either physically or electronically present to 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” means an individual duly elected or appointed to serve on the Council or a Committee of the Township.

“Minutes” means a record in accordance with the *Municipal Act*, Section 228, without note or comment, of all resolutions, decisions and other proceedings of Council.

“*Municipal Act*” means the *Municipal Act*, 2001, S.O. 2001, c. 25, as may be amended, repealed or replaced from time to time.

“Ombudsman” means the person appointed by Council pursuant to Section 223.13 of the *Municipal Act*.

“Ombudsman’s Report” means the findings submitted to Council following an investigation.

“Presiding Officer” means the Mayor, Deputy Mayor or Member acting as chair of a meeting.

“Privileged Motion” is a motion that, due to its importance, takes precedence over all other questions and is not debatable.

“Quorum” means a majority of the whole number of members required to constitute Council or a Committee.

“Question” means that the vote now be taken.

“Recorded Vote” means the calling for the yeas and nays of all members of Council who may vote on the motion by any member of Council and the yeas and

nays of each individual member of Council shall be so noted in the minutes.

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

“Rules” or “Rules of Procedure” means the provisions set out in this by-law and/or Robert’s Rules of Order.

“Secondary Motion” is a motion which, if adopted, may affects the disposition of a Main Motion.

“Special Meeting” means a meeting, other than a regularly scheduled meeting, called pursuant to the Municipal Act or the provisions of this by-law.

“Township” shall mean The Corporation of The Township of Leeds and the Thousand Islands.

“Website” means the Official Website of the Corporation of the Township of Leeds and the Thousand Islands - www.leeds1000islands.ca.

Article II

2. GENERAL PROVISIONS General Provisions

- 2.01 The rules and regulations contained in this By-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business in the Council and in the Committees thereof.
- 2.02 This By-law also applies to all local boards, **and committees of Council and** where ~~a local board they have has~~ not adopted ~~its their~~ own Rules of Procedure, in which case the necessary changes in terminology shall be deemed to apply, such as replacing “Council” with “Local Board”, and “Clerk” with “Board Staff”.
- 2.03 A rule in this By-law may be suspended for the purpose of that meeting or for purposes of a specific matter by a vote of two-thirds of the Members present and voting, provided that the rule is not mandated by legislation.
- 2.04 A motion to suspend the rules is not debatable.
- 2.05 The calculation of two-thirds vote shall be rounded up to the next highest whole number.
- 2.06 The governing legislation, the Procedural By-law, or any standing or special rules of order adopted by the Township shall govern the procedures of Council. Where inconsistencies exist or no rule is specified, the current edition of Robert Rules of Order, shall be the parliamentary authority which governs the proceedings of the Township.
- 2.07 In the case of the absence of the Mayor ~~due to illness, refusing to act,~~ or if the office is vacant, the Deputy Mayor shall ~~act in the place and stead of the Mayor~~ **preside** as head of council and they shall have all the rights, powers and authority of the head of council while so acting.

3. MEETINGS Meetings

- 3.01 Subject to the Electronic Meetings section, Meetings of Council shall normally be held in the Council Chambers, located at 1233 Prince Street, Lansdowne, Ontario.
- 3.02 The Inaugural Meeting of a Council newly elected shall take place on the first Monday of December following the general municipal election. **Unless otherwise stipulated,** regular Council **and Committee of the Whole** meetings will be ordinarily held **at 6:00 p.m.** on Mondays. Whenever possible, the schedule will be created with COTW on the first Monday of the month and Council the following Monday. The meeting schedule will be determined such that a meeting will not fall on a public holiday as such term is defined in the *Employment Standards Act, 2000, S.O. 2000, c 41*, as may be amended, repealed or replaced from time to time. Should a meeting fall on a public holiday, it will be held on the following Tuesday.
- a. ~~At the inaugural meeting of a Council, the Mayor shall nominate for approval by Council, the Deputy Mayor. The Deputy Mayor shall be appointed for the term of Council or any such period as Council deems appropriate.~~
- At the inaugural meeting of Council and the November meeting of the second year of the Council term, members will nominate and vote on a Deputy Mayor who shall be appointed for a two-year term.**
- 3.03 The COTW and Council meetings will be held in accordance with the

approved schedule of meetings set out and approved by Council, in the year prior.

- 3.04 Council may deviate from the Schedule of regular meetings or call additional meetings by resolution in which case a notice shall be posted advising of the time and date.
- 3.05 Special Meeting - The Mayor, may at any time summon a Special Meeting of Council with 48 hours' notice to the Members of Council or, upon receipt of a petition of the majority of the Members of Council, the Clerk shall summon a Special Meeting for the purpose of, and at the time specified, in the petition:
- a. The only business to be dealt with at a Special Meeting shall be that which is listed in the notice of the meeting;
 - b. Subject to the Closed Meeting section, all Special Meetings shall be open to the public. Notice will be posted on the Township's website.
- 3.06 Emergency Meeting - the Mayor, in the event of an Emergency may call a Special Meeting of Council without giving the mandatory 48 hours' notice, provided that the Clerk has diligently tried to advise all Members of Council immediately on being informed by the Mayor of their intention to hold such Special Meeting:
- a. All reasonable efforts will be made to post, as soon as possible, the notice of meeting at the Clerk's office, on the Township website, and other media as the Clerk may determine.
 - b. Emergency meetings, if required, may be held at a different location, if the established site of Council Chambers is inaccessible.
- 3.07 Closed Meeting - The Mayor, with the advice of the Clerk, shall decide the agenda items for Closed Meetings.
- a. Before holding a meeting pursuant to Section 239 of the *Municipal Act*, in whole or in part, that is to be closed to the public, Council, COTW, Committees or Local Boards shall state by resolution, the fact of the holding of the Closed Meeting and the general nature of the matter or matters to be considered at the Closed Meeting:
 - b. Voting in a closed session is prohibited except under the following circumstances:
 - The vote is for a procedural matter (for example, adoption of in camera minutes or adjournment of a meeting that was closed to the public); or
 - For giving directions or instructions to officers, employees or agents of the Township, local board or Committee or persons retained by or under a contract with the Township or local board.
- 3.08 Cancellation of Meetings – A COTW as well as regular or special meeting of Council may be cancelled in any of the following circumstances:
- a. The Clerk determines in advance that quorum will not be achieved.

- b. The meeting is cancelled by Council resolution; or
- c. With 48 hours' notice, in the event of exceptional circumstances, at the discretion of the Mayor, in consultation with the Chief Administrative Officer and/or Clerk.

3.09 Electronic Meetings - electronic participation may be allowed for a Member in accordance with this section:

- a. Members participating electronically shall count toward determining whether a quorum of Members is present and may vote;
- b. Members may participate electronically in a meeting which is closed to the public. It is the Member's responsibility to take all reasonable measures to ensure confidentiality and security of all close meeting content, in accordance with the Council Code of Conduct policy.

4. NOTICE-Notice

4.01 All notices of meetings, agendas and other communications to be given to Members shall be given by posting the notice, agenda or document on the Council automated agenda system at least 48 hours in advance and notifying the Members by e-mail at their e-mail addresses on record at the Township that such notice, agenda or document has been posted.

4.02 When a notice of meeting, agenda or other communication has been given to a Member of Council or Committee in accordance with subsection 4.01, it shall be deemed to have been received by the person to whom it was transmitted at the point of time that is six (6) hours after the time the e-mail was sent by the Township:

- a. In the event of an Emergency meeting, the Clerk shall follow up an email notification with a telephone call to the Member of Council.

4.03 If a Member does not have regular access to email or the internet, the Clerk shall make such alternative arrangements as they consider advisable to provide the person with notices of meetings, agendas and other communication. Such person shall be deemed to have received the notice, agenda or communication at the point of time that is six (6) hours after the time it is sent to the Members by the Township.

5. ~~CALLING OF MEETING TO ORDER AND QUORUM~~ Calling of Meeting to Order and Quorum

5.01 As soon after the hour fixed for the holding of the meeting of the Council as a quorum is present, the Mayor, or in the Mayor's absence, the Deputy Mayor or Presiding Officer, shall act as chair and call the meeting to order.

5.02 A quorum is a simple majority of the Members of Council, calculated by 50 percent of Members present + one (50%+1).

5.03 If no quorum is present 15 minutes after the time appointed for the meeting of the Council, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the date of the next regular meeting.

5.04 If the Mayor and the Deputy Mayor do not attend within fifteen (15) minutes after the time appointed for a meeting of the Council, the Clerk shall call the Members to order, and a Presiding Officer shall be appointed

by descent alphabetically from the Members present. Such Member shall preside until the arrival of the Mayor or the Deputy Mayor, and while presiding the Presiding Officer shall have all the powers of the Mayor.

- 5.05 If quorum is lost for a period greater than fifteen minutes, the meeting shall stand adjourned, but not ended, and shall reconvene at the next regularly scheduled Council meeting or at such other time and place as the Mayor may determine.
- 5.06 An adjourned meeting shall reconvene at the same location within the Agenda that it previously adjourned.

6. ~~CURFEW~~ Curfew

- 6.01 No item of business may be dealt with at a regular COTW or Council meeting after a three (3) hour period unless 2/3 consent is given by the Members of Council or COTW, as applicable.
- 6.02 Where curfew is extended by unanimous vote, the extension shall be for an additional ½ hour.
- 6.03 A motion for a recess may be called at any time during the meeting.

7. ~~THE CONDUCT OF PROCEEDINGS AT A MEETING OF COUNCIL~~ The Conduct of Proceedings at a Meeting of Council

- 7.01 It shall be the duty of the Presiding Officer to:
- a. Open the meeting of Council by taking the chair and calling the Members to order.
 - b. Receive and submit in the proper manner all motions presented by the Members of Council germane to the agenda.
 - c. Put to a vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and announce the results.
 - d. Decline to accept any motion that is outside of the Council's jurisdiction put to a vote, and any motions which would infringe the rules of procedure.
 - e. Restrain the Members within the Rules of Procedure when engaged in debate.
 - f. Enforce on all occasions the observance of order and decorum among Members.
 - g. Authenticate by their signature where necessary, all by-laws, resolutions and minutes of the Council meeting they presided over.
 - h. Represent and support the Council, declaring its will and obeying implicitly its decisions in all things.
 - i. Ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of the Council, in accordance with the Municipal Act and any other Act that may apply.
 - j. To order any individual or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order the individual or group to vacate the Council Chambers where such behaviour persists.
 - k. Adjourn the meeting without questions in the case of grave

disorder arising in the Council Chambers.

- I. Adjourn the meeting when the business at hand is concluded.

7.02 **Members of the public are welcome to attend all Council and Committee Meetings held in open session.** Members of the public who constitute the audience during a Council or COTW meeting, shall maintain order and shall conduct themselves in a courteous and respectful manner and in accordance with this By-law and may not:

- a. Address Council **without the permission of the Chair.**
- b. Interrupt any speech or action of the Members of Council or any other person addressing Council.
- c. **Hoot, holler, or cheer, clap or cause any disruption to the proceedings.**
- d. Display or have in their possession picket signs or placards in any Township buildings.
- e. **Use indecent, offensive or insulting language or speak disrespectfully to or about any individual.**
- f. **No person, except Members of Council and Staff of the Township shall be allowed to approach the area where the Members are seated during the meeting without the permission of the Chair.**

Individuals who wish to submit materials for Council's consideration must do so through the Clerk.

~~7.03 Members of the public who constitute the audience during a COTW meeting shall maintain order and may not:~~

~~a. interrupt any speech or action of the Members of COTW or any other person addressing COTW; or~~

~~b. display or have in their possession picket signs or placards in Township buildings.~~

Any person contravening the rules of conduct will be removed from the Council chambers.

7.04 Pursuant to Section 5.1 of the *Municipal Conflict of Interest Act*, R.S.O 1990, c M.50, a Member shall file a written statement of the interest describing the general nature of such interest, with the Clerk or the secretary of the Committee or local board:

- a. All such statements shall be kept for public record within the Clerk's Office and may be viewed at any time by the public.

8. AGENDA-Agenda

8.01 The Clerk shall prepare for the use of the Members at a COTW meeting an agenda under the following headings:

- a. Call to Order
- b. Declaration of **Conflict of Pecuniary** Interest and the General Nature Thereof
- c. Adoption of the Agenda
- d. **Closed Session**
- e. Delegations/**Presentations**
- f. **Briefings**

- g. Public Meeting
- h. Staff Reports
- i. Staff Reports for Information
- j. Information Items
- ~~k. Unfinished Business~~
- ~~l. Other Business~~
- ~~m. Matters Arising from Standing Committees Rise and Report & Minutes from Committees and Local Boards~~
- n. Notice(s) of Motion
- o. Mayor's Update
- p. In-Camera Closed Session (if required)
- q. Adjournment

8.02 The Clerk shall prepare for the use of the Members at a regular meeting of Council an agenda under the following headings:

- a. Call to Order
- b. O'Canada National Anthem
- c. Declaration of Conflict of Pecuniary Interest and the General Nature Thereof
- d. Adoption of the Agenda
- e. Closed Session
- f. Public Meeting
- g. Briefings
- h. Consent Agenda
 - Adoption and/or Receipt of Minutes
 - Staff Reports
- i. Action Required Items
- j. Mayor's Update
- k. Announcements from Councilors
- ~~l. In-Camera Closed Session (if required)~~
- m. By-laws
- n. Confirmatory by-law
- o. Adjournment

8.03 Motions of a substantive nature, where action is required by Members of Council may not be voted on at a Council meeting where it is introduced but rather, it shall be introduced at a meeting, under Notice of Motion and shall adhere to all of the requirements of the Notice of Motion section.

8.04 Confidential reports distributed with the agenda or handed out at the meeting shall be returned to the Clerk on the day of the meeting for shredding unless it is determined by the Clerk that the confidential reports can remain in the possession of the Members:

- a. No Member or staff shall disclose the content or deliberations of a closed meeting, unless:
 - Expressly authorized to do so by a majority vote of Council or the Committee.
 - Such disclosure is required to execute the specific direction(s) provided in the closed meeting, and then only to the extent that is necessary in the circumstances, or as required by law.

8.05 A Consent Agenda shall be utilized within a regular meeting of Council:

- a. Items added to the Consent Agenda are general in nature and do not need specific debate by Council.

- b. All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. Should a Council Member wish an alternative action from the proposed recommendation, the Member shall request that this matter be moved to “separate” the item
- c. The process shall be as follows:
 - The chair shall introduce by way of a motion; duly moved and seconded, the items contained in the agenda.
 - The chair shall then inquire whether any Members wish to debate any items set forth in the motion.
 - Any Member who wishes to debate or amend an item set forth in the motion shall advise the chair of the item(s).
 - Any items that have been identified for debate or amendment shall be debated or amended by Council separately.
 - If at the conclusion of the debate, no amendments have been proposed to any of the items, the chair shall then call the vote on the Consent Agenda.
 - If at the conclusion of the debate amendments have been proposed, the chair shall report all amendments to Council.
 - The chair shall then call the vote on each amended motion prior to a vote on the Consent Agenda motion.
 - The chair shall separate any item on which a Member has declared a pecuniary interest in accordance with the Municipal Conflict of Interest Act and a separate vote shall be taken with the item in question, prior to a vote on the Consent Agenda.
 - A Consent Agenda shall also be utilized for the By- laws item on the agenda, in accordance with this procedure.

9. MINUTES Minutes

9.01 Minutes shall record:

- a. the place, date and time of the meeting;
- b. the attendance of the Members, staff and Presiding Officer;
- c. the reading, if requested, the correction, if necessary, and adoption of the minutes of prior meetings;
- d. all other proceedings of the meeting without note or comment, including all resolutions and decisions;
- e. Disclosure(s) of pecuniary interest and the general nature thereof;
- f. The late arrivals and early departures of Members.

9.02 It shall be the duty of the Clerk to ensure that the minutes of the last regular meeting, and all special and standing Committee meetings held more than five (5) days excluding Saturdays and Sundays prior to a regular meeting, together with the agenda and related materials prepared in accordance with the Agenda section, are delivered to each Member not less than 48 hours before the hour for the holding of such regular meeting, and to the public via the Township website.

9.03 Such minutes may be adopted by Council without having been read at the meeting considering the questions of their adoption.

10. DEPUTATIONS Delegations

- ~~10.01~~ Individuals or groups desiring to address COTW must register with the Clerk (on the municipally prescribed form), and provide any correspondence/ presentation material, no later than Noon (local time—Lansdowne Ontario) on the Monday one week prior to the day of the COTW meeting.
- ~~10.02~~ The inclusion of a deputation on the agenda shall be determined on a first come first served basis unless items of a higher priority or a time-sensitive nature arise (at the discretion of the CAO and Mayor). As a rule, no more than two (2) deputations shall be heard at any COTW meeting.
- ~~10.03~~ Deputations shall be limited to ten (10) minutes of presentation time with an additional ten (10) minutes for questions and answers from Members.
- ~~10.04~~ Deputations shall abide by the rules of conduct and shall:
- ~~a.~~ not speak on any subject other than the subject for which they have received approval to address;
 - ~~b.~~ not enter into cross debate with other deputations, administration, Members or the Chair;
 - ~~c.~~ not appear for the purpose of publicly announcing a local event or commercial sales pitch; and
 - ~~d.~~ refrain from public outbursts, shouting, or behaviour intended to disrupt the discussion and/or general proceedings of the meeting;
 - ~~e.~~ a party will be limited to a single deputation on a particular subject unless new information arises on the same subject.
- 10.01 Any person desiring to present information orally on matters of fact or to make a request to Committee of the Whole shall give notice and disclose the Agenda Item and subject matter to the Clerk by 2:00 p.m. on the Friday prior to the meeting.
- 10.02 All written and/or electronic documentation for presentation to COTW in regard to section 10.01 shall be provided to the Clerk by 2:00 p.m. on the Friday before the meeting.
- 10.03 Any person desiring to present information orally on matters of fact or to make a request of Council regarding a matter that is not included on a Committee of the Whole or Council agenda for consideration shall give notice and disclose the subject matter to the Clerk not less than ten days preceding the Committee of the Whole meeting at which such person desires to be heard.
- 10.04 All written and/or electronic documentation for presentation to COTW in regard to section 10.03 shall be provided to the Clerk by 2:00 p.m. not less than ten days preceding the COTW meeting at which such person desires to be heard.
- 10.05 The Clerk, in consultation with the Mayor, shall have the authority to deem a delegation inappropriate in accordance with section 10.14, or outside the scope of Council authority (such as a federal or provincial matter for consideration) and deny the item a place on the agenda.

- 10.06 Except as required by law, any person appearing before Council or a Committee who has previously appeared before Council or the same Committee on the same subject matter shall be limited to providing only new information in their second and subsequent appearances.
- 10.07 Each delegate shall be limited to not more than a total of five (5) minutes, the Mayor, at their sole discretion, may grant the delegate additional time to address Council or the Committee of the Whole.
- 10.08 A maximum of three (3) delegations may address Council per Meeting.
- 10.09 Members may only address a Delegation to ask a question for clarification and shall not express opinions or enter into debate or discussion with the Delegation.
- 10.10 Members shall not pose questions to staff during a Delegation.
- 10.11 All delegates shall address the Mayor, state their name and whom they represent (if applicable).
- 10.12 No delegate shall:
- a) Speak disrespectfully of any person.
 - b) Use offensive language.
 - c) Speak on any subject other than the subject for which they have received approval to address Council.
 - d) Disobey the rules of procedure or a decision of the Mayor or Council.
- 10.13 The Mayor may curtail any delegation, any questions of a delegation or debate during a delegation or disorder or any other breach of this By-law, and, if the Mayor rules that the delegation is concluded, the person or persons appearing shall withdraw.
- 10.14 No Delegations shall be permitted on the following topics:
- a) Labour relations or staff negotiations.
 - b) An application submitted under the *Planning Act*.
 - c) A Notice of Motion.
 - d) Litigation or administrative tribunal proceedings that are either expected to proceed, that are currently proceeding or that have already been decided by a court or tribunal.
 - e) Tenders, requests for proposals or quotations or other procurement matters.
 - f) Any matter that is not within the jurisdiction of Council or the Committee of the Whole, as determined by the Mayor in consultation with the Clerk; and
 - g) Any matter that is properly the subject of a Closed Session.

11 Public Input Related to a Public Meeting Item

- 11.01 During a public meeting, members of the public wishing to speak to the matter will be limited to five (5) minutes and will be encouraged to provide their comments in writing to be put on record and limit their presentation to information that has not already been provided or addressed by another individual.
- 11.02 All individuals addressing Council or Committee of the Whole shall

follow the meetings decorum and instructions from the Mayor, shall introduce themselves and anyone accompanying them, abide by the Procedural By-law and the Rules of Order.

12 Briefings

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

~~13~~ PETITIONS AND COMMUNICATIONS Petitions and Communications

- 13.01 Every communication, including a petition designed to be presented to the Council, shall be written legibly, or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person and filed with the Clerk.
- 13.02 Every petition or communications shall be delivered to the Clerk no later than Noon on the Monday one week prior to the day of the Council meeting.
- 13.03 Communications or petitions will be added to the Council or COTW agenda depending on its nature, (action required/ information) at the discretion of the Clerk.

~~14~~ UNFINISHED BUSINESS

~~14.01 Any matter that has been tabled to a subsequent meeting (if such does not require a staff report), shall be considered under Unfinished Business until disposed of.~~

14. Announcements by Councillors

- 14.01 A Member shall be permitted to make announcements at a Council Meeting. Announcements shall not be debatable and the duration of the Member's announcement shall not exceed two (2) minutes.

~~15~~ READINGS OF BY-LAWS AND PRECEEDINGS THEREON Readings of By-Laws and Preceding's Thereon

- 15.01 No by-law shall be presented to Council unless copies in printed or electronic form have been circulated previously to Council with the agenda. The Clerk shall set out on all by-laws enacted by Council the date of all readings thereof.
- 15.02 Notwithstanding Section 15.01, by-laws may be presented for consideration of Council without the necessity of circulation if approved unanimously by Council.
- 15.03 By-laws shall be introduced by one Consent Agenda motion, properly moved and seconded by Council, and follow the Consent Agenda procedure set out in that section.
- 15.04 Every by-law proposed to Council shall be in printed form and shall contain no blanks except such as may be required to conform to accepted procedures or to comply with the provisions of any Act and shall be complete with the exception of the number and date thereof.
- 15.05 Every by-law shall have three readings prior to it being passed. Three readings may be given at a single Council meeting unless a duly moved and seconded motion to postpone the third reading to a day certain, is approved.

- 15.06 Every by-law enacted by the Council shall be numbered and dated and shall be sealed with the seal of the Corporation, signed by the Clerk and the Presiding Officer and deposited by the Clerk in the Township office for safekeeping.

ARTICLE III

~~16~~ INTRODUCTION OF MOTIONS Introduction of Motions

- 16.01 The Presiding Officer shall state the names of Members moving and seconding the motion and read the motion. A motion so put shall be considered the Main Motion.
- 16.02 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 motion may be read again before the question is put to Council.
- 16.03 The following matters and motions may be introduced orally without notice, except as otherwise provided by the Rules of Procedure:
- a. A point of order or privilege.
 - b. To move the question be put; (requires 2/3's vote).
 - c. To adjourn.
 - d. Motion to refer.
 - e. Motion to table, postpone, or defer to certain day.
 - f. Motion to amend.
 - g. Motion to suspend the Rules of Procedure (requires 2/3's vote); and
 - h. Any other procedural motion.
- 16.04 Save and except for motions described in subsection 16.03 of this By-law, all other motions shall be in writing and shall be duly moved and seconded and filed with the Recording Secretary.
- 16.05 All motions may be supported or opposed by the mover and seconder.
- 16.06 There shall never be more than one Main Motion before Council at one time.
- 16.07 When the motion under consideration contains two or more proposals, the same shall, at the request of any Member, be voted on separately.
- 16.08 Any Member may require the motion under discussion to be read a second time for their information, at any time during debate, but not so as to interrupt a Member speaking.

~~17~~ WITHDRAWAL Withdrawal

- 17.01 After a motion has been duly moved and seconded and stated by the Presiding Officer it shall be deemed to be in the possession of Council:
- a. The motion may only be withdrawn with the permission of the mover and seconder before it has been stated by the Presiding Officer.
 - b. Once a motion has been stated by the Presiding Officer, it may only be disposed of by motion, duly moved and seconded and voted on by the Members present.

~~18~~ MOTIONS RULED OUT OF ORDER Motions Ruled out of Order

- 18.01 Whenever the Presiding Officer is of the opinion that a motion is contrary to the Rules of Procedure, the Presiding Officer shall rule the motion out of order.

~~19~~ **NOT WITHIN THE JURISDICTION OF COUNCIL** **Not Within the Jurisdiction of Council**

- 19.01 A motion which requires the exercise of a power or powers by Council which are not within its jurisdiction shall not be considered.

~~20~~ **ORDER OF CONSIDERATION** **Order of Consideration**

- 20.01 When a motion is under consideration, no other Main Motion shall be received.
- 20.02 Notwithstanding section 20.01, a procedural motion or a motion to amend would be in order.
- 20.03 Procedural motions shall be considered immediately upon receipt 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 and needs 2/3's vote).
 - c. To refer (debatable only on the motion to refer).
 - d. To lay on the table (NOT debatable).
 - e. To defer indefinitely or to a certain day (debatable).
 - f. To adjourn (not debatable).
 - g. Any other procedural motion.

~~21~~ **TYPES OF MOTIONS** **Types of Motions**

- 21.01 Motion to Adjourn - The purpose of a motion to adjourn is to bring a Council meeting to an end or re-adjourn to another time and date. A motion to adjourn:
- a. Is not in order when a Member is speaking or between the times a vote is called and the results of the vote have been declared.
 - b. May be verbal.
 - c. If resolved in the affirmative, shall cause Council to immediately rise and take no further action on outstanding Council items on the current agenda proceeding until the next meeting of Council.
 - d. All outstanding items shall be added to unfinished business of the meeting agenda immediately following.
 - e. If resolved in the negative, shall entitle Council to resume its debate at the point immediately prior to the point at which the motion to adjourn was moved.
 - f. Is not debatable.
 - g. A motion to adjourn to a specific time, or to reconvene upon the happening of a specific event, if carried, suspends the Council meeting to continue at such time or upon the happening of such event.
- 21.02 Motion to Refer (secondary) - The purpose of a motion to refer is to refer a question to a Committee, COTW or Chief Administrative Officer. A motion to refer:
- a. Need not be in writing.

- b. Shall receive disposition of Council before the vote on the Main Motion.
 - c. Shall state the Committee or appointed official to which the matter shall be referred.
 - d. Can be amended as to the method of disposition, Committee or other similar instructions; and
 - e. Shall preclude all amendments of the Main Motion until it is decided.
- 21.03 Motion to defer (secondary) - The purpose of a motion to defer is to have a matter postponed or deferred indefinitely or to a definite date.
- a. The motion to defer is debatable on the merits of the deferral.
- 21.04 Motion to Amend - a motion to amend must be:
- a. To add or insert certain words or phrases.
 - b. To strike out certain words or phrases.
 - c. To amend certain words or phrases.
 - d. Relevant and not contrary to the principle of the motion or report under consideration.
 - e. To propose a separate and distinct disposition of a motion only where such altered disposition continues to relate to the main issue and subject matter of the motion.
 - f. Voted on before the Main Motion.
 - g. A primary amendment or a sub-secondary amendment to a question at any one time. When both have been dealt with, the Presiding Officer may entertain a further amendment or sub-amendment, as the case may be.
 - h. Voted on in reverse order to their introduction. The secondary amendment (amendment to the amendment) must be disposed of before the primary amendment and the primary amendment must be voted on before the Main Motion.
- 21.05 Motion to Call the Question - The purpose of a motion to call the question is to immediately close debate and bring Council to a vote on a pending question. A motion to call the question:
- a. Is not debatable.
 - b. Is not amendable.
 - c. Cannot be moved when there is an amendment under consideration.
 - d. Requires a 2/3's vote for approval.
 - e. If a motion to Call the Question is resolved in the affirmative, the Presiding Officer shall forthwith put the Main Motion as a question.
 - f. If a motion to Call the Question is resolved in the negative, debate shall continue on the Main Motion.
- 21.06 Motion for Reconsideration - The purpose of a motion for reconsideration is to reconsider a matter decided by Council, subject to the following:
- a. A motion for reconsideration shall be ruled out of order if any change to the previous decision would interfere with legally binding commitments of the Township existing as of the date the motion to reconsider is moved.
 - b. Such motion shall be moved by a Member who voted on the prevailing side.

- c. Such motion shall be supported by a majority vote of the Members of Council before the matter to be reconsidered can be debated.
 - d. Debate on the question shall be confined to such matters as new information that has come forward, an error in documentation presented or incorrect statements made during the original debate.
 - e. If a motion for reconsideration is approved:
 - No action shall be taken in respect of the matter under reconsideration until it has again been presented to Council and Council has made a decision on it.
 - The matter shall be presented to Council in the manner in which it was disposed/decided by Council; and
 - The matter shall be debated and determined according to the Rules of Procedure.
- 21.07 Motion to Rescind - The purpose of a motion to rescind is to repeal some action Council has previously taken when it is too late to reconsider the vote.
- a. Should it become necessary to rescind a motion that has been passed, notice of intention to do so can be given at one meeting.
 - b. A motion to rescind is then introduced and dealt with at a subsequent meeting.
 - c. An action of Council can may be rescinded at any time.
- 21.08 Notice of Motion - A notice of motion may be introduced at a meeting regarding a matter that would not otherwise be considered by Council at such meeting:
- a. Notice of Motions introduced at a Committee of the Whole meeting shall not be debated, nor voted on, and shall be put forth on the next regular meeting of Council under Action Required (or specified meeting date.).
 - b. The Notice of Motion must indicate at which future meeting of Council the motion is to be considered.
 - c. Requires no seconder.
 - d. Is not debatable.
 - e. Is not voted on.
 - f. At a regular meeting of Council (or meeting date set out in the Notice of Motion), the Presiding Officer calls a Member's Notice of Motion:
 - If the Member does not wish to proceed, the Notice of Motion shall be dropped from the agenda and shall be deemed to have been withdrawn; or
 - If the Member is absent, the Notice of Motion must be added to the next regular Council meeting for consideration (when the Member is present).
 - if the Member wishes to proceed, before the motion can be placed on the floor, it requires a seconder.

22 — VOTING Voting

- 22.01 Mayor – The head of Council shall vote with other Members of Council.
- 22.02 Questions Stated – Immediately preceding the taking of the vote, the Presiding Officer shall state the question in the form introduced and in

which it will be recorded in the minutes.

- 22.03 No Interruption After the Question – After a question is put by the Presiding Officer, no Member shall speak to the question, nor shall any other motion be made until after the vote is taken and the results have been declared except for a point of order.
- 22.04 Division of Question – If requested by a Member, a separate vote may be taken upon each proposal contained in a question divided, if the question is able to stand on its own, separate from other questions, with consent of the Council.
- 22.05 Should the question not be able to stand on its own as an action, the request to divide the question shall be taken by motion prior to the division.
- 22.06 Unrecorded Vote – The manner of determining the decision of the Council on a motion shall be at the discretion of the Presiding Officer and may be by show of hands.
- 22.07 Recorded Vote – When a Member present requests a recorded vote, all Members present at the Council or Committee meeting must vote:
 - a. The Member who requested the recorded vote shall vote first. The names of those who voted in favor, the names of those who voted against, shall be noted on the written motion and recorded in the minutes. The Clerk shall call the vote and announce the results.
 - b. A request for a recorded vote can be made immediately before or after the taking of the vote.
- 22.08 Tie Vote – A motion on which the voting results in a tie shall be declared lost.

Article IV

~~23~~ RULES OF DEBATE Rules of Debate

- 23.01 Every Member speaking to any question or motion shall address the Presiding Officer. When two or more Members desire to speak, the Presiding Officer shall designate the Member who shall speak first and second, third and fourth, if necessary. Every Member present at a meeting of Council when a question is put may vote thereon unless prohibited by statute.
- 23.02 If the Member at a meeting of the Council, when a question is put to a recorded vote, does not vote, the Member shall be deemed as voting in the negative except where they are prohibited from voting by statute.
- 23.03 When the Presiding Officer calls for the vote on a question, each Member present in the chamber shall occupy the Member's seat and shall remain in the Member's place until the result of the vote has been declared by the Presiding Officer, and during such time no Member shall speak to any other Member or make any noise or disturbance.
- 23.04 When a Member is speaking no other Member shall interrupt the Member except on a point of order, and during such time no other Member shall speak to any other Member or make any noise or disturbance.
- 23.05 A Member may speak twice on the same question. A Member may speak a second time only after all the other Members have first been given an opportunity to speak on this issue.
- 23.06 No Member without the leave of Council shall speak to the same question, or in reply, for longer than five (5) minutes.
- 23.07 Notwithstanding these rules of debate, the Presiding Officer may permit a less formal discussion to proceed so long as they deem it is in the best interests of Council deliberations and providing no Member objects.

~~24~~ POINTS OF ORDER AND PRIVILEGE Points of Order and Privilege

- 24.01 The Presiding Officer shall preserve order and decide questions of order.
- 24.02 A Member shall ask leave of the Presiding Officer to raise a point of order and the Member state the point of order for the Presiding Officer's determination.
- 24.03 The purpose of raising a point of order is to bring to the attention of the presiding officer that a rule has been broken or an error in procedure has been made as follows:
- a) Breaches of the rules of order of Council.
 - b) Difficulty in continuation of the meeting.
 - c) Improper, offensive or abusive language use.
 - d) Notice that the discussion is outside the scope of the motion or the notice of motion.
 - e) Irregularities in the proceedings.

- 24.04 The purpose of raising a point of clarification is to ask questions, reword a motion, or clear up confusion. A point of clarification can be requested when someone needs clarification on the discussion or motion.
- 24.05 The Presiding Officer shall rule on the Point of Order without debate.
- 24.06 Thereafter, a Member shall address the Presiding Officer only for the purpose of appealing the Presiding Officer's decision to the Council.
- 24.07 If no Member appeals, the decision of the Presiding Officer shall be final.
- 24.08 Council, if appealed to, shall decide the question without debate and its decision shall be final.
- 24.09 Where a Member considers that the Member's integrity or the integrity of Council as a whole has been challenged, the Member may, as a matter of personal privilege, rise at any time, for the purpose of drawing the attention of the Council to the matter. Upon being recognized by the Presiding Officer, the Member shall determine the question.

Article V

~~25~~ COMMITTEES OF COUNCIL Committees of Council

- 25.01 Procedure - Except as otherwise provided herein, **or, if a separate by-law specifically governs Committees of Council**, a Committee shall conform to the same Rules of Procedure that govern the protocol and procedures of Council insofar as they are applicable.
- 25.02 Establishment/Appointment
- a. Members of Council shall serve on the Standing Committees. Members of the public will also be appointed to sit on the Standing Committees.
 - b. A Standing Committee may recommend such subcommittees as are necessary to discharge its mandate.
 - c. An ad hoc Committee is a special purpose committee, created by Council to inquire and report, within a specified period of time, on a particular matter or concern, and which dissolves automatically upon submitting its final report, unless otherwise directed by Council.
 - d. The names of Members to be appointed to the Committees, or other body to which Council is required or empowered to appoint persons, shall be determined by Council as they see fit.

~~26~~ DUTIES OF THE COMMITTEE Duties of the Committee

- 26.01 The Chair of a Committee shall:
- a. Ensure that the Committee deals with policy issues effectively.
 - b. Ensure the needs of the Committee for administrative support, analysis, and advice are provided through the office of the Chief Administrative Officer.
 - c. Ensure that all Committee Members are fully informed on all matters within the jurisdiction of the Committee and on the duties and responsibilities of the Committee.
 - d. Liaise with the Mayor and communicate any matter within the knowledge of the chair that is required to be communicated to another Committee.
- 26.02 Duties of Committees
- a. 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.
 - b. Should any Member of a Committee fail to attend three successive regular or special meetings without being authorized to do so by a resolution of the Committee, the Committee may recommend to Council they declare the Committee seat vacant, and Council may appoint another Member in the Member's place.
 - c. Should a Member of a Committee die, resign, or be otherwise disqualified, Council shall, by resolution, declare their seat vacant and appoint another Member to fill the vacancy.

- d. The Clerk, or an employee of the Township designated by the Clerk, shall be the recording secretary of the Committee.

26.03 Committee Meetings

- a. A chair and vice chair shall be elected/appointed by the Committee Members at the first meeting of the Committee.
- b. The Clerk shall, upon instruction of the Committee chair or Mayor, call a meeting of any Committee.
- c. In the case of any emergency and in the absence of the Committee chair and/or the Mayor, a Committee meeting may be called by the Clerk in such a way as they may deem best regarding notice to the Members and to the public.
- d. The Committee chair shall preside, or alternatively the vice-chair upon request of the chair, at all Committee meetings. In the absence of the Committee chair, the vice-chair shall preside, or in the absence of both, such other Member of the Committee as may be appointed by the concurring vote of a majority of the Members of the Committee present.
- e. In the absence of the Committee chair and vice-chair for a period of fifteen (15) minutes after the time appointed for holding a Committee meeting, one of the other Members of the Committee, if there be a quorum present, may be appointed and discharge the duties of the Committee chair during the meeting or until the arrival of the Committee chair or vice-chair.
- f. The Committee chair may vote on any question before the Committee. In the event of an equality of votes the question being voted upon shall be deemed lost.
- g. If there is no quorum present fifteen (15) minutes after the time appointed for the meeting, the meeting shall stand adjourned at the call of the Committee chair.
- h. The Committee shall consider and report only on matters within its jurisdiction.
- i. Meetings shall be open to the public pursuant to section 239 of the *Municipal Act*, 2001.

26.04 Committee Agendas

- a. The Clerk or designate shall prepare and distribute to all Members of the Committee in accordance with section 3, an agenda setting forth the business to be considered at regular Committee meetings. The items of business to be included on the agenda shall be developed under the direction of the Chief Administrative Officer, the Clerk, and/or the Committee chair;
- b. The following headings shall be used in preparing the agenda for regular Committee meetings:
 - Call to Order
 - Disclosure of Pecuniary Interest and General Nature Thereof
 - Adoption of the Agenda
 - Adoption of the Minutes
 - Presentations
 - Business
 - Information Items
 - Adjournment
- c. The business of the Committee shall be considered in the

order set forth on the agenda provided that the Committee chair, with the approval of the committee, may vary the order of business to better deal with matters before the committee.

ARTICLE VI

~~27~~ CONFIRMATORY BY-LAW Confirmatory By-Law

27.01 The proceedings at every regular and special Council meeting shall be confirmed by by-law so that every decision of the Council at that meeting and every resolution passed thereafter shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.

ARTICLE VII

~~28~~ CONDUCT OF MEMBERS DURING MEETINGS Conduct of Members During Meetings

28.01 No Member shall:

- a. speak disrespectfully or use offensive language against the Council, the Committees or against any Member;
- b. criticize any decision of the Council or the Committees except for the purpose of moving the question be reconsidered or rescindment of a resolution;
- c. disobey the Rules of Procedure or a decision of the Presiding Officer or the Committee Chair on questions of order or practice upon the interpretation of the Rules of Procedure;
- d. speak without first being called upon by the Presiding Officer or the Committee Chair;
- e. speak on any subject other than the subject in debate;
- f. cause a disturbance when the Presiding Officer or the Committee Chair is putting the question;
- g. where a matter has been discussed in In-Camera, and where the matter remains confidential, disclose the substance of deliberations of the In-Camera meeting.

28.02 In case a Member persists in any such disobedience after having been called to order by the Presiding Officer, the Presiding Officer may order the member to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order the individual to vacate the Council Chambers where such behaviour persists.

Article VIII

~~29~~ ~~**REPEAL – ENACTMENT**~~ **Repeal – Enactment**

29.01 By-law 2017-063 and 2020-025 and all adhering amendments are hereby repealed.

~~30~~ ~~**SEVERABILITY**~~ **Severability**

30.01 If any term, provision, clause or sub-clause of this by-law or the application thereof shall (to any extent) be invalid or unenforceable, the remainder of this by-law shall not be affected and shall be valid and enforced to the fullest extent permitted by law.

~~31~~ ~~**EFFECT**~~ **Effect**

31.01 This by-law shall come into force and take effect upon the passing thereof.

~~32~~ ~~**SHORT TITLE**~~ **Short Title**

32.01 This by-law may be referred to as either the "Procedural By-law."

READ A FIRST AND SECOND TIME THIS 9TH DAY OF MAY 2022.

READ A THIRD TIME AND FINALLY PASSED THIS 9TH DAY OF MAY 2022.

Corinna Smith-Gatcke, Mayor

Megan Shannon, Clerk

28. **SEVERABILITY**

28.01 If any term, provision, clause or sub-clause of this by-law or the application thereof shall (to any extent) be invalid or unenforceable, the remainder of this by-law shall not be affected and shall be valid and enforced to the fullest extent permitted by law.

29. **EFFECT**

29.01 This by-law shall come into force and take effect upon the passing thereof.

30. **SHORT TITLE**

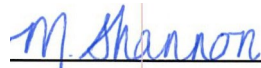
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READ A FIRST AND SECOND TIME THIS 9TH DAY OF MAY 2022.

READ A THIRD TIME AND FINALLY PASSED THIS 9TH DAY OF MAY 2022.



Corinna Smith-Gatcke, Mayor



Megan Shannon, Clerk

