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DRAFT

# The Corporation of the Municipality of West Grey Bylaw No. 2024-XXX

A bylaw to govern the proceedings of council and committees.

WHEREAS section 238 of the *Municipal Act, 2001* provides that a council shall pass a procedure bylaw for governing the calling, place and proceedings of meetings; and

WHEREAS on DATE, the council of the Corporation of the Municipality of West Grey passed Resolution No. R-XXXXXX-XXX directing staff to bring forward a new procedural bylaw for approval; and

WHEREAS on DATE, notice of intention to pass a bylaw respecting the calling, place and proceedings of meetings was provided in accordance with Notice Bylaw No. 2023-020;

NOW THEREFORE be it resolved that the council of the Corporation of the Municipality of West Grey hereby enacts as follows:

## Part I. Short Title, Definitions, and Interpretation

### Short Title

1. This bylaw may be referred to as the "Procedural Bylaw".

### Definitions

2. In this bylaw:

**"Act"** means the *Municipal Act, S.O. 2001, c. 25*, as amended from time to time.

**"Acting Mayor"** means a council member appointed by council to act in the place of the Mayor or Deputy Mayor when both are absent, refuse to act or declare a pecuniary interest, and who shall exercise all the rights, powers and authority of the Mayor.

**"Addendum"** means any addition to a completed published council agenda or addition to an item on the council agenda.

**"Ad Hoc Committee"** means a committee with a specific mandate of a limited nature, which meets as necessary to provide recommendations to council and which is disbanded following the completion of the mandate.

**"Advisory Committee"** means a committee with a specific mandate of an ongoing nature, which meets regularly to provide recommendations to council.

**"Agenda"** means the document issued in accordance with this bylaw that sets out the items of business and order of proceedings for any meeting.

**"CAO"** means the Chief Administrative Officer of the municipality.

**"Chair"** means the person presiding at a meeting.

**"Clerk"** means the Clerk of the Corporation of the Municipality of West Grey, or their designate.

**“Closed Session”** means a meeting or part of a meeting of council or a committee not open to the public, held in accordance with the *Municipal Act, 2001*.

**“Committee”** means any advisory or other Committee or similar entity, appointed by Council.

**“Confirmatory Bylaw”** means a bylaw passed at the conclusion of council meetings, confirming the actions of council taken at that meeting and any previous meetings which did not have a confirmatory bylaw, in respect of each resolution and other actions taken, so that every decision of council shall have the same force and effect as if each and every one of them had been the subject-matter of a separately enacted bylaw.

**“Council”** means the council of the Corporation of the Municipality of West Grey.

**“Councillor”** means a member of council, other than the Mayor or Deputy Mayor.

**“Defamatory”** means an unjustified falsehood which is derogatory toward an identifiable person or group.

**“Delegation”** means any person, group of persons, firm, or organization who is neither a member of council or an appointed official of the municipality who has requested and is permitted to address council.

**“Deputy Mayor”** means the member of council elected to assist the Mayor in carrying out his or her powers and duties and to act in the place of the Mayor when the Mayor is absent, refuses to act or declares a pecuniary interest, and who shall exercise all the rights, powers and authority of the Mayor.

**“Disqualifying Interest”** means an interest in a matter that, by virtue of the relationship between the member and other persons or bodies associated with the matter, is of such a nature that reasonable persons fully informed of the facts would believe that the member could not participate impartially in the decision-making processes related to the matter.

**“Electronic Means”** means telephone, video, or audio conferencing or other interactive method whereby members, staff, and the public are able to hear the person(s) participating by electronic means and the person(s) participating by electronic means are able to hear members, staff and the public.

**“Electronic Participation”** means a member of council who participates remotely in any open or closed council or committee meeting via electronic means and has the same rights and responsibilities as if they were in physical attendance, including the right to vote, and shall count towards a quorum of members.

**“Emergency”** means a situation as defined by the *Emergency Management and Civil Protection Act*.

**“Emergency Meeting”** means a meeting of council called without notice to deal with an emergency or an urgent situation where timing requires that a matter be addressed as soon as possible.

**“Improper Conduct”** means conduct that obstructs in any way the deliberations and/or proper action of council, and includes but is not limited to conduct that negatively affects the observance of order and decorum among members and the attending public.

**“Inaugural Meeting”** means the first meeting of a new council held after a regular municipal election, as set out in the Act.

**“Majority Vote”** means more than half of the members of council or committee present at the vote and not prohibited by statute from voting.

**“Mayor”** means the member of council holding the office of Mayor and who is the Head of Council.

**“Meeting”** means any regular, special, or other meeting of a council, or a local board or of a committee of either of them, where,

- i A quorum of members is present; and
- ii 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”** means a member, including the Mayor and Deputy Mayor, of the council or committee of council of the Municipality of West Grey.

**“Motion”** means a question to be considered by council or a committee of council which is read, moved, seconded, and is subject to debate.

**“Municipality”** means the Corporation of the Municipality of West Grey.

**“Non-disqualifying Interest”** means an interest in a matter that, by virtue of the relationship between the member and other persons or bodies associated with the matter, is of such a nature that reasonable persons fully informed of the facts would believe that the member could participate impartially in the decision-making processes related to the matter so long as the member fully discloses the interest so as to provide transparency about the relationship; and the member states why the interest does not prevent the member from making an impartial decision on the matter.

**“Notice of Motion”** means an advance notice to members respecting a matter on which they will be asked to take a position.

**“Obscene”** means language, gestures, or images which are, or which are likely to be received as being, degrading or dehumanizing of an individual or group, particularly but not limited to on the basis of grounds protected under the Human Rights Code (Ontario).

**“Pecuniary Interest”** means a direct or indirect financial interest within the meaning of the *Municipal Conflict of Interest Act*, R.S.O. 1990, chapter M.50, as amended.

**“Petition”** means a document presented by the community to council to voice their opinion on an issue within the jurisdiction of the municipality.

**“Point of Order”** means a concern regarding: conformity to this bylaw or the rules of order; improper, offensive, or abusive language; notice that discussion is

outside the scope of the motion under consideration; or irregularities in the proceedings.

**“Point of Privilege”** means a question raised by a member who believes their rights as members have been violated or a matter that a member considers to question their integrity and/or the integrity of council.

**“Presentation”** means an address to council or committee at the request of council, a committee, or staff.

**“Quorum”** means a majority of the whole number of members of council or a committee.

**“Recording Device”** means any device used for the purpose of recording whether it be analogue, digital or other means of recording, including but not limited to computers, cell phones, smartphones, tablets, voice recorders, cameras or any other similar device.

**“Registered Delegate”** means an individual who has submitted a request for delegation to the Clerk within the prescribed timelines to address council or committee in relation to a matter appearing on the agenda.

**“Regular Meeting”** means meetings held on a regular basis according to the schedule of regular meetings annually approved by council.

**“Rules of Procedure”** means the rules and procedures set out in this bylaw.

**“Special Meeting”** means a meeting held at a time other than a regular meeting, upon forty-eight (48) hours’ notice and dealing with a specific item(s) of business.

**“Unfinished Business”** means an agenda item(s) from the previous agenda that was left undisposed of at the time of adjournment of the previous meeting.

### **Interpretation**

3. The division of this bylaw into parts and the insertion of headings are for convenient reference only and shall not affect the interpretation of the bylaw.
4. References to words in the plural include the singular, as applicable.
5. References to laws in this bylaw are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.
6. If a court or tribunal of competent jurisdiction declares any portion of this bylaw to be illegal or unenforceable, that portion of this bylaw shall be considered to be severed from the balance of the bylaw, the remainder of which shall continue to operate in full force and effect.
7. In the event of a conflict between the provisions of this bylaw and the *Municipal Act, 2001* or any other legislation, the provisions of the legislation shall prevail.
8. Where any matter of procedure is not provided for in this bylaw, Robert’s Rules of Order, as revised, shall be followed.

9. Decisions binding the council may only be made at council meetings, unless authority has been specifically delegated. Committees may only make recommendations to council for its consideration.

## **Part II. Application and Suspension of Rules**

### **Application**

10. The rules contained in this bylaw shall be observed in all regular meetings and special meetings of council.
11. In emergency meetings, the chair shall preside and preserve decorum, applying the rules set out in this bylaw at the chair's discretion.
12. The rules contained in this bylaw shall be observed in all committees, with necessary modifications, except where a rule indicates that it specifically applies to council. Where specific rules for committees exist, they shall prevail over general rules.
13. Where a local board of the municipality has not adopted a procedural bylaw, such board shall be deemed to have adopted this bylaw, with necessary modifications, except where a rule indicates that it specifically applies to council. Where specific rules for local boards exist, they shall prevail over general rules.
14. In any case for which provision is not made in these rules and regulations, the procedure to be followed shall be the most similar procedure found in the most recent edition of Roberts Rules of Order in existence at the time of the meeting shall be referred to.

### **Suspension**

15. No provision of this bylaw shall be suspended except by affirmative vote of at least two-thirds (2/3) of the whole members of council for each incidence of suspension of the rules.
16. A suspension shall only apply to the procedure(s) or rule(s) which are stated within the motion to suspend and only during the meeting in which such motion was introduced.
17. The following procedure(s) or rule(s) shall not be suspended:
  - i. Majority of whole of members required for quorum; and
  - ii. Any statutory requirements with respect to proceedings.

## **Part III. Rules of Conduct and Debate**

### **Electronic Devices**

18. Each member shall place any electronic devices on an inaudible setting during any open or closed meeting.
19. No member shall use an electronic device to broadcast, record or otherwise publish or distribute audio or video of any open or closed meeting, nor photographs of any closed meeting.



### **Address the Mayor and Order of Speaking**

20. Every member desiring to speak shall signify their desire to speak in such a manner as the Mayor may direct, and upon being recognized by the Mayor, shall address the Mayor.
21. Subject to section 18, when two or more members signify a desire to speak, the Mayor shall recognize the member who, in the opinion of the Mayor, so signified first and next recognize in order the other members.

### **Conduct of Council and Committee Members**

22. Council members shall govern themselves according to council's Code of Conduct and the Council-Staff Relations policy.
23. Members of council shall conduct themselves in council and committee meetings in a professional manner that is respectful of fellow members, staff, and the attending public.
24. No member shall:
  - i. Speak disrespectfully of the Reigning Sovereign, or of any member of the Royal Family, or of the Governor General or the Lieutenant-Governor of any province, any duly elected public official including fellow members of council, or staff;
  - ii. Use offensive words or unparliamentary language;
  - iii. Speak on any subject other than the subject in debate;
  - iv. Interrupt a member speaking except to raise a point of order or point of privilege;
  - v. Where a matter has been discussed closed session, and where the matter remains confidential, disclose the content of the matter or the substance of the deliberations of the closed session meeting; or
  - vi. 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.
25. Where a member has been called to order by the Mayor for failing to observe the provisions of section 22 and the member persists in any such conduct, the Mayor may forthwith put the question, no amendment, adjournment or debate being allowed, "that councillor [Name of Member] be ordered to leave their seat for the duration of the meeting of council", but if the member apologizes, the member may, by vote of council, be permitted to retake their seat.

### **Conduct of Public and Delegations**

26. Members of the public who are present at a meeting shall ensure that all electronic devices are set to silent mode.
27. To preserve and protect the decorum of council chamber or other meeting place of council, members of the public participating in a meeting, including members of the audience attending electronically or in-person, shall not:
  - i. Address council or committee without permission;

- ii. Bring food or beverage, with the exception of water, into the council chamber or meeting room unless so authorized;
  - iii. Engage in any activity or behaviour or make any audible noise that could affect the council or committee deliberations, including clapping, shouting, jeering or any other form of disorderly conduct; or
  - iv. Bring any signs or placards into, or hand out any brochures, pamphlets, buttons or literature in the council chambers.
28. No person shall make defamatory comments, or speak ill of, or malign the integrity of staff, the public, Mayor, or members of council or committee.

### **Point of Order**

29. A member may raise a point of order at any time, whereupon the Mayor or chair shall:
- i. Interrupt the matter under consideration;
  - ii. Ask the member raising the point of order to state the substance of and the basis for the point of order; and
  - iii. Rule on the point of order immediately without debate by council or committee.
30. A member of council or committee may appeal the ruling of the Mayor or chair to council or committee which will then decide on the appeal, without debate, by way of a majority vote of the members present. If there is no appeal, the decision of the Mayor or chair shall be final.

### **Point of Privilege**

31. The Mayor or chair shall preserve order and rule on points of order and privilege.
32. A member may raise a point of privilege at any time if they consider that their integrity, the integrity of council or committee as a whole, or staff has been impugned, whereupon the Mayor or chair shall:
- i. Interrupt the matter under consideration;
  - ii. Ask the member raising the point of privilege to state the substance of and the basis for the point of privilege; and
  - iii. Rule on the point of privilege immediately without debate by council or committee.
33. A member of council or committee may appeal the ruling of the Mayor or chair to council or committee.
34. If there is no appeal, the decision of the Mayor or chair shall be final. The council or committee, if appealed to, shall vote on the motion without debate by way of a majority vote of the members present and its decision shall be final.

### **Reading Motion under Consideration**

35. Any member may require a motion under consideration to be read at any time during debate but not so as to interrupt a member who is speaking.

## **Questions**

36. When a motion is under consideration, a member may ask a concisely worded question of another member or appropriate staff person, through the chair, prior to the motion being put to a vote.

## **Part IV. Location and Schedule of Meetings**

### **Inaugural Meeting**

37. The inaugural meeting of the new council, after a regular election, shall be held in accordance with the *Municipal Act* in the Council Chambers at the West Grey municipal office. The Clerk, in consultation with the Mayor-elect, shall set the date.
38. No business shall be conducted at the inaugural meeting of council until the declarations of office have been made by the members of council.

### **Location of Meetings**

39. All open regular meetings of council shall be held at the West Grey Council Chambers, 402813 Grey Road 4, Durham, or at such other place as is specified in the agenda. Where an alternate location is required, it shall be within the boundaries of the Municipality of West Grey or an adjacent municipality at a venue that is accessible to the public.
40. All closed sessions, special, and emergency meetings of council shall be held at a location determined by the Clerk.
41. In the event that a meeting is to be held jointly with one or more other municipalities, the meeting may be held within any one of those municipalities or in a municipality adjacent to any one of them.

### **Annual Schedule**

42. Each year the Clerk shall submit a schedule of regular meetings for the following year for consideration and adoption by council. Upon adoption, the schedule shall be posted on the municipality's website.

### **Time of Regular Meetings**

43. The regular meetings of council shall be held on Tuesdays commencing at 9:00 a.m. unless otherwise decided by council.

### **Time of Special and Emergency Meetings**

44. The chair may, at any time, call a special or emergency meeting and affix the time for the meeting.
45. Upon receipt of a petition signed by a majority of the members, the Clerk shall call a special meeting or emergency meetings for the purpose and at the time declared in the petition. Once a petition for a special or emergency meeting is received by the Clerk, no member may add or remove their name from the petition.

## **Part V. Public Notice of Meetings**

46. The Clerk shall give public notice of all regular open and closed council and committee meetings by inclusion on the municipal website at least five calendar days prior to the meeting.
47. The Clerk shall give notice of all special open and closed meetings of council and committee by inclusion on the municipal website as soon as possible after the meeting is called and no later than 48 hours prior to the meeting. Agendas and supporting documentation shall be posted as soon as practical prior to the special meeting.
48. For an emergency meeting, notice shall be provided to members and the public in a time and manner that the Mayor or the Clerk considers most expedient. No meeting shall be held until, in the judgement of the Mayor or the Clerk, there has been sufficient effort to notify all members of council and the public. Agendas and supporting documentation shall be posted as soon as practical prior to the special meeting.
49. Notice which is substantively given, but which is irregular or not otherwise in strict compliance with this bylaw will not invalidate the holding of a meeting or any proceeding taken at the meeting.
50. Public notice shall include the following:
  - i. Date;
  - ii. Time;
  - iii. Location of meeting; and
  - iv. Method of participation (in-person, electronic, or a combination of both).
51. Any regular meetings of council may be postponed to a day named in:
  - i. A resolution of council passed by the majority of members; or
  - ii. A notice by the Clerk, as deemed necessary by the CAO and Mayor, due to inclement weather or emergency. Notice shall be given by the Clerk on the website, posted at the location where the meeting was to be held (if possible), and sent directly to members.

## **Part VI. Quorum, Commencement, and Adjournment**

### **Commencement**

52. As soon as there is a quorum after the hour set for the meeting, the Mayor shall take the chair and call the members present to order.
53. If the Mayor or Deputy Mayor do not attend within 15 minutes after the time appointed for a meeting of the council, the Clerk shall call the members to order and another member of council shall be appointed as presiding officer for the duration of the meeting, or until the arrival of the Mayor or Deputy Mayor.
54. While presiding, the Deputy Mayor or presiding officer shall have all the powers of the Mayor and shall be so addressed, and shall be entitled to vote as a member.

## **Quorum**

55. A majority of the whole of members shall constitute quorum and be necessary for the transaction of business.
56. If a quorum is not present to enable a meeting to commence 15 minutes after the time appointed for a meeting of council, the Clerk shall indicate that no quorum is present and record the names of the members present and the members present shall stand discharged from waiting further.
57. If a meeting does not take place because of the lack of quorum, the council shall meet at the next regularly scheduled meeting of council.
58. If during the course of a meeting quorum is lost, the meeting shall automatically be recessed until a quorum is re-established. If the loss of a quorum continues for 15 minutes, the meeting shall stand adjourned until, and the unfinished business will be considered at, the next regularly scheduled meeting.
59. Should a member declare a pecuniary interest on a matter considered in a meeting, quorum for the meeting shall be subject to the provisions of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended.

## **Adjournment**

60. All regular, special, and emergency meetings shall end when:
  - i. The business of the meeting has been concluded;
  - ii. A motion to adjourn is carried;
  - iii. Quorum is lost and cannot be regained;
  - iv. An emergency exists; or
  - v. Disorder arises and order cannot be restored.
61. In addition to the above, the time of adjournment of all regular meetings of council, including any closed portion of the meeting, shall be no later than four hours following the commencement of the meeting.
62. Council may, by an affirmative vote of at least two-thirds (2/3) of the members present, extend the meeting by up to one hour.
63. Only one motion to extend the time of adjournment shall be permitted per meeting.

## **Declarations of Interest**

64. Prior to a particular matter being addressed, members shall declare aloud any interests they may have, and the general nature thereof, in connection with that matter pursuant to the *Municipal Conflict of Interest Act*. Such members shall then be precluded from participating in any way regarding the matter in question, including presiding over the meeting while the matter is under consideration.
65. Upon declaring an interest at a meeting of council or of a local board, a member shall provide a written statement of the interest and its general nature to the Clerk. The Clerk will include the statement in a registry maintained in accordance with the *Municipal Conflict of Interest Act*.

66. No member who has declared an interest in a matter may move, second or vote on a motion to adopt multiple items if the matter that is subject of the interest is contained therein. Members may request to divide such a motion in order to vote on those items in which there is no interest.
67. Disclosures of pecuniary interest made during a closed session shall include the declaration and its general nature. At the next meeting open to the public, every disclosure of pecuniary interest made during the closed session, but not the general nature of the interest, shall be provided during the call for disclosures of pecuniary interest and recorded in the minutes of the open meeting.

### **Meetings Open to Public**

68. Subject to section 47, the meetings of the council shall be open to the public and no person shall be excluded therefrom except for improper conduct.
69. The Mayor may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting if the Mayor is satisfied that evidence exists to support expulsion or exclusion and states the reason for the expulsion or exclusion.

### **Closed Meetings**

70. Council may, by resolution, close a meeting or part of a meeting to members of the public in accordance with section 239 (2), (3), and (3.1) of the Act.
71. A motion to close a meeting or part of a meeting to the public shall state:
  - i. The fact of the holding of the closed meeting; and
  - ii. The general nature of the matter to be considered at the closed meeting by reference to the specific issue to be considered at the closed meeting.
72. Where a meeting or part of a meeting is closed to the public, all persons not specifically invited to remain shall retire from the meeting.
73. Any member of council is entitled to be present at a meeting of the council where the meeting or part of the meeting is closed to the public, unless such member of council has an interest which the member is obligated to disclose pursuant to the relevant declaration of interest legislation.
74. No vote shall be taken during a meeting or part of a meeting that is closed to the public, except to give direction, or on motions of a procedural nature.
75. The rules governing the procedures and conduct of members shall be observed in closed session.
76. The Clerk shall attend all closed meetings and record the proceedings, including procedural motions and direction given, without note or comment.
77. The Mayor shall report out in an open meeting immediately following the closed session and summarize the actions taken in the closed session. The summary shall not reveal and information which is deemed to be confidential.
78. All information, documentation, or deliberations received, reviewed or undertaken in a closed session is/are confidential. No member, staff person or other person present at a closed session shall release or make public any information considered during a closed session or discuss or share any

documentation related to the content of any closed session with persons other than members or relevant staff persons.

## **Part VII. Duties of Mayor and Council**

### **Duties of the Mayor**

79. It shall be the duty of the Mayor to carry out the responsibilities set forth in sections 225 and 226.1 the Act, and:
- i. Open the meeting of council by taking the chair and calling the members to order;
  - ii. Announce the business before council and the order in which it is to be acted upon;
  - iii. Put to a vote all motions, which are moved and seconded, or necessarily arise in the course of the proceedings, and to announce the results;
  - iv. Decline to put to a vote, motions which infringe upon the rules of procedure;
  - v. Enforce the rules of procedure;
  - vi. Restrain members, when engaged in debate, within the rules of procedures;
  - vii. Enforce on all occasions, the observance of order and decorum among members;
  - viii. Call by name any member persisting in a breach of the rules of procedure and order the member to vacate the council chamber;
  - ix. Permit questions to be asked through the Mayor of any officer of the municipality in order to provide information to assist any debate when the Mayor deems it appropriate;
  - x. Provide information to members of council on any matter touching on the business of the municipality;
  - xi. Rule on any points of order raised by members of council;
  - xii. Inform members of council of the proper procedure to be followed;
  - xiii. Represent and support council, declaring its will and implicitly obeying its decisions in all matters;
  - xiv. Where it is not possible to maintain order, the Mayor may, without any motion being put, adjourn the meeting to a time to be named by the Mayor; and
  - xv. Adjourn the meeting when the business is concluded.

### **Participation of Mayor in Debate**

80. The Mayor may state relevant facts and the Mayor's position on any matter before council without leaving the chair, which may take place immediately prior to the vote.
81. If the Mayor wishes to move or second a motion before council or enter into debate on a specific topic, the Mayor shall call on the Deputy Mayor to take the chair before moving or seconding a motion or engaging in debate. The Mayor shall remain out of the chair until the motion and any amendments thereto have been disposed of. In the event the Deputy Mayor is unable to assume the chair, the Mayor shall call on an alternate member to preside until the Mayor resumes the chair.

### **Duties of the Deputy Mayor**

82. In the absence of the Mayor, the Deputy Mayor shall call council meetings to order and shall preside during the meeting or until the arrival of the Mayor.

### **Duties of Members of Council**

83. It shall be the duty of a member of council to carry out the responsibilities set forth in section 224 of the Act, and:
- i. Deliberate on the business submitted to council;
  - ii. Vote when a motion is put to a vote; and
  - iii. Respect the rules of procedure.

## **Part VIII. Agendas, Minutes, and Meetings**

### **Agenda – Regular Meeting**

84. The Clerk shall prepare an agenda, with supporting material, for all regular meetings which include the following:
- i. Call to order;
  - ii. Moment of reflection;
  - iii. Declarations of interest;
  - iv. Adoption of minutes;
  - v. Delegations and presentations;
  - vi. Public meetings;
  - vii. Public comment period;
  - viii. Committee and board reports;
  - ix. Correspondence received for which direction of council is required;
  - x. Correspondence for receipt;
  - xi. Staff reports;
  - xii. Questions;
  - xiii. Motions for which notice was previously given;
  - xiv. Notices of motion;
  - xv. Announcements;
  - xvi. Closed session;
  - xvii. Report from closed session;
  - xviii. Bylaws; and
  - xix. Adjournment.

### **Agenda - Addendum**

85. No addendum shall be issued after an agenda is posted and distributed to council unless, in the opinion of the Clerk in consultation with the CAO, the matter is of an urgent nature and requires a decision prior to the next council meeting. Addendums shall be circulated to members and published to the website not later than 12:00 p.m. EST on the day prior to the meeting.



### **Agenda – Other Meetings**

86. The Clerk shall prepare an agenda, with supporting material, for meetings other than regular meetings in accordance with the business to be addressed.

### **Agenda – Supporting Material**

87. After posting the agenda for a meeting, the Clerk may distribute to members additional supporting material for an item on the agenda.

### **Agenda - Archive**

88. Any additional material that is provided after the agenda is posted shall be included in a reposting of the agenda within one week following the meeting.

### **Order of Business**

89. The business of each meeting shall be taken up in the order in which it stands in the agenda for that meeting, unless otherwise decided by discretion of the Chair or a two-thirds (2/3) vote of the members present.

### **Unfinished Business**

90. In the event that a meeting adjourns with matters on the agenda which have not yet been completed, all incomplete matters on the agenda shall be placed on the agenda for the next regular meeting, unless the members determine otherwise prior to the adjournment, or the Mayor calls a special meeting to deal with such matters.

### **Questions**

91. During the 'questions' portion of a meeting, members may ask questions of staff, or request clarification or updates on any previous agenda items. Members shall indicate the previous agenda item that they are asking questions about or seeking clarification on.

### **Minutes**

92. A record of every meeting shall be kept in the form of minutes.
93. The minutes shall record:
  - i. The place, date, and time of the meeting;
  - ii. The names of the presiding officers or officers and the record of attendance of the members;
  - iii. The correction and confirmation of the minutes of prior meetings;
  - iv. Declarations of interest;
  - v. The motions considered and votes taken by council; and
  - vi. All other proceedings of the meeting without note or comment.
94. After the minutes have been confirmed by resolution, they shall be signed by the Mayor and by the Clerk.

## **Public Meetings**

95. Public meetings shall be held on a matter where directed by council, municipal bylaw, or statute. Statutory public meetings shall be undertaken in accordance with the governing statute or as otherwise directed by law.
96. The purpose of a public meeting is to hear input from the public on a particular matter. Accordingly, members shall not enter into debate or discussion of the matter during the public meeting.
97. Each person speaking at a public meeting shall provide their name and the municipality in which they reside prior to providing comments.
98. Where the public meeting is held as part of a council meeting, the minutes of the council meeting shall include the minutes of the public meeting.

## **Recording of Meetings**

99. Meetings that are not closed to the public may be televised, or otherwise recorded by the municipality for the purpose of broadcasting to the public at large, upon approval of the chair.
100. No persons shall use an electronic device as a recording device or to broadcast or otherwise publish or post audio, video or photographs of any meeting or part of a meeting without prior approval of the Chair and Clerk.
101. Inability to record a meeting will not prohibit the meeting from commencing or continuing.

## **Livestreaming Meetings**

102. All regular council meetings shall be livestreamed wherever possible.
103. Where the livestream of a meeting cannot be initiated, the chair shall call the meeting to order, and immediately call for a recess of the meeting for up to 15 minutes to provide time to address the issue. If both the livestream and recording of the meeting are unavailable after 15 minutes, the chair shall resume the meeting and the meeting shall proceed as scheduled.
104. Where the livestream of a meeting is interrupted, the chair shall call a recess for up to 15 minutes to provide time to address the issue. If both the livestream and recording of the meeting are unavailable, the chair shall resume the meeting and the meeting shall proceed as scheduled.
105. Failure to livestream the meeting shall not preclude Council from continuing with the business on the agenda.

## **Electronic Participation in Meetings**

106. Any member of council may participate in any open or closed council, special council or committee meeting electronically and be counted for the purpose of establishing quorum.
107. The following practices shall be followed when a member(s) participate in a meeting by electronic means:

- i. Each member participating in a meeting by electronic means shall be available at least 15 minutes before the beginning of the meeting to assist staff in establishing the electronic connection.
- ii. Each member participating by electronic means shall mute his or her electronic device when he or she is not speaking.
- iii. Each member participating by electronic means for a closed session shall participate in an enclosed space and ensure that no other person is present. Members shall be required to attest to the fact that they recognize that they will be in a closed session and are able to ensure confidentiality.
- iv. The chair shall canvass members participating by electronic means about their intention to speak to a matter on the floor and shall notify each member when it is his or her turn to speak.
- v. After putting a motion to a vote, each member participating by electronic means shall be required to identify how he or she wishes to vote.
- vi. Each member participating by electronic means shall inform the chair about his or her intentions to leave the meeting either on a temporary or permanent basis.
- vii. A member(s) participating by electronic means shall be deemed to have left the meeting when they are no longer electronically connected to the meeting.
- viii. Where a loss of connection, or any connection issue impedes the ability of a member(s) to participate in the meeting in real time, and the loss of connection does not affect quorum, the meeting will continue in the absence of the member(s).
- ix. Where a loss of connection, or any connection issue impedes the ability of a member(s) to participate in the meeting in real time, and the loss of connection affects quorum, the chair shall recess the meeting for 15 minutes to provide time for the connection to be regained. Where a connection that satisfies quorum cannot be regained, the meeting shall be adjourned, and the remaining business addressed at a subsequent meeting.

## **Part IX. Delegations, Presentations, and Communications**

### **Delegations and Presentations**

108. Any person may appear before council to provide a delegation or for the purpose of presenting or receiving a gift or recognition provided the Clerk receives a request in writing, in the prescribed time, describing the nature and purpose of the delegation or presentation. The subject matter of the delegation must be relevant to conducting the business of the municipality, promoting the work of partners of the municipality, works being undertaken by individuals or groups which benefit the community, or topics of community interest.
109. Delegations shall not be permitted to appear before council whose subject matter relates to:
  - i. A tender or request for proposal which is either proposed, pending, or actually before council;
  - ii. Labour relations;
  - iii. Legal issues including litigation and potential litigation, and matters currently before the courts or administrative tribunals;

- iv. Insurance claims;
  - v. Contract negotiations; or
  - vi. A subject that is beyond the jurisdiction of the municipality.
110. Delegations and presentations may be done through electronic means upon consent of the Clerk provided that all persons participating electronically adhere to the following practices:
- i. each person participating in a meeting by electronic means shall be available at least 15 minutes before the beginning of the meeting to assist staff in establishing the electronic connection;
  - ii. each person participating by electronic means will mute their electronic device when they are not speaking;
  - iii. the chair will notify each person participating by electronic means when it is their turn to speak; and
  - iv. in the case of a loss of connection, or any connection issue which impedes the ability of a person to participate in the meeting in real time, the meeting will continue, and it is the chair's discretion as to whether the delegation or presentation is revisited should the connection be restored.
111. In addition to the rules governing conduct of the public, persons making delegation or presentations to council or committee shall be governed by the following:
- i. delegation and presentation requests must be made to the Clerk at least 14 days prior to the date of the meeting at which the delegation or presentation is to be provided;
  - ii. delegations and presentations must be confined to the business stated in the request to the Clerk;
  - iii. no printed material may be distributed without leave of the chair. If printed material is to be distributed, it shall be provided directly to the Clerk;
  - iv. the Clerk must be provided with a copy of all electronic material included in a delegation or presentation at least 10 days prior to the agenda for that meeting being published;
  - v. the Clerk shall determine the appropriate meeting for each delegation or presentation, advise the requester, and schedule the delegation or presentation accordingly;
  - vi. individuals addressing council for subsequent times on the same topic must only present new information during subsequent delegations. New information is deemed to be information that council has not previously heard;
  - vii. delegation and presentation requests may be denied where it is determined by the Mayor and CAO that the subject matter is unduly repetitious;
  - viii. no more than three delegations shall be permitted at any one meeting;
  - ix. each delegation shall be limited to a period of time 10 minutes regardless of the number of people making the delegation;
  - x. presentations that are requested by council or arranged by staff shall have a time limit as determined between the Clerk and the presenter;

- xi. members shall address the persons(s) making a delegation or presentation only to ask questions of clarity or provide thanks but not to enter into debate or discussion of the matter; and
- xii. The chair may curtail any delegation or presentation for disorder or any other breach of this bylaw.

### **Comment Period**

- 112. A person may make a comment on any matter on the council agenda during the 'Comment period' portion of a meeting.
- 113. Persons making a comment must provide their name and the municipality in which they reside prior to making their comment.
- 114. Comments are limited to a maximum of two minutes per person, with a maximum time of 10 minutes being allotted for comment period per meeting.
- 115. In circumstances where a person is unable to attend a meeting, they may participate in comment period electronically or by telephone, or by submitting their comment in writing to the Clerk a minimum of 24 hours prior to the meeting. For comments submitted in writing, the Clerk will acknowledge receipt of the comment and circulate it to council in advance of the meeting. Comments received in writing will not be read out at the meeting.
- 116. The chair may curtail any comment for disorder or any other breach of this bylaw.

### **Written Submissions and Petitions**

- 117. All correspondence items filed with the Clerk for inclusion on a meeting agenda, that are deemed by the Clerk to be complete and valid, shall be dealt with as follows:
  - i. correspondence items requiring direction shall be placed on the next regular council agenda under 'Correspondence for which direction of council is required';
  - ii. correspondence items of a routine administrative nature shall be referred directly to the appropriate director or manager;
  - iii. correspondence items, including letters from the public, that do not require direction shall be placed in an information package and listed under 'Correspondence for receipt';
  - iv. resolutions from other municipalities, public agencies, or organizations, that are not resolutions of support, will be placed in an information package and listed under 'Correspondence for receipt';
  - v. correspondence items consisting of petitions shall be listed by title on the appropriate council or committee agenda and made available for public viewing.
- 118. Correspondence items, other than petitions, that are filed with the Clerk shall be considered complete and valid when they:
  - i. are legible;
  - ii. are signed or include the writer's name; and
  - iii. include a mailing address or other contact information.

119. Petitions filed with the Clerk shall be considered complete and valid when they:
- i. contain a clear statement of the matter on which council is being asked to take action;
  - ii. address a matter within the jurisdiction of council;
  - iii. identify a primary contact;
  - iv. include fields for each petitioner to provide:
    - a. a printed name;
    - b. a full address;
    - c. an acknowledgement that the petition will be made available to the public; and
    - d. a signature.
120. Personal information, other than contact information, disclosed in correspondence items will become part of the public record, including the name of the author.
121. Correspondence items may be withheld from an agenda if they are considered to be inappropriate or offensive in nature, as determined by the Clerk and CAO.

## **Part X. Motions**

### **Motions in Writing**

122. Each motion shall be written unless it is a motion to:
- i. Adjourn;
  - ii. Recess;
  - iii. Extend past the hour for adjournment;
  - iv. Table;
  - v. Postpone;
  - vi. Call the vote;
  - vii. Refer; or
  - viii. Amend.

### **Jurisdiction**

123. A motion in respect of a matter that conveys authority or direction that is beyond the power of council is not in order.

### **Motion Open for Consideration**

124. Each motion shall be stated by the mover, in the mover's place, and, upon being moved and seconded the chair shall declare the motion open for consideration.

### **Subsequent Motions**

125. When a motion is under consideration, no other motion shall be in order except a motion to:
- i. Adjourn;
  - ii. Recess;

- iii. Extend past the hour for adjournment;
- iv. Table;
- v. Postpone;
- vi. Call the vote;
- vii. Refer; or
- viii. Amend.

### **Motion to Adjourn**

126. A motion to adjourn shall:

- i. Be seconded;
- ii. Not be amended;
- iii. Not be debated;
- iv. Not include qualifications or additional statements; and
- v. Always be considered, except when a member is speaking, or when members are voting.

### **Motion to Recess**

127. A recess may be declared by the chair or moved by a member.

128. A motion to recess shall:

- i. Include the proposed length of recess;
- ii. Be seconded;
- iii. Not be amended;
- iv. Not be debated; and
- v. Always be considered, except when a member is speaking, or members are voting.

### **Motion to Extend**

129. A motion to extend past the hour for adjournment in a regular meeting shall:

- i. Be seconded;
- ii. Not be amended;
- iii. Not be debated;
- iv. Always be considered, except when a member is speaking, or members are voting.
- v. Require a two-thirds (2/3) of the members present at the meeting.

### **Motion to Table**

130. A motion to table shall:

- i. Be seconded;
- ii. Not be amended;
- iii. Not be debated;

- iv. Apply to the main motion and any amendments thereto under consideration at the time when the motion to table was made; and
  - v. Not include qualifications or additional statements.
131. If a motion to table is carried, the main motion and any amendments thereto shall be removed from the consideration of the members.
132. A motion to take a matter from the table may be introduced at any time, when it is made at the same meeting at which the motion to table was made, except when a member is speaking, or another motion is under consideration.
133. A motion to take a matter from the table at a meeting subsequent to the meeting where the motion to table was made, shall require a notice of motion and shall be made within three months of the motion to table.
134. If a motion to take a matter from the table is carried at a meeting, then consideration of the original matter shall become the next order of business.

### **Motion to Postpone**

135. A motion to postpone a matter pending receipt of further information or the happening of an event shall:
- i. Be seconded;
  - ii. Not be amended;
  - iii. Be debated only as to the time period of postponement;
  - iv. Apply to the main motion and any amendments thereto under consideration at the time when the motion to postpone was made; and
  - v. Not include qualifications or additional statements.
136. If a motion to postpone is carried, the main motion and any amendments thereto shall be removed from the consideration of the members until the time provided for in the motion.

### **Motion to Call the Vote**

137. A motion to call the vote (close debate) shall:
- i. Be seconded;
  - ii. Not be amended;
  - iii. Not be debated; and
  - iv. Apply to the main motion or amendment thereto under debate at the time when the motion to call the vote is made.
138. If a motion to call the vote is carried, the preceding motion or amendment thereto shall be voted on immediately without debate or comment.

### **Motion to Refer**

139. A motion to refer a matter under consideration to a committee, staff person, or elsewhere shall:
- i. Be seconded;
  - ii. Be open to debate;



- iii. Be amendable; and
- iv. Preclude amendment or debate of the preceding motion, unless the motion to refer is defeated, in which case the preceding motion shall be open to debate and amendment.

### **Motion to Amend**

140. Before the chair calls a vote on a motion, a member may ask the mover of the motion if they would accept a change in it, termed a friendly amendment. The mover may either accept or reject the proposed change. If the mover rejects the proposed change, the member suggesting the change can propose an amendment as outlined below. If the change is accepted by the mover, the changed motion will be put to a vote. Friendly amendments shall not be recorded in the minutes as a main motion and an amendment but will be considered as a main motion.
141. A motion to amend a motion under consideration shall:
  - i. Be seconded;
  - ii. Be open to debate;
  - iii. Be relevant to the main motion;
  - iv. Be subject to only one further amendment; and
  - v. Not propose a direct negative to the main motion.

### **Motion to Reconsider**

142. No motion to reconsider a decided matter shall be in order when, as a result of the vote on the original motion, something has been done that is impossible to undo.
143. A motion to reconsider a decided matter may be introduced at any time, except when a member is speaking or members are voting, when it is made at the same meeting at which the original motion was decided.
144. A motion to reconsider a decided matter of council, at a meeting subsequent to the meeting at which the original motion was decided, shall require a Notice of Motion.
145. Where a Notice of Motion to reconsider a decided matter is provided, it shall act as bar to any further action resulting from the original motion until the matter is decided.
146. A motion to reconsider a decided matter shall require a two thirds (2/3) vote of the whole of council.
147. If a motion to reconsider is carried at a meeting, then consideration of the original matter shall become the next order of business.
148. A motion to reconsider can be moved by any member, regardless of how the member voted on the original question.
149. A motion to reconsider a decided matter shall not be debatable but the mover of the motion may provide a brief statement outlining the reasons for proposing such consideration.

150. A motion to reconsider a decided matter shall not be made more than once in a 12-month period from the date the matter was decided, unless a regular election has occurred during that time.
151. The following motions cannot be reconsidered:
- i. To adjourn;
  - ii. To recess;
  - iii. To suspend the rules; and
  - iv. To reconsider.

### **Withdrawal of Motion**

152. Every motion shall be deemed to be in the possession of the members for consideration after it is accepted by the chair. The members may consent to the withdrawal of the motion at any time before amendment or decision.

### **Dividing a Motion**

153. When a motion under consideration contains distinct elements, a member may request that the motion be divided and the vote on each discrete element taken separately.

### **Notice of Motion**

154. At a regular meeting, a member may give notice, during Notice of Motion, that he or she intends to introduce a motion at a subsequent meeting.
155. The motion shall be supported by at least one other member of council who shall indicate their support at the time the notice is provided.
156. The motion shall be submitted to the Clerk, in writing, a minimum of 72 hours before the publishing of the next regular agenda.
157. The motion shall be addressed at the next regular meeting, under 'Motions for which notice was previously given', unless a special meeting is called earlier to address the motion. An unsupported motion shall not be introduced at a subsequent meeting.

### **Motion by Chair**

158. If the chair wishes to make a motion or to speak on a motion taking a definite position and endeavouring to persuade the other members to support that position, then he or she shall first leave the chair and designate another member to fill his or her place until the vote on the matter is concluded and he or she resumes the chair.

## **Part XI. Voting**

### **One Vote per Member**

159. Each member has the right to one vote on each motion, subject to any declaration of interest.

### **Default Majority Vote**

160. Unless otherwise specified in this bylaw all votes shall be decided by way of a majority vote of the members present at the meeting.

### **Time of Vote**

161. A motion shall be put to a vote by the chair immediately after all members desiring to speak on the motion have spoken, in accordance with this bylaw.

### **Speaking During Vote**

162. After a motion is put to a vote by the chair, no member shall speak on that motion, nor shall any other motion be made until after the result of the vote is announced by the chair.

### **Mandatory Vote**

163. Every member present shall vote on every motion unless the member declares an interest, in which case the member shall refrain from participating in the vote.

### **Deemed Negative Vote**

164. Every member who is present for a vote and has not declared an interest shall be deemed to be voting against a motion if he or she abstains from voting on that motion.

### **Tie Vote**

165. Where there is a tie vote on any motion, it shall be deemed to have been decided in the negative.

### **Show of Hands**

166. Unless a recorded vote is called for, all voting shall be done by a show of hands.

### **Recorded Vote**

167. Any member may request that a vote be recorded immediately prior to or immediately after the taking of a vote. When a recorded vote is requested, all members present at the meeting shall vote in random order, unless otherwise prohibited from voting on the motion by reason of a declared interest. The Clerk shall call the names of the members and announce the results. The names of those who voted for and against shall be noted in the minutes.

### **Budget Amendment Vote**

168. After the budget for the year has been approved by council, any motions or bylaws proposing an expenditure of money that affects the approved tax levy for the year must receive a two-thirds (2/3) vote of all the members of council.
169. Any staff recommendation, motion made by a member, or bylaw that affects the approved tax levy for the year must identify that a budget amendment is being considered.

## **Part XII. Bylaws**

### **Previous Consideration**

170. Unless otherwise specified in a separate bylaw, no bylaw shall be presented to the members unless the subject matter has been considered and the members have moved for a bylaw to be brought forth.

### **Bylaw Listing**

171. The Clerk shall submit to the members a listing of all bylaws proposed for adoption that includes the bylaw number and titles.

### **One Motion**

172. Unless otherwise requested, all bylaws proposed for adoption shall be passed in one motion.

### **Bylaw Requirements**

173. Every bylaw passed by council shall:
- i. Be signed by the Mayor or the presiding officer;
  - ii. Be signed by the Clerk or designate;
  - iii. Be sealed with the corporate seal; and
  - iv. Indicate the date of passage.

### **Confirmatory Bylaw**

174. Council shall enact a bylaw confirming the actions of council taken at that meeting and any previous meetings which did not have a confirmatory bylaw, in respect of each resolution and other actions taken, so that every decision of council at that meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separately enacted bylaw.

## **Part XIII. Committees and Local Boards**

### **Terms**

175. Local boards and committees appointed by council shall have the same terms of office and for such local boards and committees shall be congruent with the term of council, unless otherwise determined by council.

### **Ad Hoc Committees**

176. Council may, by resolution, establish ad hoc committees which shall advise council on matters assigned or referred to it.

### **Procedures**

177. The provisions of this bylaw, with necessary modifications, shall apply to the various local boards and committees appointed by council, unless specific terms of reference have been adopted by council.

## **Part XII. Repeal and Effective Date**

### **Bylaw Repealed**

178. Bylaw No. 16-2021 and all amendments thereto are hereby repealed.

**Effective Date**

179. This bylaw shall come into full force and effect on the date it is passed at which time all bylaws, policies, and resolutions that are inconsistent with the provisions of this bylaw are hereby amended or repealed insofar as it is necessary to give effect to the provisions of this bylaw.

Read a first, second and third time and finally passed this ## day of month, 2024.

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Mayor Kevin Eccles

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Jamie M. Eckenswiler, Clerk

DRAFT