

**THE CORPORATION OF THE TOWNSHIP OF LAIRD**

**By-Law No. 1097-23**

**BEING A BY-LAW TO GOVERN THE CALLING, PLACE AND PROCEEDINGS OF COUNCIL AND ITS COMMITTEES AND THE CONDUCT OF ITS MEMBERS, STAFF AND THE PUBLIC.**

**WHEREAS** Section 238 the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended from time to time, (*"The Municipal Act"*), requires that every municipality and local board pass a procedural by-law for governing the calling, place and proceedings of meeting;

**NOW THEREFORE** the Council of the Township of Laird enacts as follows:

1. That procedures contained in the Procedural By-law shall be observed during all proceedings of Laird Township Council, its standing committees, advisory committees, subcommittees, and any special task forces or ad hoc committees which may be established from time to time. In accordance with Section 102(2) of the Municipal Statute Law Amendment Act, 2006, this Procedural Bylaw shall apply to all of the boards and committees mentioned herein.
2. That Schedule "A" attached hereto and forming part of this By-law is hereby established as the Procedural By-law for the Corporation of the Township of Laird.
3. That this By-law and Schedule "A" attached hereto shall take force upon final passing thereof.
4. That By-law 1031-21 be and is hereby repealed.

**Read and passed** in open meeting this 21<sup>st</sup> day of September, 2023.

Mayor \_\_\_\_\_  
Shawn Evoy

Seal

Clerk \_\_\_\_\_  
Jennifer Errington



**THE CORPORATION OF THE TOWNSHIP OF LAIRD**

**SCHEDULE 'A' TO BY-LAW 1097-23**

**PROCEDURAL BY-LAW**

The Council of the Corporation of the Township of Laird enacts as follows:

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**1. SHORT TITLE**

- 1.1 The short title for this By-law shall be "The Procedural By-law" and may be cited as such.

## 2. DEFINITIONS

THAT in this By-law:

- 2.1 "ACTING MAYOR" means the Member of Council who has been appointed by resolution to act in the place of the Mayor as specified in the appointing resolution.
- 2.2 "ADJOURN" means to end the meeting.
- 2.3 "CLERK or CLERK ADMINISTRATOR" means the Clerk or Deputy Clerk as Statutory Officer of the Corporation of the Township of Laird.
- 2.4 "CLOSED SESSION" refers to a meeting or portion thereof which is closed to the public in accordance to applicable legislation.
- 2.5 "COMMITTEE" means any statutory advisory, subcommittee, standing, ad hoc, steering, or other committee, or similar entity of The Corporation of the Township of Laird.
- 2.6 "COMMITTEE MEMBER" means a member of a committee of The Corporation of the Township of Laird.
- 2.7 "CONSENT AGENDA" means that portion of the Council agenda that contains reports from which members select the specific reports they wish to discuss. The remaining reports on the consent agenda (i.e., those reports that are not selected for discussion) may be approved in one motion.
- 2.8 "COUNCIL" means the Council for The Corporation of The Township of Laird.
- 2.9 "DELEGATION" means a person or group who has made a signed written request to address Council on a specific matter, and by virtue of the written request shall appear as a delegation on an agenda.
- 2.10 "INVITED PRESENTATIONS" means an address to Council normally at the request of Council or the Clerk/Clerk Administrator, by a person, level of government or agency or other body on a specific matter.
- 2.11 "LOCAL BOARD" means a body established by Council pursuant to a specific statutory authority.
- 2.12 "MAJORITY" means more than half of the members present at the Council, committee or local board as follows:

Majority of 7 members equals 4  
Majority of 6 members equals 4  
Majority of 5 members equals 3  
Majority of 4 members equals 3  
Majority of 3 members equals 2  
Majority of 2 members equals 2

- 2.13 "MAYOR" means the Head of Council of the Corporation of the Township of Laird.
- 2.14 "MEETING" means any regular, special, closed or other meeting of the Council, committee or local board.
- 2.15 "MEMBER" means a person who is either elected as a member of Council or appointed by Council to act on a committee or local board.
- 2.16 MOTIONS AND PROCEDURES
- (a) "AMENDING MOTION" means to change the words of a pending motion.
  - (b) "MAIN MOTION" means a motion that is brought before Council for its consideration, on any particular subject independent of any other pending motion.
  - (c) "MOTION TO RECONSIDER" means consider again. A motion to reconsider will only be entertained after a period of nine (9) months has elapsed, except with the permission of 2/3<sup>rd</sup>s, 4 members of Council, agreeing to have it placed on the next regular agenda of Council.
  - (d) "MOTION TO SUSPEND OR WAIVE THE RULES" means to render temporarily ineffective one or more rules of order.
  - (e) "MOTION TO DEFER" means to postpone all discussion on the matter until later in the same meeting or to a future date which is established as part of the motion.
  - (f) "MOTION TO RECEIVE" means to receive the information.
  - (g) "MOTION TO RECESS" means to take a short break or intermission in a meeting for a specified length of time. "Stand at ease" is an alternative for use when allowing the gallery to clear during a meeting.

- (h) “MOTION TO REFER” means to direct a matter under discussion by Council to a committee or a department head for further examination.
  - (i) “MOTION TO TABLE” means to postpone without setting a definite date as to when the matter will be re-discussed.
  - (j) “NOTICE OF MOTION” means a statement of intention for a future meeting and is required in the case of intended motions being raised by any Member at the next scheduled meeting.
  - (k) “POINT OF ORDER” means the raising of a question by a Member for the purpose of calling attention to a deviation or departure from the rules of procedure.
  - (l) “POINT OF PRIVILEGE” means the raising of a question by a Member or the Clerk/Clerk Administrator, where a member or the Clerk/Clerk Administrator feels that his/her integrity, the integrity of the Council, or the integrity of staff has been impugned by another member, a delegate, a presenter, or a speaker.
  - (m) “POINT OF INQUIRY” means the raising of a factual inquiry regarding business matters or procedural inquiry regarding the rules of order.
  - (n) “SUBSIDIARY MOTION” means a motion applied to other motions for the purpose of disposing or amending a main motion.
  - (o) “TWO-THIRDS VOTE” means an affirmative vote of at least two-thirds of the members present at the time of the vote (i.e., two-thirds of 5 members equal 4).
  - (p) “WITHDRAW OR MODIFY A MOTION” means withdrawal or modification of a motion by the mover, if applicable.
- 2.17 “NEWSPAPER” means a printed publication in sheet form, intended for general circulation, published regularly at intervals of no longer than a week, consisting in great part of news of current events of general interest and sold to the public and regular subscribers.
- 2.18 “NOTICE” means a written, published, printed or municipal website notification.

- 2.19 “OUTSIDE RESOLUTIONS” means a resolution from the Area or other municipality received by the Township.
- 2.20 “PECUNIARY INTEREST” means an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. The Municipal Conflict of Interest Act, R.S.O. 1990x. M.50 should be reviewed to ascertain possible conflicts.
- 2.21 “PETITIONS” means the presentation of a formal request, signed and in writing, to Council, committee or local board.
- 2.22 “PRESIDING OFFICER” means the Mayor or designate, or appointed Chair who presides at meeting of Council, committee or local board meetings.
- 2.23 “PROCLAMATIONS” means an official public announcement and symbolic gesture of endorsement.
- 2.24 “PUBLIC HOLIDAY” means and includes New Year’s Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving, Remembrance Day, Christmas Day, Boxing Day and any other day proclaimed by Council, Federal Government or Provincial Government as a public holiday.
- 2.25 “PUBLIC MEETING” means a public meeting held pursuant to the Planning Act or other legislation where statutory notice is required.
- 2.26 “PUBLIC PRESENTATION” means an address to Council at the written and signed request of the presenter.
- 2.27 “QUORUM” means the majority of the whole number of members required to constitute a Council or committee. The number or members present need for Council to conduct business is three (3) members, except in the event of more than one conflict of interest.
- 2.28 “RECORD” means ‘written’ for the purpose of compiling minutes of a meeting.
- 2.29 “RECORDED VOTE” means a written record of the name and vote of every member on a motion on any matter or question conducted by the Clerk or Clerk/Administrator.
- 2.30 “RULES OF PROCEDURE” means the rules and regulations as set out in this by-law.

- 2.31 "SPEAKER" means members of the public who during the Delegations/Speakers/Petitions section of the agenda speaks or submits comment to Council on an item included in the agenda.
- 2.32 "STAFF" means employees of The Corporation of the Township of Laird.
- 2.33 "STAFF PRESENTATIONS" means an address to Council by staff supported by a formal presentation method.
- 2.34 "TOWNSHIP" means The Corporation of the Township of Laird.
- 2.35 "TOWNSHIP WEBSITE" means the Township of Laird website at [www.lairdtownship.ca](http://www.lairdtownship.ca).

### **3. GENERAL PROVISIONS**

#### **3.1 Rules and Regulations**

- (a) The rules and regulations contained in the 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 for the Council and its committees provided that the rules and regulations contained herein may be suspended by a two-thirds (2/3) vote. Council is prohibited from suspending any statutory requirement with respect to its proceedings.
- (b) All meetings of Council shall be open to the public unless the subject matter to be discussed relates to the closed session topics as stated in subsection 4.3 of this By-law.
- (c) The Clerk/Clerk Administrator, or his/her designate, shall be present at all meetings of Council.
- (d) Notwithstanding anything in this By-law, where Council convenes for the purpose of holding a hearing as required by any statute, the provisions of the statute and the *Statutory Power Procedure Act, R.S.O. 1990, c. S22*, as applicable, shall govern the proceedings.

#### **3.2 Interpretations**

- (a) In the event of any uncertainty in the interpretation of any provision of this Procedural By-law, reference shall be made to James Lochrie's "Meeting Procedures".



- (b) In the event of conflict between the provisions of this Procedural By-law and relevant legislation, the provisions of the legislation shall prevail.

### **3.3 Roles of Council and Head of Council**

#### **(a) Role of Council**

It is the role of Council,

- (i) To represent the public and to consider the well-being and interest of the municipality;
- (ii) To assist in developing and evaluate the policies and programs of the municipality;
- (iii) To determine which services the municipality provides;
- (iv) To ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- (v) To ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the Township;
- (vi) To maintain the financial integrity of the municipality; and
- (vii) To carry out the duties of Council under this and any other Act.

#### **(b) Role of the Head of Council**

It is the role of the Head of Council,

- (i) To act as chief executive officer of the municipality;
- (ii) Preside over Council meetings so that its business can be carried out efficiently and effectively;
- (iii) To provide leadership to the Council;
- (iv) Without limiting clause (iii) to provide information and recommendations to the Council with respect to the role of Council described in clause 3 (a);
- (v) To represent the municipality at official functions; and
- (vi) To carry out the duties of the head of Council under this or any other Act.

### **3.4 Presiding Officer**

- (a) The Mayor, or designate or appointed chair shall sit as Presiding Officer at meetings of Council, committee or local board meetings;
- (b) When the Office of the Mayor as Head of Council is vacant, or when the Mayor is unable to carry out his/her duties through illness or otherwise, or when the Mayor is absent from the office in the course of his/her duties, or on vacation or a Council appointed leave, or

- (c) When the Mayor refuses to act or declares a conflict of interest, another Member, appointed by resolution of Council, shall act in the absence of the Mayor and shall have all the powers and duties of the Mayor.
- (d) If the Mayor does not attend within fifteen (15) minutes after the hour fixed for the meeting, the Clerk/Clerk Administrator shall call for a resolution to appoint a Presiding Officer, until the Mayor arrives.

### **3.5 Duties of the Presiding Officer**

- (a) As soon as quorum is present, after the hour fixed for the holding of a Council meeting, the Mayor or Presiding Officer may call the meeting to order.
- (b)
- (c) It shall be the duty of the Mayor or Presiding Officer:
  - (i) To preside at all meetings of the Council;
  - (ii) To put to a vote all motions which are regularly moved and seconded, or necessarily arising in the course of proceedings, and to announce the result of the vote;
  - (iii) To decline to put to vote, motions which infringe the rules of procedure;
  - (iv) To restrain the Members, within the rules of procedure, when engaged in debate;
  - (v) To enforce on all occasions, the observance of order and decorum among the members and attendees/audience;
  - (vi) To call by name any Member persisting in breach of the rules of procedure, thereby ordering the member to vacate the Council chamber;
  - (vii) To decide all questions any Member persisting in breach of the rules of procedure, thereby ordering the Member to vacate the Council chamber;
  - (viii) To execute, by his/her signature when necessary, all By-laws and minutes of meeting and other required documents;
  - (ix) To represent and support Council, declaring its will, and implicitly obeying its decisions in all matters; and

- (x) That regular Council meetings shall not exceed three (3) hours in duration and shall be adjourned forthwith unless otherwise determined by a majority of the Members present.
- (xi) The Presiding Officer shall enforce the rules of procedure.

### 3.6 Conduct of Members

(a) No Member shall:

- (i) Speak without the permission of the Presiding Officer;
- (ii) Use offensive words or unparliamentary language in or against the Council, any Member of Council, or any officer or employee of the Township or guest;
- (iii) Speak on any subject other than the subject in debate;
- (iv) Criticize any decision of the Council except for the purpose of moving that a question be reconsidered or rescinded;
- (v) Interrupt the Member who has the floor, except to raise a point of order or point of privilege;
- (vi) Disobey the rules of procedure or a decision of the Presiding Officer on questions of order or upon the interpretation of the rules of procedure; and; where a Member persists in any such disobedience after having been called to order by the Presiding officer, the Presiding Officer shall introduce the motion without amendment, adjournment or debate being allowed, "that such Member be ordered to leave his/her seat for the duration of the meeting of the Council", but if the Member apologizes, he/she may be permitted to retake his/her seat;
- (vii) Leave at any time without advising the Presiding Officer or the Clerk/Clerk Administrator; and
- (viii) Speak in a manner that is discriminatory in nature on an individual's vocation, race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or mental or physical disability.

- (b) Any Member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a Member while speaking.

- (c) No member shall speak more than once, except to give an explanation to the motion that may have been interpreted incorrectly or with leave of the Presiding Officer after all other Members so desiring have spoken.

### **3.7 Decorum**

- (a) Attendees at a meeting shall maintain order and shall not display signs or placards, heckle, or engage in telephone or other conversations or any behaviour that may be considered disruptive.
- (b) All cell phones, personal digital assistant and electronic devices shall be set to silent mode during a meeting. Electronic communication devices shall be permitted at the Council table for the purpose of accessing the agenda electronically; use of such electronic communication devices shall be at the discretion of each Council member, but shall not be permitted for the exchange of emails, texting or any digital communication amongst Members during the meeting.
- (c) The Presiding Officer or Council may expel or exclude from any meeting any person for improper conduct at a meeting.
- (d) The Presiding Officer, where a warning or ruling has not been heeded, may expel any Member or person from the meeting place due to improper conduct at the meeting, which for purposes of this section shall include:
  - a. Violation of the rules;
  - b. Interruption of the proceedings of Council
  - c. Making of disruptive noise or visible gestures;
  - d. Campaigning for any political cause or outcomes; or
  - e. Any other activity that impedes the conduct of the meeting.
- (e) Where the Presiding Officer expels any member or person from the meeting, such Member or person shall vacate the meeting place forthwith.
- (f) Where the expulsion applies to a Member, the Member shall only address the Presiding Officer for the purpose of appealing the Presiding Officer's ruling of expulsion.
- (g) If no Member appeals, the ruling of the Presiding Officer shall be final.
- (h) If a Member appeals the Presiding Officer's ruling on expulsion to Council, the Member shall have the right to give reasons for the

appeal, following which the Presiding Officer shall have the right to reply with reasons, and the Council shall decide the question: "That the decision of the chair be sustained" without further debate and the decision of Council shall be final. No person, except members of Council and staff of the Township, shall be allowed to approach the dais (platform) uninvited where the members of Council are seated or the table where township staff is seated.

- (i) Members of the public who wish to submit materials for Council must do so through the Clerk/Clerk Administrator.
- (j) The use of audio and video recording equipment in the Council chambers by the public or the media will be permitted provided that it is not disruptive to the meeting. The location of the recording equipment will be at the discretion of the Clerk/Clerk Administrator.
- (k) If, in the opinion of the Clerk/Clerk Administrator, the use of such equipment or devices is deemed to be disruptive to the conduct of the meeting, the recording privileges will be withdrawn from any offending user. The ruling of the Clerk/Clerk Administrator shall be final unless a Member appeals the ruling to Council which shall then decide upon the question without debate. A majority vote of the Members present shall be required.
- (l) Each Member of Council is encouraged to notify the clerk when the Member is aware that he/she will be absent from any meeting.

### **3.8 Quorum**

- (a) The quorum required to commence and continue a meeting of Council shall be three (3) Members of a five-member Council.
- (b) If no quorum is present fifteen (15) minutes after the time appointed for a meeting, the Clerk/Clerk Administrator shall record the names of the Members present and the meeting shall not commence or proceed.
- (c) In a meeting where there is only the minimum requirement for a quorum and a member declares a Conflict of Interest, the remaining Members of Council are deemed to constitute a quorum, provided that this number is not fewer than two (2).
- (d) If during the course of a meeting, the quorum is lost, then the meeting shall stand recessed and shall reconvene when a quorum is regained. In the event that the quorum is not regained within fifteen (15) minutes, then the Clerk shall record in the

minutes the time when quorum was lost, note the names of those present at the meeting shall be ended without formal adjournment.

- (e) If a meeting ends because the quorum is lost:
  - (i) The items on the agenda that were dealt with by Council including any recommendations therefrom, will be included in the minutes of the meeting;
  - (ii) The items on the agenda that were not dealt with or finally disposed of by Council shall be placed on the agenda for the next regular meeting or special meeting as the case may be.
- (f) The quorum required to commence and continue a meeting of a Committee shall be more than 50 percent (50%) of the Members on the Committee.

### **3.9 Late Arrival**

If a member arrives late at the meeting, any prior discussion shall not be reviewed without the unanimous consent of all Members present.

### **3.10. Disclosure of Pecuniary Interest and General Nature Thereof**

Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council or local board at which the matter is the subject of consideration, the member,

- (i) Shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (ii) Shall not take part in the discussion of, or vote on any question in respect of the matter; and
- (iii) Shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

## **4 MEETINGS OF COUNCIL**

### **4.1 Inaugural Meeting of Council**

The Inaugural Meeting of Council shall take place at 6:00 p.m. on the third Thursday in November following a regular election at the Council Chamber in the Municipal Office.

## 4.2 Regular Meeting of Council

- (a) The Council of the Township of Laird shall hold its regular meeting on the third Thursday of each month at 6:00 p.m. at the Township of Laird Council Chambers, or other place as circumstances dictate. The date and place may be changed by resolution of Council.
- (b) When a public holiday falls on a regular meeting day, an alternate meeting date shall be set up, if required, at the prior regular Council meeting.
- (c) Where a regular meeting of Council is to be held at a time, day or place other than as set out in a) above; Notice will be given by the Clerk/Clerk Administrator posting information on the municipal website.
- (d) Section 238 (3.3) of the *Municipal Act* (as may be amended from time to time), during any period where an emergency has been declared to exist pursuant to the *Emergency Management and Civil Protection Act* (as may be amended from time to time), Members of Council, Committees or Local Boards may participate in meetings electronically, including in being counted in determining whether or not a quorum of members is present and during meetings that are closed to the public; Speaking order shall be set out in Section 12.3.

## 4.3 Closed Meetings

- (a) When Council or Committee is in Closed Meeting all Public (other than those involved in discussion and support staff) will be asked to leave the room in which the meeting is being held. No more than one person involved in the discussion and one support person shall be allowed to remain in the closed meeting.
- (b) Before holding a meeting or part of a meeting that is to be closed to the public, a Council or Committee shall state by resolution,
  - (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.
- (c) Voting on a motion during a lawfully closed meeting may only occur if the vote is for a procedural matter (e.g., to defer the matter until more information is available) or for giving directions or instructions to officers, support staff, employees or agents or person retained by or under contract with the municipality, local board or committee.

- (d) Council or a Committee may recess into a closed meeting to debate:
- (i) the security of the property of the municipality or local board;
  - (ii) a personal matter about an identifiable individual, including municipal or local board employees;
  - (iii) a proposed or pending acquisition or disposition of land by the municipality or local board;
  - (iv) labour relations or employee negotiations;
  - (v) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
  - (vi) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - (vii) a matter in respect of which a Council, board, committee or other body may hold a closed meeting under another Act;
  - (viii) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency or any of them;
  - (ix) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons or organizations;
  - (x) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
  - (xi) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
- (e) Matters shall be debated in closed meeting if the subject matter



relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the Council, Commission or other body is designated as head of the institution for the purposes of that Act; or an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*.

#### **4.4 Special Meetings of Council**

- (a) The Head of Council at any time may summon a special meeting of Council on twenty-four hours notice to all the Councillors.
- (b) Upon receipt of the petition of the majority of the Councillors, the Clerk/Clerk Administrator shall summon a special meeting for the purpose and at the time mentioned in the petition.
- (c) Twenty-four hours notice of all special meetings of Council shall be given to the Councillors through the Clerk/Clerk Administrator's office. The only business to be dealt with at a special meeting is that which is listed in the notice of the meeting.
- (d) It shall be the responsibility of the Clerk/Clerk Administrator to make available when possible all notices, agendas, and financial statements for regular and special Council meetings, a minimum of twenty-four hours in advance of such meetings to the Councillors.
- (e) Notwithstanding the requirements set out above, in the event of an emergency, the special meeting may be held as soon as practical following receipt of the summons or petition as the case may be.

#### **4.5 Cancellation of Meetings**

- (a) Where it is necessary for Council for any reason to cancel any regular meeting of Council, it shall only do so upon approval by the majority of the members present at the meeting immediately preceding the meeting of the Council and post notice on the door.
- (b) Due to inclement weather or other emergencies, a notice must be posted on the Township website.

### **5. ADJOURNMENT**

- 5.1 A motion to adjourn a meeting shall be in order except,
- 5.2 When another Councillor is in possession of the floor;

- 5.3 When it has been decided that the vote be now taken; or
- 5.4 During the taking of a vote.
- 5.5 Where a person has been deemed guilty of improper conduct by the Presiding Officer and is expelled or excluded from the meeting by the Presiding Officer and such person refuses to so leave, the Presiding Officer may adjourn the meeting without any motion to do so until such time as the person has left the meeting room.

## **6. TIME LIMIT OF MEETING**

- 6.1 A resolution must be passed to proceed after 9:00 p.m.

## **7. PREPARATION OF AGENDA**

- 7.1 It shall be the duty of the Clerk/Clerk Administrator to prepare the Agendas of all Council meetings in accordance with the provisions contained herein
- 7.2 The Clerk/Clerk Administrator shall:
  - (a) accept items for the agenda from Members of Council;
  - (b) receive correspondence and petitions from the public and if, in the Clerk/Clerk Administrator and/or Mayor's opinion, the matter warrants the consideration of Council or a Committee, place the correspondence or petition on an Agenda.
  - (c) In order to facilitate the reading of all motions prior to debate the Clerk shall prepare all recommended motions and insert them into the agenda where applicable.
- 7.3 All items for any agenda must be received in writing by the Clerk/Clerk Administrator not later than the Friday prior to the date of the meeting concerned.
- 7.4 All concerns/issues brought before Council shall be in writing and signed.
- 7.5 An addendum to the Agenda will be made, in the case of an emergency or urgency, as the Clerk/Clerk Administrator and/or Mayor may determine from time to time.

## **8 AGENDA FORMAT**

- 8.1 The Clerk/Clerk Administrator shall have prepared and printed for the use of the Council at the regular meetings and special meetings of Council, an agenda under the following headings;

## **Agenda**

1. Call to Order
2. Declarations of Pecuniary Interest
3. Agenda Approval
4. Delegations and Presentations
5. Adoption of the Previous Minutes
6. Adoption of Accounts
7. Staff and Committee Reports
  - a. Road Superintendent (Roads, Waste Disposal & Recycling & Maintenance)
  - b. Clerk Administrator, Deputy Treasurer
  - c. Treasurer's Report
  - d. Recreation Committee & Recreation Sub-Committees
  - e. Cemetery Board
  - f. Planning Board
  - g. Police Services Board
  - h. Algoma District Services Administrative Board
  - i. Algoma District Municipal Association (ADMA)
8. Unfinished Business
9. New Business
10. Notices of Motion
11. Closed session
12. Communications and Correspondence
13. Mayor and Councillor Comments
14. By-laws
15. Adjournment

8.2 The items on the Agenda of each meeting shall be taken in the order in which they stand on the Agenda unless otherwise decided by consensus as noted in the minutes by a majority of the Councillors present.

8.3 All items on an Agenda not dealt with at a meeting shall be placed on the Agenda for the next regular meeting unless otherwise decided.

## **9 ORDER OF PROCEEDINGS OF COUNCIL**

9.1 As soon after the hour fixed for the meeting as there is a quorum present, the Head of Council shall take the Chair and call the meeting to order. A majority of the members of Council shall constitute a quorum.

9.2 In the event the Head of Council does not attend within fifteen minutes after the time appointed, the Clerk/Clerk Administrator shall call the

members to order if a quorum is present. A Presiding Officer shall be chosen by a vote of the Councillors from the Councillors who shall preside during the meeting until the arrival of the Head of Council.

- 9.3 The Presiding Officer shall have all the power of the Head of Council and shall be entitled to vote as a Councillor.

## **10 ADOPTION OF MINUTES**

- 10.1 During the adoption of the Minutes of a previous meeting of Council, no changes can be made in the action taken by Council at the previous meeting; only changes in the form of errors and omissions and recording of any action taken at the previous meeting may be made in adopting the Minutes.

## **11 CONDUCT OF PROCEEDINGS AT A MEETING OF COUNCIL**

- 11.1 It shall be the duty of the Presiding Officer:
- (a) to preserve order and decorum, decide questions of order (subject to an appeal to the Council by any Councillor) and without unnecessary comment, cite the rule or authority (as commonly accepted under parliamentary procedures) applicable to the case if called upon to do so;
  - (d) to open the meeting of Council by taking the Chair and calling the Councillors to order and to announce the business before the Council, in the order in which it is to be acted upon;
  - (e) to receive and submit, in the proper manner, all motions presented by the Councillors;
  - (f) to put to vote all motions which are properly moved and seconded, or necessarily arise in the course of proceedings, and to announce the results;
  - (g) to decline to put to vote motions which infringe on the rules of procedure;
  - (h) to restrain the Councillors within the rules of order when engaged in debate.
  - (i) to enforce on all occasions the observance of order and decorum among the Councillors;
  - (j) to call by name any Councillor persisting in breach of the rules of order of the Council, thereby ordering them to vacate the Council Chamber.

- (k) to receive all messages and other communications and announce them to the Council.
- (l) to authenticate, by his signature when necessary, all by-laws, resolutions and minutes of Council;
- (m) to represent and support the Council, declaring its decision in all things;
- (n) to ensure that the decisions of Council are in conformity with the laws and by-laws governing activities of the Council;
- (o) to adjourn the meeting when the business is concluded, without question but in the case of grave disorder arising in the Council Chamber.

## **12. RULES OF DEBATE**

### **12.1 The Presiding Officer - in directing the course of debate, the Presiding Officer shall:**

- i) designate the Councillor who has the floor when two or more members signify their wish to speak;
- ii) read all motions presented in writing before permitting debate on the question, except when otherwise provided in this by-law;
- iii) shall preside over the conduct of the meeting including the preservation of good order and decorum, ruling of points of order, questions of a privilege, points of information and ruling on all questions relating to the procedure of the meeting;
- iv) any ruling made by the Presiding Officer is subject to an appeal to the Councillors by any Councillor;
- v) if an appeal is made by a Councillor for a ruling of the Presiding Officer, the Councillor appealing shall, after announcing the appeal, state the reasons for such an appeal and the Presiding Officer may then indicate why the appeal should be rejected and the Presiding Officer's ruling upheld;
- vi) without debate on the appeal the Councillors by Roll call shall then vote on the appeal if the appeal is upheld, then the Presiding Officer shall change his ruling accordingly if the appeal is rejected the Presiding Officer may close the debate.

### **12.2 Councillors - in addressing the Council, no member shall;**

- i) use indecent, offensive or insulting language in or against the

- Council or any Councillor thereof, and/or any other person;
- i) speak beside the motion in debate;
  - ii) criticize any decision of Council except for the purpose of moving that the motion be reconsidered;
  - iii) disobey the rules of Council or a decision of the Presiding Officer on questions of order or practice, or upon the interpretation of the rules of the Council.

### **12.3 General**

- i) Every Councillor when speaking to any motion shall respectfully address the Presiding Officer
- ii) When a Councillor is speaking, no other Councillor shall pass between the speaker and the Presiding Officer, or interrupt the speaker except to raise a point of order
- iii) Any Councillor may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a Councillor while speaking
- iv) A Councillor may ask a question only for the purpose of obtaining facts relevant to the matter under discussion and necessary for a clear understanding thereof.
- v) All questions shall be stated briefly and to the point and questions shall not be used as a means of making statements or assertions.
- vi) Questions may be asked of
  - the previous Speaker
  - the Presiding Officer or
  - an Officer and/or Official of the Municipality

### **12.4 Motions and Order of Putting Questions in Council Main Motions**

- i) any main motion may be introduced without notice if the Council, without debate, dispenses with the notice on the affirmative vote of the majority of the Councillors present and voting.
- ii) no main motions shall be debated upon or put forward unless the same be written, moved and seconded.
- iii) Notice of Motion

a) A Member of Council shall provide a proposed Motion to the Clerk, in writing, for inclusion on a regular agenda of Council, for the purpose of giving notice.

b) At a subsequent Meeting, the Member of Council who submitted the proposed Motion will introduce and subsequently move the Motion.

c) No staff report will be prepared unless the Motion is referred to staff for a further report.

d) It is the duty of the Member of Council to:

i) prepare the proposed Motion in writing; and

ii) submit the proposed Motion to the Clerk prior to the publication deadline for the regular agenda of Council.

iv) **Withdrawal of a Motion**

a) after a motion has been received and read by the Presiding Officer it shall be deemed to be in the possession of the Council but it may with the majority consent of the Councillors present, be withdrawn by the mover prior to discussion or amendment or voting thereon.

v) **A Motion to Amend**

a) shall be presented in writing;

b) shall be voted on prior to the vote being taken on the main motion or a previous amendment to the main motion;

c) shall not be further amended, however further amendments may be made to the main motion;

d) shall be relevant to the motion to be received and read;

e) shall not be received by the Presiding Officer if it proposes a direct negative to the main motion;

f) may propose to divide the main motion into separate and distinct motions; and

g) may not be in respect of a matter which is beyond the jurisdiction of Council.

- vi) every motion when duly moved and seconded, shall be received by the Presiding Officer and shall then be open for discussion prior to the vote being taken.
- vii) no member shall speak more than once on the same motion, except;
  - a) when considering a report from a committee;
  - b) to explain a material part of their speech which may have been interpreted incorrectly;
  - c) with leave of the Council, after all other Councillors so desiring have spoken;
  - d) in reply if he is the Councillor who presented the motion to Council;
  - e) that Councillor (or Councillors) under whose name the motion is introduced, may if they so wish, notwithstanding any other provisions of the rules of procedure, speak last on the motion before the vote is taken;
  - f) to raise a point of order;
  - g) the Presiding Officer shall state the question in the precise form in which it will be recorded in the minutes immediately preceding the calling for the vote after a motion is finally put to a vote by the Presiding Officer, no Councillor shall speak to the motion nor shall any other motion be made until after the vote is taken and the result has been declared;
  - h) the manner of determining the decision of the Council on a motion shall be by a show of hands;
  - i) any resolution shall require three affirmative votes in order to be valid and binding on Council. Where only a quorum is present, a resolution, in order to carry or be passed, must be unanimously affirmed by the said quorum.
  - j) Where a vote is taken for any purpose and a member requests immediately prior or immediately subsequent to the taking of the vote that the vote be recorded, each member present, except a member who is disqualified



from voting by any Act, shall announce his or her vote openly, and any failure to vote by a member who is not disqualified shall be deemed to be a negative vote and the Clerk/Clerk Administrator shall record each vote.

### **13 MINUTES**

The Minutes shall record:

- i) The place, date and time of meeting;
- ii) The names of the Presiding Officer, Officers and the Councillors in attendance;
- iii) The adoption of the minutes of the prior meetings;
- iv) All other proceedings of the meeting without note or comment; and
- v) If a member arrives late or leaves early, the arrival or departure shall be noted in the minutes.

### **14. DEPUTATIONS/DELEGATIONS**

- 14.1 Persons desiring to present information verbally on matter of fact or make a request of Council shall give notice to the Clerk/Clerk Administrator not less than the Friday prior to the meeting of Council, in writing, stating the purpose of the deputation. All requests to be heard by Council shall be signed.

Deputations/Delegations may be heard by leave of Council **but shall be limited in speaking to not more than 15 minutes, except that a delegation consisting of two or more persons shall be allowed to speak for a total time of 20 minutes** and shall be advised of the time limitation in advance of their presentation.

- 14.2 Notwithstanding the provisions of Section 14.1 Council may, at their sole discretion, entertain deputations or delegations with less notice as the circumstances may warrant.

### **15 READINGS OF BY-LAWS AND PROCEEDINGS THEREON**

- 15.1 Every by-law when introduced shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with provisions of any Act and shall be complete with the exception of the date thereof.

- 15.2 Every by-law shall have three readings prior to it being passed if required by legislation.
- 15.3 The first and second reading of the by-law shall be decided without amendment or debate.
- 15.4 If the Council determines that the by-law is to be considered by a committee, it shall be so considered prior to the third reading thereof.
- 15.5 If Council so determines, a by-law may be taken as read.
- 15.6 The Clerk/Clerk Administrator shall set out on all by-laws enacted by Council the date of the several readings thereof.
- 15.7 Every by-law enacted by the Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Clerk/Clerk Administrator and the Presiding Officer and shall be deposited by the Clerk/clerk Administrator in the municipal office for safekeeping.