



By-law No. 49-2021

Procedural By-law

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**Consolidated for Convenience Only**

This consolidated copy of a Woolwich Township By-law is for convenient information. While every effort is made to ensure the accuracy of this copy, the original by-law must be consulted for all legal interpretations and applications. For more information or to view by-laws please contact the Clerks Division. This document is available in alternate formats on request.

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# The Corporation of the Township of Woolwich

## By-law No. 49-2021

### A By-law to Govern the Proceedings of Public Meetings

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Whereas section 238(2) of the Municipal Act, 2001 provides that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

And whereas the Council of the Corporation of Township of Woolwich deems it desirable that there be rules governing the conduct of its members;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WOOLWICH HEREBY ENACTS AS FOLLOWS:

#### **Part I. Introduction and Interpretation**

##### **Short Title**

1. This by-law shall be known as the "Procedural By-law".

##### **Scope**

2. This by-law applies to all meetings of:
  - a. Council and Committee of the Whole; and
  - b. Local Boards and Committees of Council that have not adopted a their own Procedural By-law with any necessary adjustments.

##### **Interpretation**

3. The division of this by-law into parts and the insertion of headings are for convenient reference only and shall not affect interpretation of the by-law.
4. All references to applicable law are ambulatory and apply as amended from time to time.

##### **Definitions**

5. For the purposes of this by-law:

Acting Mayor means the person appointed on a rotational basis to act as Mayor in the Mayor's absence as set out in the Township's Acting Mayor By-law.

Ad Hoc Committee means a short-term committee appointed by Council to review and report back to Council on a specific issue and includes a Task Force.

Advisory Committee means a committee established by Council under a specified Terms of Reference to advise on matters which Council has deemed appropriate for the Committee to consider.

Agenda means the order of proceedings for a meeting setting out the business to be considered at the meeting.

Chair means the presiding officer at meetings of council, boards or committees and a reference to Chair includes a reference to the person or the act of chairing the meeting.

Clerk means the Clerk Township or designate.

Closed Session means a meeting of Council or a Committee of Council which is closed to the public under the provisions of the Municipal Act.

Committees of Council includes any Advisory Committee or Ad Hoc Committee established by the Council of the Township of Woolwich and does not include the Committee of the Whole.

Committee of the Whole Meeting is a less formal, discussion-oriented Council meeting. Generally, matters are discussed at the Committee of the Whole level first, then given final approval at the subsequent Council meeting. References to Council and Committee of the Whole in this by-law are interchangeable except where otherwise noted.

Consent Item is an item that is listed under the Consent Items portion of the agenda and is a routine matter, a report provided for information, reports in response to Council questions and other matters of a non-controversial nature.

Council is the term used to refer collectively to the Mayor and Councillors elected to the Council of the Township of Woolwich and includes Committee of the Whole.

Councillor means an individual elected to serve on Council who represents the population in a specific ward of the Township of Woolwich.

Decorum means behaviour that, in the opinion of the Chair, promotes an atmosphere of respect in Council Chambers.

Delegation means a person or persons who wish to address Council.

Unregistered Delegation means a delegation that is not listed on the agenda.

Registered Delegation means a delegation that is listed on the agenda.

Deprecating means attacks of character or reputation, name calling, or comments that are injurious to reputation, derogatory, slanderous or libelous.

Electronic Participation means remote participation by one or more members by electronic means determined by the Clerk (e.g. video or teleconference).

Emergency means an emergency which has been declared to exist in all or part of the municipality under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, RSO 1990, c E.9.

Ex Officio means by virtue of office or position and carries with it the right to participate fully in a committee meeting and to vote unless prohibited by law.

Head of Council means the Mayor or designate.

Inaugural Meeting means the first meeting of Council held after a municipal election in a regular election year.

Land Acknowledgement means a formal statement that recognizes and respects Indigenous Peoples as traditional stewards of this land and the enduring relationship that exists between Indigenous Peoples and their traditional territories. (*added by by-law 09-2022*)

Local Board means a local Board as defined in the Municipal Act and includes the Boards of the Elmira and St. Jacobs Business Improvement Areas.

Majority Vote means more than half of the votes cast by members entitled to vote at a meeting.

Mayor means the Head of Council elected by general vote to represent electors in the Township of Woolwich.

Meeting means meeting as defined by the Municipal Act.

Member means an elected member of Council including the Mayor, or a member of a Committee of Council as the context requires.

Motion means a question to be considered by the Council or Committee of Council which is read, moved, seconded, subject to debate and voted on. When a motion is carried, it becomes a resolution.

Municipal Act means the *Municipal Act, 2001*, S.O. 2001, chapter 25.

Municipal Conflict of Interest Act means the *Municipal Conflict of Interest Act*, R.S.O. 1990, chapter M. 50.

Notice of Motion means an advance notice by one member of Council to other members of Council on a matter which Council will be asked to take a position.

Pecuniary Interest means a direct or indirect pecuniary interest within the meaning of the Municipal Conflict of Interest Act.

Point of Order means a statement made by a Member during a meeting, drawing the attention of the Chair to a breach of this By-law.

Presentation means a presentation of information to Council or a Committee of Council that has been requested by a member of Council or a Committee of Council, or a member of staff of the Township of Woolwich.

Quorum means the majority of the whole number of the members of Council, Local Board or a Committee of Council.

Recording Equipment 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, digital voice recorders, and cameras.

Recorded Vote means a vote taken by each member announcing their vote publicly and being recorded in the minutes.

Regular Meeting means a meeting of Council or Committee of the Whole held in accordance with the approved meeting schedule.

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

Rules of Procedure means the rules and regulations set out in this by-law.

Special Meeting means a meeting of Council or Committee of the Whole called for one or more purposes which is not scheduled in accordance with the approved calendar of meetings.

Terms of Reference means the mandate, membership, scope and any other direction provided by Council to a Committee.

Township means the Township of Woolwich and a reference to the Township is a reference to the Corporation or the municipal area as the context requires.

## **Part II. Meetings and Agenda**

### **Time, Date and Place of Meetings**

6. Council shall adopt a meeting schedule each year setting out the date and time of Council, Committee of the Whole and any scheduled Special Meetings.
7. Once adopted, the meeting schedule shall be posted on the Townships' website as public notice of meetings dates.
8. Meetings shall be held in the Council Chambers at the Woolwich Township Administrative office following the meeting schedule, unless:
  - a. Council passes a resolution to alter the day, time or place of a meeting, including to hold a meeting at a location outside of the municipality or a joint meeting with one or more other Councils; or
  - b. the Clerk postpones a meeting a maximum of two weeks by giving notice to members of Council and the public.

### **Electronic Participation**

9. Subject to Schedule B of this by-law, Council members may participate electronically at a meeting and when participating electronically
  - a. will be counted as present for the purposes of quorum; and
  - b. may participate electronically at all parts of the meeting, including portions closed to the public.

10. Members shall:
  - a. advise the Clerk of their intention to participate electronically;
  - b. be available at least 10 minutes before the meeting to ensure a successful connection; and
  - c. mute their microphone when not speaking.
11. Members participating electronically will be deemed to have left the meeting when they are no longer electronically connected to the meeting.
12. All debate and discussion must take place verbally, on record, as directed by the Chair as if the members were at a physical meeting.
13. Participants in public meetings, presenters and delegates may attend a meeting electronically following all other rules in this by-law. In exceptional circumstances, the Clerk may make special arrangements for a presentation or a delegation to be provided by alternative means.
14. During a meeting where one or more members are participating electronically, the Chair, at their discretion, may choose to:
  - a. require members to vote by a show of hands or verbally for technical or any other reason; and
  - b. recess or continue with the meeting without a member participating during any technical issues that cause a member to leave the meeting.

### **Inaugural Meeting**

15. Council shall hold its inaugural meeting within the first two weeks of a new term of Council.
16. No business shall be conducted at the Inaugural Meeting until the Declarations of Elected Office have been made by the members of Council.

### **Special Meetings**

17. A Special Meeting of Council may be called by:
  - a. the Mayor;
  - b. a majority of Council presents a petition to the Clerk; or
  - c. the Clerk.
18. The Clerk shall notify all members of Council of each special meeting at least 24 hours prior to the Special Meeting.
19. Only business that is set out in the notice or agreed to by a majority of the members present may be conducted at a Special Meeting.

### **Emergency Meetings**

20. During an Emergency, the Clerk may call an emergency meeting where:



- a. the notice provisions may be waived with the consent of a majority of members of Council;
  - b. the Clerk shall notify members about the meeting as soon as possible and in the most expedient manner available; and
  - c. no business except business dealing with the emergency shall be transacted at the emergency meeting.
21. Lack of receipt of notice or an Agenda by the members of Council shall not affect the validity of the meeting or any action lawfully taken at the meeting.

### **Closed Meetings**

22. All meetings of Council, Boards and Committees of Council shall be open to the public unless:
- a. the Clerk in consultation with the Mayor calls a closed meeting about a subject which may be considered at a closed meeting as set out in section 239 (2) of the Municipal Act;
  - b. the subject must be discussed at a closed meeting as set out in section 239 (3) of the Municipal Act; or
  - c. the meeting is for education or training purposes as set out in section 239 (3.1) of the Municipal Act.
23. Prior to any meeting being closed to the public, the Council or Committee shall state by public resolution:
- a. the fact of the holding of the closed meeting; and
  - b. the general nature of the matter being considered at the closed meeting.
24. During a closed meeting a vote may only be taken on a procedural matter or for giving directions or instructions to officers, employees, or agents of the municipality or committees of Council or persons retained by or under contract with the municipality.
25. The Clerk shall take minutes of all closed sessions which are not open to inspection by the public.

### **Closed Meeting Confidentiality and Investigations**

26. All information, documentation or deliberations received, reviewed or taken in a closed meeting is confidential and no person shall disclose any information considered at a closed session to the public except:
- a. with clear authorization or direction of Council; or
  - b. when the Chair reports on items to come forward from closed session.
27. Disclosing confidential information is a violation of the Council Code of Conduct and any suspected disclosures shall be referred to the Integrity Commissioner.

28. If a closed meeting investigation is conducted under section 239.1 of the Municipal Act:
  - a. the Clerk shall present the report to the Council, Board or Committee and;
  - b. the Council, Board or Committee shall pass a resolution stating how it intends to address the report.

### **Agenda and Public Notice**

29. The Clerk shall prepare an agenda for every meeting which provides public notice of the business to be discussed in the order generally as set out in Schedule A of this by-law and any reports, materials or information.

### **Information Package** *(added by by-law 50-2022)*

- 29.1 The Clerk shall prepare an Information Package with the contents as set out in Schedule A of this by-law to be circulated before a committee of the Whole Meeting to all members of Council. *(added by by-law 50-2022)*
- 29.2 Members of Council may pull items from the Information Package to be discussed at the next scheduled Committee of the Whole meeting by notifying the Clerk by 12 p.m. (noon) on the Wednesday before that scheduled Committee of the Whole meeting and the Clerk will add the item to the Items Pulled from the Information Package section of the Committee of the Whole Agenda. *(added by by-law 50-2022; amended by by-law 05-2023)*
30. All other notice shall be given as set out in the Township's Notice By-law.
31. Agendas shall be posted on the Township's website and circulated to all Council members electronically as follows:
  - a. 3:00 p.m. on the Thursday before a Council or Committee of the Whole Meeting; *(amended by by-law 05-2023)*
  - b. at least 24 hours before a Special Meeting; and
  - c. 1:00 p.m. on the day of a meeting for revisions to an agenda for urgent matters requiring a decision or as otherwise allowed by this by-law. *(amended by by-law 71-2021)*
32. Where the timelines laid out in section 31 of this by-law cannot be met for unforeseen circumstances, the Clerk will post a notice on the Township's website with an approximate time of availability and a general reason for the delay. *(amended by by-law 71-2021)*
33. Business shall be discussed in the order listed on the agenda, unless revised by Chair or a majority of members.

### **Members, Seating and Quorum**

34. Seating in the Council Chambers shall be in alphabetical order of the members' surnames with the first member in the seat closest to the Mayor's right.

35. A quorum of members must be present to hold a meeting, either in person or attending by Electronic Participation.
36. If a quorum is not present within thirty minutes after a regular, closed or special Council Meeting or Committee of the Whole meeting is scheduled to start, the Clerk shall record the names of the members present and Council shall stand adjourned until the next regular meeting.
37. If a quorum is not present after the time fixed for a meeting of Committee of the Whole or a Local Board or Committee of Council, the Clerk or recording secretary shall record the names of the members present and business shall be conducted as usual. Motions may be made and voted on, but all actions must be ratified at the next meeting.

### **Council Vacancy**

38. A vacancy on Council shall occur if;
  - a. a member of Council resigns from office by filing notice in writing with the Clerk, subject to the provisions of the Municipal Act; or
  - b. for any other reason as set out in section 259 of the Municipal Act.
39. If the office of a member of Council becomes vacant, Council shall:
  - a. declare the office to be vacant in accordance with the Municipal Act; and
  - b. direct the Clerk to begin the process to fill the vacancy by appointment in accordance with the Council-approved Council Vacancy Policy – Appointment Process.

### **Roles**

40. The roles of Council, Head of Council, Chief Administrative Officer and Clerk are set out in sections 224 to 229 of the Municipal Act.
41. The Clerk shall be present at all meetings of Council and Committee of the Whole.
42. Meetings will be chaired by:
  - a. the Mayor, for regular, special, emergency and closed meetings of Council;
  - b. the Acting Mayor, where the Mayor is absent or steps down from chairing a meeting;
  - c. the Acting Mayor, for Committee of the Whole meetings;
  - d. the Chair as appointed by Council or selected to by the members to chair meetings of Boards and Committees of the Township;
  - e. the Clerk or recording secretary of a Board or Committee, for the purposes of electing a new Chair of a Board or Committee.
43. The role of the Chair is to:

- a. call a meeting to order;
- b. preside over meetings so that business can be carried out efficiently and effectively;
- c. ensure decorum is maintained within Council Chambers and ensure that all members, staff, presenters, delegates or people viewing the meeting feel safe;
- d. preserve order and decide all questions of order without argument or comment;
- e. put to vote all motions, which are moved and seconded, or arise during the proceedings and to announce the result;
- f. require a recorded vote to be taken on any question upon request of a Member if such request is made prior to commencement of voting or immediately thereafter;
- g. decline to put to vote motions which infringe on this by-law; and
- h. authenticate by signature, when necessary, all by-laws, resolutions, minutes and documents authorized by Council.

#### **Disclosures of Pecuniary Interest**

44. It shall be the responsibility of each individual member to determine if a pecuniary conflict of interest, direct or indirect, exists in relation to any matter on a meeting agenda, and to publicly disclose the pecuniary interest and the nature thereof in accordance with the provisions of the Municipal Conflict of Interest Act.
45. Where a member has any pecuniary interest, direct or indirect, in any matter, including that of a spouse, child or parent and is present at a meeting of Council or a Committee of Council at which the matter is the subject of consideration, the member shall:
  - a. prior to the consideration of the matter at the meeting, verbally disclose the pecuniary interest and its general nature, including why the member has a pecuniary interest;
  - b. complete a written statement disclosing the interest to be filed in the registry maintained by the municipality;
  - c. not, at any time, take part in the discussion, or vote on any question in respect of the matter;
  - d. not, at any time, attempt, either on his or her own behalf or while acting for, by or through another person, in any way whether before, during or after the meeting influence the voting on any such question; and
  - e. immediately leave the meeting or part of the meeting during which the matter is under consideration and remain absent from it where the matter is under consideration during closed session.

46. Where a pecuniary interest has not been disclosed because the member was absent from the meeting where the matter was under consideration, the member shall disclose the interest and otherwise comply with section 62 b. at the next meeting of the Council or Committee of Council attended by the member.
47. The failure of one or more members to disclose a pecuniary interest as set out in this by-law shall not affect the validity of the meeting in regard to said matter.
48. Quorum is not affected by the absence of a member of Council or Committee of Council who has left the meeting due to a pecuniary conflict of interest.

### **Minutes**

49. Minutes will record:
  - a. the place, date and time of meeting;
  - b. the names of the presiding officer or officers and the record of the attendance of the members;
  - c. any disclosures of pecuniary interest;
  - d. correction and adoption of the minutes of prior meetings, and
  - e. a summary of other proceedings of the meeting without note or comment.
50. At all regular Council meetings, Council may adopt the minutes as presented or as amended.
51. After the minutes have been adopted they will be signed by the Mayor and Clerk.

### **Consent Items**

52. Items listed under the Consent Items portion of the agenda may be enacted in one motion in order to expedite the meeting, unless a member of Council requests that an item be discussed separately.

### **Proclamations, Communications and Petitions**

53. The Council of the Township of Woolwich does not pass proclamations.
54. All communications and petitions for Council shall be filed with the Clerk and shall:
  - a. be addressed to Council and signed by at least one person;
  - b. be legibly written or printed; and
  - c. not contain any impertinent or improper matter or language.
55. Communications or petitions received by the Clerk shall be included on the agenda for the next regular meeting unless the author requests a future date or the matter is scheduled to come forward at a future date.

56. Petitions submitted to Council are part of the public record and are listed on the public agenda posted online with Personal information severed in accordance with privacy legislation.

### **Public Meetings, Presentations and Delegations**

57. People participating in a public meeting may be required to register if:
- a. required by legislation, to appeal, or to receive future notices; or
  - b. the speaker is participating in the meeting electronically.
58. The time limit for speakers at a public meeting shall be:
- a. as set by Council or the Clerk for registered speakers; or
  - b. seven (7) minutes for unregistered speakers.
59. The Mayor, Council or the Clerk may invite members of the public to provide a presentation which is of interest to Council.
60. The time limit for speakers providing presentations shall be as set by Council or the Clerk.
61. To address Council at a meeting delegations must register with the Clerk no later than:
- a. 12:00 p.m. (noon) on the Wednesday before the meeting to speak on a matter under Council's jurisdiction; or (*amended by by-laws 71-2021 and 05-2023*)
  - b. 10:00 a.m. on the day of the meeting to speak on a matter already listed on the agenda for that meeting.
62. Presenters and Delegations addressing Council shall:
- a. confine their remarks to the business stated in their request to be heard;
  - b. speak in a respectful and temperate manner free of political satire and personal criticism;
  - c. provide only new information when speaking after other members of the public or in any subsequent appearances relating to a matter;
  - d. address the Chair from the designated area if attending in person or following all procedures for electronic participation in this by-law; and
  - e. be given seven (7) minutes speaking time unless Council agrees to reduce or extend the speaking time for one or more delegates.
63. The Clerk shall be authorized to:
- a. encourage a delegation to first address another more appropriate body before bringing the matter to Committee of the Whole or Council;
  - b. register special delegation requests or an organized group of people wishing to address Council and provide rules and time limits for their delegation consistent with the spirit of this by-law; and

- c. reject delegation requests where:
  - i. the topic of is beyond the jurisdiction of the Township;
  - ii. the topic is or may be abusive, profane or threatening; or
  - iii. from any person involved in a matter of litigation or potential litigation with a member, Council or the Township.
- 64. Unregistered Delegations may address Council or a Committee of Council with approval of a majority of members and may speak for no longer than five (5) minutes.
- 65. Members may only ask questions of people attending a public meeting, presenting or delegating for clarification or obtaining additional information relevant to the presentation and shall not enter into debate.
- 66. All persons shall speak and ask questions through the Chair at a meeting.

### **By-laws**

- 67. A confirming by-law shall be passed at each Council meeting to confirm the actions and proceedings of Council.
- 68. By-laws may be introduced for first, second, third readings, and final passage by a single motion, unless:
  - a. separate readings are required to accommodate legislative requirements; or
  - b. any member requests a by-law be discussed or voted on separately.
- 69. All by-laws shall:
  - a. be duly executed by being signed by the Mayor or Acting Mayor and the Clerk and being affixed with the corporate seal; and
  - b. note the date the by-law comes into force and effect.

### **Adjourning**

- 70. The Chair shall declare the Council or Committee of the Whole meeting or Committee of Council meeting adjourned at 11:00 p.m., unless Council or Committee of the Whole or the Committee of Council by unanimous vote approves an extension to 11:45 p.m. or a later time as set out in the resolution.

## **Part III. Conduct and Decorum**

### **Conduct of Members**

- 71. No member shall:
  - a. use offensive words or language that is not inclusive;

- b. engage in private conversation while in the Council meeting or use electronic devices in a manner which disrupts the proceedings of Council or may influence a vote;
  - c. leave his or her seat or make any noise or disturbance while a vote is being taken and until the result of the vote is announced;
  - d. disturb another Member or the meeting, by any disorderly conduct;
  - e. resist the rules of Council, or disobey the decision of the Chair or of the Council on questions of order or practice or upon the interpretations of the rules of procedure; or
  - f. speak without first addressing the Chair.
72. In a case where a member persists in disobedience after having been called to order by the Chair, the Chair may have the remaining members vote on a motion with out amendment, adjournment or debate: "That such member be ordered to leave his/her seat for the duration of the meeting of Council".
73. Council may allow a member ordered to leave the meeting to return by majority vote if the member apologizes.

#### **Directions to Staff**

74. No individual member of Council has the authority to direct or interfere with the performance of any work being carried out by an employee, agent or contractor of the Township.
75. Any directions or instructions provided to an employee, agent or contractor of the Township by Council will occur through appropriate direction or resolution at a Council meeting.

#### **Decorum of Council Chambers**

76. To preserve and protect the decorum of a meeting, the Chair may take the following action regarding any member of the public who is not following the Township's Respectful Behaviour policy:
- a. request the person comply with the policy and advise they will be asked to leave the meeting if they persist;
  - b. request the person remove themselves from the meeting; or
  - c. direct staff or authorities to remove the person from the meeting and take a recess for any amount of time necessary to support the person's removal.
77. No one shall use recording equipment in a manner that, in the opinion of the Chair, disrupts the meeting proceedings.



## **Part IV. Debate, Motions and Voting**

### **Rules of Procedure**

78. All matters of procedure not addressed by this by-law shall be decided by the Chair in accordance with, as far as reasonably practical, the most current edition of Robert's Rules of Order.
79. Any rule of procedure set out in this by-law may be suspended by a majority vote of the members present, except:
  - a. as required by law;
  - b. a rule requiring a two-thirds majority in which case the rule may be suspended by a two-thirds majority of members present; or
  - c. a rule requiring a unanimous vote, in which case the rule may be suspended by unanimous vote of members present.

### **Discussion and Debate**

80. Any member wishing to speak will raise their hand, wait to be recognized by the Chair and address their question or comments through the Chair.
81. When two or more members raise their hands to speak, the Chair shall determine speaking order.
82. The Chair may state his or her position on any matter during the meeting but shall not debate the matter without first appointing another member to the chair during such remarks. The Chair may resume the role of chair to take the vote.
83. A member may call another member to order while speaking and debate shall then be suspended until the point of order is determined by the Chair.
84. Any member may appeal a decision of the Chair. All appeals shall be decided by a majority vote and without debate.
85. Any member may require the question or motion under discussion to be read for the member's information at any time during the debate, but may not interrupt another member speaking.
86. Any member may request a recess of the meeting. The Chair may allow a recess.

### **Motions**

87. Motions may be presented by a mover verbally or in writing.
- 87.1 A Notice of Motion may be brought by any member as follows:
  - a. A Notice of Motion received in writing before the Agenda for a Meeting is published will be placed on the Agenda with the name of the member who will introduce the motion and may be debated and voted on at the Meeting; and

- b. A Notice of Motion introduced on the Revised Agenda or during a Meeting will be read aloud and Members may ask questions of clarification at the meeting, but debate and voting may not take place until the next Meeting unless Council suspends this procedure following the process set out in this by-law. (87.1 a & b *added by by-law 50-2022*)
88. If no member seconds a motion it shall not be discussed or considered.
89. When a motion has been moved and seconded:
- a. the motion may only be withdrawn by consent of the majority of members present;
  - b. discussion or debate shall be restricted to members unless a member requests clarification from a delegation or staff member and permission is provided by the Chair or majority of members present;
  - c. the Chair may limit discussion or debate by allowing each member to speak only once for up to ten minutes unless a majority of members vote to allow additional debate; and
  - d. no further motions shall be considered except in accordance with Roberts' Rules of Order.
90. A motion in respect of a matter which is beyond the jurisdiction of meeting shall not be in order.
91. All motions passed by the Committee of the Whole shall be considered recommendations to Council that must be ratified at a Council meeting.

### **Voting**

92. For all votes other than a recorded vote, the Chair will ask for members to vote and every member present except the Chair shall vote by show of hands or as determined by the Chair unless:
- a. the member has declared a pecuniary interest;
  - b. the outcome of the vote is a tie, in which case the Chair shall vote to break the tie; or
  - c. the chair announces their intent to vote before taking the vote, in which case the chair may vote.
93. If the Chair is unclear about the result of the vote, the Chair may request that the members vote again.
94. If a member disagrees with the Chair's announcement of the outcome of a vote the member may request a recorded vote immediately after the announcement.
95. Any member present who refuses to vote on an issue shall be deemed to have voted in the negative.

**Recorded Vote**

96. Any member except the Chair may request a recorded vote:
  - a. before voting on a motion; or
  - b. immediately after the Chair announces the outcome of a vote.
97. All members present including the Chair shall vote on a recorded vote unless the member has declared a pecuniary interest.
98. When a recorded vote is requested, the Clerk will:
  - a. call upon every member present to announce their vote publicly;
  - b. announce the number of members in favour and opposed to the motion and if the motion is carried or defeated; and
  - c. record the taking and outcome of the recorded vote in the minutes.
99. Any recorded vote having an equal number of votes shall be deemed to be lost.

**Reconsideration**

100. After a motion has been decided at a meeting, a member who voted in the majority or who was absent at the time the original vote was taken may move to reconsider the motion at any subsequent meeting with the following limits:
  - a. a motion cannot be reconsidered more than once during the term of Council; and
  - b. a motion to reconsider cannot be reconsidered.
101. A motion to reconsider:
  - a. may be seconded by any member;
  - b. shall not be discussed;
  - c. must be approved by a two-thirds majority of members present.
102. If a motion to reconsider is approved, reconsidering the original motion as if it had not previously been voted on shall become the next order of business, unless the motion for reconsideration calls for debate at a future date.

**Part V. Local Boards and Committees****Formation**

103. Council may establish Local Boards and Committees which have the powers and duties set out in the Municipal Act, other statute or as provided by Council as follows:
  - a. Local Boards by by-law; and
  - b. Advisory, Ad Hoc, and other Committees by resolution or by-law which shall include the terms of reference and any legislative requirements.

104. Once established, Local Boards shall continue to operate until the establishing by-law is repealed.
105. Once established an Advisory Committee shall continue to operate until it is dissolved by resolution or the establishing by-law is repealed.
106. Once established an Ad Hoc Committee shall be dissolved:
  - a. by resolution of Council;
  - b. at the end of the term of the Council that appointed it; or
  - c. on the date it delivers its final report to Council.
107. A Committee of Council may independently develop policies or procedures that give instruction in areas not covered by the Terms of Reference or this by-law.
108. If any Local Board, Advisory Committee or Ad Hoc Committee neglects to attend to its duties, the Council may intervene and order it to meet and report.

### **Membership and Quorum**

109. The Mayor is an ex officio member of all Committees of Council with full speaking and voting privileges.
110. Applications for membership on Local Boards, Advisory Committees and Ad Hoc Committees shall be reviewed by Council in closed session prior to the appointment being confirmed by resolution in open session.
111. Members appointed to Local Boards and Advisory Committees have a term of office 6 months longer than the Council that appointed them, unless otherwise determined by Council.
112. The Chair of a Local Board or Committee may vote on any question before the Committee.
113. A quorum in any meeting of a Local Board or Committee is the majority of:
  - a. the Members appointed by Council currently sitting on the committee; and
  - b. the Mayor, if present, and for clarity if the Mayor is not present they are not counted for quorum.

### **Minutes**

114. Local Boards and Advisory Committees shall adopt minutes and submit them to Council for information.

**Part VI. Conflict and Transition**

**Conflict and Terms Severable**

- 115. In the event the provisions of this by-law are inconsistent with the provisions of the Municipal Act, its Regulations or any other Act, the provisions of the Act or Regulation shall prevail.
- 116. The terms and provisions of this by-law shall be severable and should any term or provision be found by a court of competent jurisdiction to be legally unenforceable, in operative or invalid, the remainder of the by-law shall continue to be in full force and effect.

**Repeal and Enactment**

- 117. By-law 64-2020 is repealed.
- 118. This by-law shall come into full force and effect on the date it is passed at which time all by-laws, policies and resolutions that are inconsistent with the provisions of this by-law are hereby repealed insofar as it is necessary to give effect to the provisions of this by-law.

FINALLY PASSED this 31<sup>st</sup> day of August, 2021.

Signature on file \_\_\_\_\_  
Mayor

Signature on file \_\_\_\_\_  
Clerk

## Schedule A - Agenda Outlines

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### **Council Agenda Outline**

1. Public Resolution to Move into Closed Session
2. Public Resolution to Reconvene in Open Session
3. Land Acknowledgement
4. Moment of Silence
5. Disclosures of Pecuniary Interest
6. Items to Come Forward from Closed Session
7. Adoption of Minutes
8. Public Meetings
9. Presentations
10. Delegations
11. Unfinished Business
12. Consent Items
  - 12.1. Items for Approval
  - 12.3. Items for Information and Public Notices
13. Staff Reports and Memos
14. Other Business
  - 14.1. Mayor's Report on Regional Matters
  - 14.2. Council Reports/Updates
  - 14.3. Outstanding Activity List
15. Notice of Motion
16. By-laws
17. Adjournment

**Special Council Agenda Outline**

1. Public Resolution to Move into Closed Session (if applicable)
2. Public Resolution to Reconvene in Open Session (if applicable)
3. Land Acknowledgement
4. Disclosures of Pecuniary Interest
5. [Items related to the special meeting]
6. By-laws
7. Adjournment

**Committee of the Whole Agenda Outline**

1. Public Resolution to Move into Closed Session
2. Public Resolution to Reconvene in Open Session
3. Land Acknowledgement
4. Disclosures of Pecuniary Interest
5. Items to Come Forward from Closed Session
6. Public Meetings
7. Presentations
8. Delegations
9. Unfinished Business
10. Consent Items
  - 10.1. Items for Approval
  - 10.3. Items for Information and Public Notices
11. Items Pulled from the Information Package
12. Staff Reports and Memos
13. Other Business
  - 13.1 Council Reports/Updates
  - 13.2 Outstanding Activity List
14. Notice of Motion
15. Adjournment

## Schedule B - Special Circumstances for Electronic Participation

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1. The Clerk may require that in person participation at a meeting is not permitted for public health, emergency, or other special circumstances.
2. When members of the public are not permitted to attend a meeting in person:
  - a. members of the public must pre-register before noon on the day of the meeting to attend a public meeting or observe any part of the meeting open to the public by video or toll-free phone; and
  - b. the Clerk shall arrange for public participation in the meeting having regard to the circumstances, including giving registered delegates access to the electronic meeting platform, presenting pre-recorded videos and any other special arrangements as needed;
  - c. the Clerk shall arrange for public viewing or listening options, including livestreaming a meeting, providing registered viewers or listeners access to the electronic meeting platform and any other special arrangements as needed.
3. If technical issues cause a livestream to fail when the public are not permitted to attend a meeting in person and livestreaming the meeting is an option for participation, the Clerk shall:
  - a. delay the meeting until the livestreaming software and hardware can be reset and retried;
  - b. if the issue persists, livestream the meeting using an alternative service and post notice on the website and social media of how to access the alternative service; and
  - c. if no available livestreaming services can be used, provide any members of the media or public intending to watch the meeting access to the electronic meeting platform, post a recording of the meeting online when possible and post notice of the issue on the website and social media with ways to view the meeting.
4. Regardless of a livestream or recording of the meeting, the official record of the meeting shall be the meeting minutes taken by the Clerk.