

**THE CORPORATION OF THE TOWNSHIP OF LEEDS AND THE
THOUSAND ISLANDS**

BY-LAW NO. 17-063

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

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

WHEREAS pursuant to Section 9 subsection (1) of the Municipal Act 2001, S.O. 2001, c.25, every Council may pass By-laws to govern the conduct of its members; and

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

NOW THEREFORE the Council for the Corporation of the Township of Leeds and the Thousand Islands enacts as follows:

INTRODUCTION

PURPOSE

In order to better to serve the citizens of the Township of Leeds and the Thousand Islands by ensuring the most effective, efficient and timely procedure for governing the calling, place and proceedings of municipal meetings, the Township of Leeds and the Thousand Islands hereby establishes its procedural by-law in accordance with the *Municipal Act, S.O. 2001, c.25*, as amended.

The rules and procedures contained herein shall apply to all meetings of Council and Committees, unless otherwise prescribed.

LOCAL BOARDS

This by-law also applies to all Local Boards where a Local Board has not adopted its own Rules of Procedure, in which case the necessary changes in terminology shall be deemed to apply, such as replacing "Council" with "Local Board", and "Clerk" with "Board Staff".

BASIC PRINCIPLES

The Basic Principles for the application of these rules are:

- a) take up business one issue at a time;
- b) promote courtesy, justice, impartiality and equality; and
- c) while the majority rules, the rights of the individual, minority and absent Members are protected.

ROBERTS RULES OF ORDER

For purposes of interpreting this by-law or determining a proper course of action for matters that may arise that are not specifically contemplated by this by-law, the most recent edition of Robert's Rules of Order in existence at the time shall be referred to.

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1. DEFINITIONS

In this By-law;

- 1.01 "Clerk" shall mean the clerk of the Township of Leeds and the Thousand Islands.
- 1.02 "Closed Meeting" means a meeting closed to the public as defined by the Municipal Act.
- 1.03 "Committee" means a Committee of Council and includes Standing Committees, Sub-Committees and Ad-Hoc Committees.
- 1.04 "Committee Chair" means Chair of a Committee.
- 1.05 "Committee of the Whole" means a Committee composed of all Members of Council.
- 1.06 "Consent Agenda" shall mean items on an Agenda that may be dealt with by Council or Committee in accordance with Section 7 of this By-law.
- 1.07 "Council" shall mean the Council of the Township of Leeds and the Thousand Islands.
- 1.08 "Emergency" means a sudden, generally unexpected or time sensitive occurrence demanding immediate action by Council.
- 1.09 "Ex officio" means the Mayor is a member on all Committees and he/she is entitled to receive all notices and relevant information and may participate in the discussion as well as vote and shall not be considered part of a quorum.
- 1.10 "Integrity Commissioner" means the Investigator appointed by Council pursuant to Section 223.3 of the Municipal Act.
- 1.11 "Mayor" shall mean the Head of Council of the Township of Leeds and the Thousand Islands.
- 1.12 "Meeting" means that a quorum of members must be present, and members must 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.
- 1.13 "Member" means a Member of Council, including the Mayor or Deputy Mayor and, in the case of a Committee, a member of the Committee.
- 1.14 "Municipal Act" means the Municipal Act, 2001, S.O. 2001, c. 25, as amended from time to time.
- 1.15 "Ombudsman" means the Investigator appointed by Council pursuant to Section 223.13 of the Municipal Act.

- 1.16 "Ombudsman's Report" means the findings submitted to Council following an investigation. Council shall pass a resolution stating how it intends to address a report from the Meetings Investigator, if the report finds that a meeting or part of a meeting has been closed to the public contrary to open meeting rules.
- 1.17 "Presiding Officer" means the Mayor, Deputy Mayor or the member chairing the meeting.
- 1.18 "Resolution" means a formal determination made by Council or a Committee on the basis of a motion, duly placed before a regularly constituted Council or Committee meeting for debate and decision, and duly passed.
- 1.19 "Rules" or "Rules of Procedure" means the rules and procedures set out in this by-law.
- 1.20 "Special Meeting" means a meeting, other than a regularly scheduled meeting, called pursuant to the Municipal Act or the provisions of this by-law.
- 1.21 "Substantive Motion" shall mean any motion except the following ones:
- (a) to extend the time of the meeting
 - (b) to refer
 - (c) to lay on the table or defer
 - (d) to postpone indefinitely or to set a specific day
 - (e) to adjourn
- 1.22 "Township" shall mean the Township of Leeds and the Thousand Islands.

2. APPLICATION OF BY-LAW

- 2.01 The rules and regulations contained in this by-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business in the Council and in the Committees thereof. In any case for which provision is not made herein, the procedure to be followed shall be, as near as possible, that followed in Robert's Rules of Order 11th Edition.
- 2.02 Meeting of Council shall normally be held at the Council Chambers, located at 1233 Prince Street, adopted and used by the Council from time to time for such purposes.

- 2.03 The Inaugural meeting of a new Council shall take place on the first Monday of December following the election. The Council meetings will be held on Mondays. Whenever possible, the schedule will be created with Committee of the Whole (COTW) on the first Monday of the month and Council the following Monday. The meeting schedule will be determined such that a meeting will not fall on a Statutory Holiday. Should a meeting fall on a Statutory Holiday, it will be held on the following Tuesday.
- 2.04 At the inaugural meeting of each new Council, the Mayor shall nominate for approval by Council, the Deputy Mayor. The Deputy Mayor shall be appointed in alphabetical order and rotate approximately every eight (8) months with every Councillor being a Deputy Mayor at least once in the term of Council, if the Councillor so wishes.
- 2.05 In the case of the absence of the Mayor due to illness, refusing to act, or if the office is vacant, the Deputy Mayor shall act in the place and stead of the Head of Council and he/she shall have all the rights, powers and authority of the Head of Council while so acting.
- 2.06 The COTW and Council meetings will be held in accordance with the approved schedule of meetings set out in the year prior.
- 2.07 Council may vary from the Schedule of Regular Meetings, or call additional meetings by resolution in which case a notice shall be posted advising of the time and date.
- 2.08 The Mayor, may at any time summon a special meeting of Council on 48 hours' notice to the members of Council or, upon receipt of a petition of the majority of the members of Council, the Clerk shall summon a special meeting for this purpose and at the time specified in the petition. The only business to be dealt with at a Special meeting shall be that which is listed in the notice of the meeting or given orally to the members unless decided otherwise by unanimous consent of Council members in attendance. Subject to clause 2.11, all Special Meetings shall be open to the public. Notice will be posted on the Township's website.
- 2.09 Notwithstanding Section 2.08, the Mayor in the event of an emergency may call a special meeting of the Council without giving the mandatory 48 hours' notice, provided that the Clerk has diligently tried to advise all members of Council immediately on being advised by the Mayor of his or her intention to hold such an emergency meeting. All efforts will be made to post, as soon as possible, the meeting at the Clerk's office, on the Township's website, and other media as the Clerk may determine.

2.10 The Mayor at the advice of the Clerk shall decide the agenda items for Closed Meetings. Before holding a meeting pursuant to Section 239 of the Municipal Act, in whole or in part that is to be closed to the public, Council, COTW or Committee shall state by resolution,

a) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the Closed meeting; or

2.11 Section 239(5) of the Act, states a meeting shall not be closed to the public during the taking of a vote. A meeting may be closed to the public during a vote if,

a) the vote is for a procedural matter (adoption of in camera minutes or adjournment) or

b) for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.

3. NOTICE

3.01 All notices of meetings, agenda and other communication to be given to Members of Council or a Committee shall be given by posting the notice, agenda or document on the Council automated agenda system at least 48 hours in advance and notifying the Member of Council or the Committee by e-mail at his or her e-mail address on record at the Township that such notice, agenda or document has been posted.

3.02 When a notice of meeting, agenda or other communication has been given to a Member of Council or Committee in accordance with subsection 3.01, it shall be deemed to have been received by the person to whom it was transmitted at the point of time that is six (6) hours after the time the e-mail was sent by the Township. E-mail notification of emergency meetings of Council shall be followed up by a telephone call.

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

4. CALLING OF MEETING TO ORDER AND QUORUM

4.01 As soon after the hour fixed for the holding of the meeting of the Council as a quorum is present, the Head of Council shall take the Chair and call the meeting to order.

- 4.02 A quorum is a simple majority of the members of Council.
- 4.03 If no quorum is present 15 minutes after the time appointed for the meeting of the Council, the Clerk shall record the names of the members present and meeting shall stand adjourned until the date of the next regular meeting, subject to Section 2.08 and 2.09.
- 4.04 If the Mayor and the Deputy Mayor do not attend within fifteen (15) minutes after the time appointed for a meeting of the Council; the Clerk shall call the members to order and an acting Mayor shall be appointed alphabetically from the members present. He/she shall preside until the arrival of the Mayor or the Deputy Mayor, and while presiding the acting Mayor shall have all the powers of the Mayor.
- 4.05 If quorum is lost for a period greater than fifteen minutes, the meeting shall stand adjourned, but not ended, and shall reconvene at the next regularly scheduled Council meeting or at such other time and place as the Mayor may determine in accordance with Section 2.08.

5. CURFEW

- 5.01 No item of business may be dealt with at a regular COTW or Council meeting after a three (3) hour period unless unanimous consent is given by the members of Council in attendance to extend the closure by a half hour.
- 5.02 A motion for a recess may be called at any time during the meeting.

6. THE CONDUCT OF PROCEEDINGS AT A MEETING OF COUNCIL

- 6.01 It shall be the duty of the Mayor or other Presiding Officer to:
- (a) open the meeting of Council by taking the Chair and calling the members to order;
 - (b) receive and submit in the proper manner all motions presented by the members of Council germane to the agenda;
 - (c) put to a vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and announce the results;
 - (d) decline to put to a vote motions which infringe the rules of procedure, or beyond the jurisdiction of the municipality;
 - (e) restrain the members within the rules of order when engaged in debate;
 - (f) enforce on all occasions the observance of order and decorum among members;

- (g) call by name any member persisting in breach of the rules of order of the Council, thereby ordering him/her to vacate the Council Chamber;
- (h) authenticate by his or her signature when necessary all by-laws, resolutions and minutes of Council meetings;
- (i) represent and support the Council, declaring its will and obeying implicitly its decisions in all things;
- (j) ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of the Council;
- (k) to order any individual or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order the individual or group to vacate the Council Chambers where such behaviour persists;
- (l) adjourn the meeting without questions in the case of grave disorder arising in the Council Chambers;
- (m) adjourn the meeting when the business at hand is concluded.

6.02 Members of the public who constitute the audience in the Council Chamber during a Council meeting shall maintain order and may not:

- (a) address Council;
- (b) interrupt any speech or action of the Members of Council or any other person addressing Council; or display or have in their possession picket signs or placards in any Township buildings.

6.03 Pursuant to Section 5.1 of the Municipal Conflict of Interest Act a member shall file a written statement of the Interest and the general nature with the Clerk or the secretary of the Committee or local board, of the Township.

6.04 Members of the public who constitute the audience in the Council Chamber during a COTW meeting shall maintain order and may not:

- a) interrupt any speech or action of the Members of COTW or any other person addressing COTW; or display or have in their possession picket signs or placards in Township buildings.

7. AGENDA

- 7.01 The Clerk shall prepare for the use of the members at a regular Committee of the Whole meeting an Agenda under the following headings:
1. Call to Order
 2. Declaration of Conflict of Interest and the General Nature Thereof
 3. Delegations/Presentations
 4. Staff Reports
 5. Unfinished Business
 6. Other Business
 7. Matters Arising from Standing Committees
 8. Notice(s) of Motion
 9. Mayor's Update
 10. Adjournment
- 7.02 The Clerk shall prepare for the use of the members at a regular meeting of Council an Agenda under the following headings:
1. Call to Order
 2. O'Canada
 3. Declaration of Conflict of Interest and the General Nature Thereof
 4. Committee of the Whole in Camera (if required)
 5. Consent Agenda
 - 5.1 Adoption and/or Receipt of Minutes
 - 5.2 Staff Reports
 - 5.3 Information Items
 6. Unfinished Business
 7. Action Required Items
 8. Mayor's Update
 9. Announcements
 10. By-laws
 11. Adjournment
- 7.03 Substantive motions (action required) may not be introduced at a Council meeting, only information items may be introduced at a meeting and shall adhere to Section 28 (Notice of Motion).
- 7.04 A Consent Agenda shall be utilized for Regular Meetings of Council for items identified in the Agenda under "5.1 Consent Agenda and 10. By-laws" in subsection 7.01. The process shall be as follows:
- 7.04.1 The Chair shall introduce by way of a Motion, duly moved and seconded the items contained in the Agenda under 5.1 Consent Agenda.
 - 7.04.2 The Chair shall then inquire whether any Members wish to debate any items set forth in the Motion.
 - 7.04.3 Any Member who wishes to debate or amend an item set forth in the Motion shall advise the Chair of the item(s) number.

- 7.04.4 Any items that have been identified for debate or amendment shall be debated or amended by Council.
- 7.04.5 If at the conclusion of the debate, no amendments have been proposed to any of the items the Chair shall then call the vote on the Consent Agenda.
- 7.04.6 If at the conclusion of the debate amendments have been proposed, the Chair shall report all amendments to Council. The Chair shall then call the vote on each amended Motion prior to a vote on the Consent Agenda Motion.
- 7.04.7 The Chair shall separately introduce any item on which a Member has declared a Pecuniary Interest in accordance with The Municipal Conflict of Interest Act prior to a vote on the Consent Agenda.
- 7.04.8 A Member may request a separate vote on an item listed in the Consent Agenda. These items will be dealt with prior to a vote on the Consent Agenda.
- 7.04.9 All items that are identified for clarification, amendment, pecuniary interest or separate vote shall be addressed in the order the items appear on the Agenda.
- 7.04.10 The Chair shall then call for a vote on the Consent Motion excluding the items that have already been resolved.
- 7.04.11 Each item contained in a Consent Agenda shall include its own appropriately-worded, properly moved and seconded Motion.
- 7.04.12 A Consent Agenda shall be utilized for Regular Meetings of Council for By-laws identified in the Agenda under item 10 in subsection 7.01. The process shall be as outlined above provided that the readings shall be voted upon in accordance with section 12.
- 7.04.13 All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. Should a Council member wish an alternative action from the proposed recommendation, the Council member shall request that this matter be moved to "separate" the item.

8. MINUTES

8.01 Minutes shall record:

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

8.02 It shall be the duty of the Clerk to ensure that the Minutes of the last regular meeting, and all Special and Standing Committee meetings held more than five (5) days excluding Saturdays and Sundays prior to a regular meeting, together with the Agenda and related materials prepared in accordance with Section 7.01, are delivered to each member not less than 48 hours before the hour appointed for the holding of such regular meeting, and to the public via the Township website.

8.03 Such minutes as referred to in Section 8.02 may be adopted by Council without having been read at the meeting considering the questions of their adoption.

9. DEPUTATIONS

9.01 Individuals or groups desiring to address COTW must register with the Clerk no later than Noon on the Monday one week prior to the day of the COTW meeting. The individual or group shall provide to the Clerk his/her name or the name of the group, the nature of the business to be discussed and, if representing any organization, the name of the agency or other such body. Any report or supporting documentation shall be provided to the Clerk in order that the material can be circulated with the agenda. Notice to the Clerk shall include the subject matter to be presented to COTW on the template provided by the municipality.

9.02 The inclusion of a deputation on the agenda shall usually be determined on a first come first served basis unless items of a higher priority or time sensitive basis arise. As a rule, no more than two (2) deputations shall be heard at any COTW meeting.

9.03 Deputations shall be limited to ten (10) minutes of presentation time with an additional ten (10) minutes for questions and answers, from members of COTW.

10. PETITIONS AND COMMUNICATIONS

10.01 Every communication, including a petition designed to be presented to the Council, shall be written legibly or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person and filed with the Clerk.

10.02 Every petition or communications shall be delivered to the Clerk not later than Noon on the Monday one week prior to the day of the Council meeting.

11. UNFINISHED BUSINESS

11.01 The items listed in the order of the topics set out in the agenda of previous meetings, which have not been disposed of by Council and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of by Council, unless removed from the agenda by leave of Council.

12. READINGS OF BY-LAWS AND PRECEEDINGS THEREON

12.01 No by-law shall be presented to Council unless copies in printed or electronic form have been circulated previously to Council with the agenda. The Clerk shall set out on all by-laws enacted by Council the date of all readings thereof.

12.02 Notwithstanding Section 12.01, by-laws may be presented for consideration of Council without the necessity of circulation if approved unanimously by Council.

12.03 Every by-law shall be introduced upon motion by a member of Council, specifying the title and purpose of the by-law.

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

12.05 Every by-law shall have three readings prior to it being passed. Three readings may be given at a single Council meeting unless a member requests to defer third reading to the next meeting of Council.

12.06 When a by-law is reported without amendment, it shall be forthwith ordered to be read the third time at such time as may be appointed by the Council.

12.07 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 and the Presiding Officer and shall be deposited by the Clerk in the Township office for safekeeping.

13. MOTIONS

13.01 A "Main Motion" is a motion to consider any subject that is brought before Council for its consideration. Main motions yield to Privileged and or Secondary motions.

13.02 A "Secondary Motion" is a motion which affects the disposition of a Main Motion. Secondary Motions take precedence over Main Motions and must be decided before the Main Motion can be acted upon. Examples include motions to:

- (a) refer; (sec. 22)
- (b) amend; (sec. 24)
- (c) defer to a day certain (sec. 23)

13.03 A "Privileged Motion", due to its importance, takes precedence over all other questions and is not debatable. Examples include motions to:

- (a) adjourn (or fix a time to adjourn);
- (b) questions relating to the rights and privileges of Council or its Members.

14. INTRODUCTION OF MOTIONS

14.01 Motions with respect to the following matters may be introduced orally without notice and without leave, except as otherwise provided by the Rules of Procedure:

- (a) a point of order or privilege;
- (b) to move the adoption of a Committee report provided that the majority of the Committee Members has signed the report;
- (c) the question be called (closing debate); (sec. 25)
- (d) to adjourn;
- (e) resolve into Committee of the Whole.

14.02 The following motions may be introduced without notice and without leave, except as otherwise provided by the Rules of Procedure:

- (a) to refer;
- (b) to defer to a day certain;

(c) to amend;

- 14.03 Except for those motions described in subsection 14.01 of this By-law, all motions shall be moved and seconded.
- 14.04 All motions may be supported or opposed by the mover and seconder.
- 14.05 No motion made in open Council shall be debated or voted on unless the same is seconded.
- 14.06 There shall never be more than one principle or main motion before Council at one time.
- 14.07 When the motion under consideration contains two or more proposals, the same shall, at the request of any Member of Council, be voted on separately.
- 14.08 The Clerk shall note the date on each motion, along with the results of the vote.
- 14.09 Any Member may require the motion under discussion to be read a second time for his/her information, at any time during debate, but not so as to interrupt a Member speaking.

15. READING

The Presiding Officer shall state the names of members moving and seconding the motion and read the motion. A motion so put shall be considered the main motion.

16. NO DEBATE UNTIL READ

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

17. WITHDRAWAL

After a motion has been duly moved and seconded, it shall be deemed to be in the possession of Council and it may only be withdrawn before decision or amendment with the permission of the mover and seconder. A motion to withdraw shall be moved and seconded and disposed of prior to any other secondary motion being presented.

18. MOTIONS RULED OUT OF ORDER

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

19. NOT WITHIN THE JURISDICTION OF COUNCIL

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

20. ORDER OF CONSIDERATION

20.01 When a motion is under consideration, no motion shall be received except a procedural motion or motion to amend.

20.02 Procedural motions shall be considered immediately upon receipt and are subject to debate as follows (in accordance with Section 13):

- (a) to adjourn (not debatable);
- (b) to refer (debatable);
- (c) to defer to a day certain (debatable).

21. MOTION TO ADJOURN (Main)

21.01 The purpose of a Motion to Adjourn is to bring a Council meeting to an end. A motion to adjourn:

- (a) is not in order when a Member is speaking or between the times a vote is called and the results of the vote have been declared;
- (b) may be verbal;
- (c) if resolved in the affirmative, shall cause Council to immediately rise and take no further proceeding until the next meeting of Council and the time of adjournment shall be noted;
- (d) if resolved in the negative, shall entitle Council to resume its debate at the point immediately prior to the point at which the motion to adjourn was moved;
- (e) is not debatable.

21.02 A Motion to Adjourn to a specific time, or to reconvene upon the happening of a specific event, if carried, suspends the Council meeting to continue at such time or upon the happening of such event.

22. MOTION TO REFER (Secondary)

22.01 The purpose of a Motion to Refer is to refer a question to a Standing Committee, Committee of the Whole, Special Committee, or CAO. A motion to refer:

- (a) need not be in writing;
- (b) shall receive disposition of Council before the vote on the main motion;
- (c) shall state the committee or appointed official to which the matter shall be referred;
- (d) can be amended as to the method of disposition, size of committee or other similar instructions;
- (e) shall preclude all amendments of the main question until it is decided;

23. MOTION TO DEFER (Secondary)

23.01 The purpose of a Motion to Defer is to have a matter postponed or deferred to a definite date.

24. MOTION TO AMEND (Secondary)

24.01 The purpose of a Motion to Amend is to add or insert certain words or phrases, to strike out certain words or phrases, or to amend certain words or phrases. A motion to amend:

- (a) shall be relevant and not contrary to the principle of the motion or report under consideration;
- (b) may propose a separate and distinct disposition of a motion provided that such altered disposition continues to relate to the main issue and subject matter of the motion;
- (c) shall be voted on before the main motion.

24.02 Only an amendment and a sub-amendment to a question are allowed at the same time. When both have been dealt with, the Presiding Officer may entertain a further amendment or sub-amendment, as the case may be. Amendments shall be voted on in reverse order to their introduction. The amendment to the amendment must be disposed of before the amendment and the amendment must be voted on before the main motion.

25. THE QUESTION BE CALLED (Closing Debate) (Subsidiary)

25.01 The purpose of a motion "That The Question Be Called" is to close debate and bring Council to a vote on a pending question. A motion "That The Question be Called":

- (a) is not debatable;
- (b) cannot be amended;
- (c) cannot be moved when there is an amendment under consideration.

25.02 If a motion "That the Question Be Called" is resolved in the affirmative, the Presiding Officer shall forthwith put the main motion as a question.

25.03 If a motion "That the Question Be Called" is resolved in the negative, debate shall continue on the main motion.

26. MOTION FOR RECONSIDERATION (Miscellaneous)

26.01 The purpose of a Motion for Reconsideration is to reconsider a matter decided by Council within the immediately preceding twelve (12) months of its term, subject to the following:

- (a) a Motion for Reconsideration shall be ruled out of order if any change to the previous decision would interfere with legally binding commitments of the Township existing as of the date the motion to reconsider is moved;
- (b) such motion shall be moved by a member who voted on the prevailing side;
- (c) such motion shall be supported by a majority vote of the Members of Council before the matter to be reconsidered can be debated; and
- (d) debate on the question shall be confined to such matters as new information that has come forward, an error in documentation presented or incorrect statements made during the original debate.

26.02 If a Motion for Reconsideration is approved,

- (a) no action shall be taken in respect of the matter under reconsideration until it has again been presented to Council and Council has made a decision on it;
- (b) the matter shall be presented to Council in the manner in which it was disposed/decided by Council; and
- (c) the matter shall be debated and determined according to the Rules of Procedure set out in this bylaw.

27. MOTION TO RESCIND (Miscellaneous)

The purpose of a Motion to Rescind is to repeal some action Council has previously taken when it is too late to reconsider the vote. Should it become necessary to rescind a motion that has been passed, notice of intention to do so can be given at one meeting. A motion for rescinding is then introduced and dealt with at a subsequent meeting. An action of Council can be rescinded during the current council term.

28. NOTICE OF MOTION

28.01A Notice of Motion:

- (a) must state the motion to be considered by Council;
- (b) must indicate at which future meeting the motion is to be considered;
- (c) requires no seconder;
- (d) is not debatable;
- (e) is not voted on.

28.02 At a regular meeting of Council, the Presiding Officer calls a Member's Notice of Motion and the Member does not proceed with it, the Notice of Motion shall be dropped from the agenda and shall be deemed to have been withdrawn.

28.03 At a regular meeting of Council, if the Presiding Officer calls a Member's Notice of Motion, and the member proceeds with motion, before the motion can be placed on the floor it requires a seconder.

29. VOTING

29.01 Mayor – The Head of Council shall vote with other members of Council.

29.02 Questions Stated – Immediately preceding the taking of the vote, the Presiding Officer shall state the question in the form introduced and in which it will be recorded in the minutes.

29.03 No Interruption After the Question – After a question is finally put by the Presiding Officer, no member shall speak to the question nor shall any other motion be made until after the vote is taken and the results have been declared except for a point of order.

29.04 Division of Question – A separate vote shall be taken upon each proposal contained in a question divided, with consent of the Council.

29.05 Unrecorded Vote - The manner of determining the decision of the Council on a motion shall be at the discretion of the Presiding Officer and may be by, show of hands,

29.06 Recorded Vote - When a member present requests a recorded vote, all members present at the Council or Committee meeting must vote. The member who requested the recorded vote shall vote first. The names of those who voted for, the names of those who voted against, shall be noted on the written motion and in the minutes. The Clerk shall announce the results. A request for a recorded vote can be made immediately before or after the taking of the vote.

29.07 Tie Vote - A motion on which the voting results in a tie shall be declared lost.

30. RULES OF DEBATE

30.01 Every member speaking to any question or motion shall address the Presiding Officer. When two or more members desire to speak, the Presiding Officer shall designate the member who shall speak first and second, third and fourth, if necessary. Every member present at a meeting of Council when a question is put may vote thereon unless prohibited by statute.

30.02 If the member at a meeting of the Council when a question is put to a vote or a recorded vote taken does not vote, the member shall be deemed as voting in the negative except where he/she is prohibited from voting by statute.

30.03 When the Presiding Officer calls for the vote on a question, each member present in the chamber shall occupy the members seat and shall remain in the members place until the result of the vote has been declared by the Presiding Officer, and during such time no member shall speak to any other member or make any noise or disturbance.

30.04 When a member is speaking no other member shall interrupt the member except on a point of order, and during such time no other member shall speak to any other member or make any noise or disturbance.

30.05 A member may speak twice on the same question. A member may speak a second time only after all the other members have been given an opportunity to speak on this issue.

30.06 No member without the leave of Council shall speak to the same question, or in reply, for longer than five (5) minutes.

30.07 All motions shall be in writing and signed by the mover and seconder.

30.08 Notwithstanding these rules of debate, the presiding chair may permit a less formal discussion to proceed so long as he/she deems it is in the best interests of Council deliberations and providing no member objects.

31. POINTS OF ORDER AND PRIVILEGE

31.01 The Presiding Officer shall preserve order and decide questions of order, and to keep track and advise members.

31.02 When a member raises a point of order the member shall ask leave of the Presiding Officer to raise a point of order and after leave is granted the member state the point of order to the Presiding Officer and sit down and remain seated until the Presiding Officer shall have stated and decided the point of order.

31.03 Thereafter, a member shall address the Chair only for the purpose of appealing the Presiding Officer's decision to the Council.

31.04 If no member appeals, the decision of the Presiding Officer shall be final.

31.05 The Council, if appealed to, shall decide the question without debate and its decision shall be final.

31.06 Where a member considers the members integrity or the integrity of Council as a whole has been challenged, the member may as a matter of personal privilege rise at any time with the consent of the Presiding Officer for the purpose of drawing the attention of Council to the matter.

32. COMMITTEES OF COUNCIL

32.01 Procedure

Except as otherwise provided herein, a Committee shall conform to the same Rules of Procedure that govern the protocol and procedures of Council insofar as they are applicable.

32.02 Establishment/Appointment

(a) Members of Council shall serve on the Standing Committees. Members of the public will also be appointed to sit on the standing committees.

(b) A Standing Committee may recommend such sub-committees as are necessary to discharge its mandate subject to Council approval.

- (c) An Ad Hoc Committee is a special purpose committee, created by Council to inquire and report, within a specified period of time, on a particular matter or concern, and which dissolves automatically upon submitting its final report, unless otherwise directed by Council.
- (d) The names of members to be appointed to the Committees, or other body to which Council is required or empowered to appoint persons shall be determined by Council during the first quarter of the new term. In order to respond in a timely and coordinated manner to issues of significance to the Township, Council may appoint Members of Council, and members of the public to any Board, Committee, or other body which shall require ratification by Council at the next regular meeting.

32.03 Duties of The Committee Chair

The Chair of a Committee shall:

- (a) ensure that the Committee deals with policy issues effectively;
- (b) ensure the needs of the Committee for administrative support, analysis, and advice are provided through the Office of the Chief Administrative Officer;
- (c) ensure that all Committee Members are fully informed on all matters within the jurisdiction of the Committee and on the duties and responsibilities of the Committee;
- (d) liaise with the Mayor and communicate any matter within the knowledge of the Chair that is required to be communicated to another Committee.

32.04 Duties of Committees

- (a) When a point of order is raised or when a Member is called to order in a Committee, the same procedure shall be adopted as in Council except that the question shall be decided by the Committee Chair, subject to an appeal to the Members of the Committee.
- (b) Should any Member of a Committee fail to attend three successive regular or special meetings without being authorized to do so by a resolution of the Committee, the Committee should recommend to Council they declare the committee seat vacant and Council may appoint another Member in the members place.

- (c) Should a Member of a Committee die, resign, or be otherwise disqualified, Council shall, by resolution, declare his/her seat vacant and appoint another Member to fill the vacancy.
- (d) The Clerk or an employee of the Township designated by the Clerk shall be the Recording Secretary of the Committee.

32.05 Committee Meetings

- (a) A Committee Chair and Vice Chair shall be elected/appointed during the first quarter of the new term, of each respective Committee.
- (b) The Clerk shall, upon instruction of the Committee Chair or Mayor, call a meeting of any Committee.
- (c) In the case of any emergency and in the absence of the Committee Chair and/or the Mayor, a Committee meeting may be called by the Clerk in such a way as he/she may deem best regarding notice to the members and to the public.
- (d) In the absence of the Committee Chair and Vice-Chair for a period of fifteen (15) minutes after the time appointed for holding a Committee meeting, one of the other Members of the Committee, if there be a quorum present, may be appointed and discharge the duties of the Committee Chair during the meeting or until the arrival of the Committee Chair or Vice Chair.
- (e) The Chair of the Committee may vote on any question before the Committee. In the event of an equality of votes the question being voted upon shall be deemed lost.
- (f) If there is no quorum present fifteen (15) minutes after the time appointed for the meeting, the meeting shall stand adjourned at the call of the Committee Chair.
- (g) The Committee Chair shall preside, or alternatively the Vice-Chair upon request of the Chair. In the absence of the Committee Chair, the Vice-Chair shall preside, or in the absence of both, such other Member of the Committee as may be appointed by the concurring vote of a majority of the Members of the Committee present.
- (h) The Committee shall consider and report only on matters within its jurisdiction.
- (i) Meetings shall be open to the public pursuant to Section 2 of this By-law.

32.06 Committee Agendas

- (a) The Clerk or designate shall prepare and distribute to all Members of the Committee in accordance with Section 3, an agenda setting forth the business to be considered at regular Committee meetings. The items of business to be included on the agenda shall be developed under the direction of the Chief Administrative Officer, the Clerk, and/or the Committee Chair.

- (b) The following headings shall be used in preparing the agenda for regular Committee meetings:
 - 1. Call to Order
 - 2. Disclosure of Pecuniary Interest and General Nature Thereof
 - 3. Adoption of the Minutes
 - 4. Presentations
 - 5. Business
 - 6. Information Items
 - 7. Adjournment

- (c) The business of the Committee shall be considered in the order set forth on the agenda provided that the Chair, with the approval of the Committee, may vary the order of business to better deal with matters before the Committee.

32.07 Information Reports

- (a) A report may be forwarded to a Committee for information.

- (b) Notwithstanding that a report has been forwarded for information, motion(s) may be drafted with the assistance of staff for the Members of the Committee for action to be taken on matters that arise from or are discussed in the report,

- (c) Motions made under Subsection (b) may be made at any meeting where the report is presented to the Committee.

32.08 Confidential Reports

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

- (b) No member or staff shall disclose the content or deliberations of a closed meeting, unless:

(i) expressly authorized to do so by a majority vote of the meeting members;

(ii) such disclosure is required to execute the specific direction(s) provided in the closed meeting, and then only to the extent that is necessary in the circumstances; or

(iii) as required by law.

33. CONFIRMATORY BY-LAW

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

34. CONDUCT OF MEMBERS OF COUNCIL

34.01 No member shall speak disrespectfully of the reigning sovereign, or of any of the Royal Family, or of the Governor-General, the Lieutenant-Governor of any province, or any Member of the Senate, the House of Commons of Canada, or the Legislative Assembly of the Province of Ontario, or members of Council and staff.

34.02 No member shall:

- (a) use offensive words or un-parliamentary language in or against the Council or against any member,
- (b) speak on any subject other than the subject in debate,
- (c) criticize any decision of the Council except for the purpose of moving that the question be reconsidered, or
- (d) disobey the rules of Council or a decision of the Presiding Officer of the Council on questions of order or practice or upon the interpretation of the rules of Council.

34.03 In case a member persists in any such disobedience after having been called to order by the Presiding Officer, the Presiding Officer may put the question; no amendment, adjournment, or debate being allowed, to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order the individual to vacate the Council Chambers where such behaviour persists.

35. REPEAL – ENACTMENT

By-law 15-015, 16-049 and all adhering amendments are hereby repealed.

36. SEVERABILITY

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

37. EFFECT

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

38. SHORT TITLE

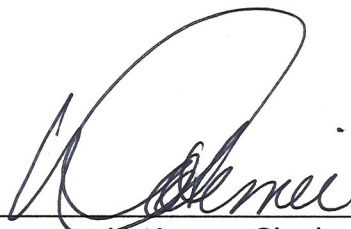
This by-law may be referred to as either the "Procedural By-law."

READ A FIRST AND SECOND TIME THIS 14th DAY OF DECEMBER, 2017.

READ A THIRD TIME AND FINALLY PASSED THIS 14th DAY OF DECEMBER, 2017.



Joe Baptista, Mayor



Vanessa Latimer, Clerk

