

RULES OF PROCEDURE

**FOR THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF CENTRAL
ELGIN**

AS ADOPTED BY BY-LAW NO. 2606

TABLE OF CONTENTS – PROCEDURAL BY-LAW

MUNICIPALITY OF CENTRAL ELGIN

<u>SECTION</u>	<u>TITLE</u>
1	DEFINITIONS & INTERPRETATION
2	GENERAL PROVISIONS
3	DUTIES OF COUNCIL
4	MEETINGS
5	AGENDAS & MINUTES
6	ORDER OF PROCEEDINGS-COUNCIL
7	ORDER OF PROCEEDINGS-PUBLIC MEETING
8	DELEGATIONS
9	RULES OF DEBATE & CONDUCT
10	MOTIONS
11	VOTING ON MOTIONS
12	CONDUCT OF AUDIENCE
13	ADMINISTRATION

BY-LAW NO. 2606

OF

THE CORPORATION OF THE MUNICIPALITY OF CENTRAL ELGIN

**BEING A BY-LAW TO GOVERN THE PROCEEDINGS OF THE
COUNCIL OF THE MUNICIPALITY OF CENTRAL ELGIN, AND OF
ITS COMMITTEES AND THE CONDUCT OF ITS MEMBERS**

WHEREAS Section 238(2) of the Municipal Act, S.O.2001, c.25 as amended, requires every Municipality to pass a Procedural By-law for governing the calling, place and proceedings of meetings;

AND WHEREAS the Council for the Corporation of the Municipality of Central Elgin now deems it advisable to enact a by-law to govern the proceedings of Council, the conduct of its Members and the calling of Meetings, and to provide for procedures and statutory requirements in accordance with the Municipal Act, S.O.2001, c.25 as amended, and to repeal all previous by-laws related thereto;

NOW THEREFORE the Council for the Corporation of the Municipality of Central Elgin enacts as follows:

Section 1 – DEFINITIONS & INTERPRETATION

1.1 For the purposes of this By-law; unless stated otherwise or the context requires a different meaning:

- 1.1.1 **‘Abstain’** shall mean to refrain from voting. Should a member abstain from voting, their vote is counted in the negative unless the member is not participating in the vote due to a declared conflict on a matter before the Council.
- 1.1.2 **‘Acting Head of Council’** shall mean the Deputy Mayor when the Mayor is absent or refuses to act or the office of the Mayor is vacant or, when the Mayor and Deputy Mayor are absent or refuse to act or the offices of the Mayor and Deputy Mayor are vacant, the member of Council who is appointed by Council to act from time to time in the place and stead of the Mayor and who shall exercise all of the rights, powers and authority of the Head of Council while so acting.
- 1.1.3 **‘Ad Hoc Committee’** shall mean a special purpose committee of limited duration, appointed by Council to consider a specific matter and which is dissolved automatically upon submitting its final report to Council, unless otherwise directed by Council.
- 1.1.4 **‘Advisory Committee’** shall mean a committee appointed by Council to act in an advisory capacity to Council on operational and strategic issues during the full term of Council.
- 1.1.5 **‘CAO|Clerk’** shall mean the CAO|Clerk of the Corporation of the Municipality of Central Elgin.

- 1.1.6 **'Chair'** in the case of the Council shall mean the Mayor, Deputy Mayor or the Member appointed to act as Chair during the absence of the Mayor and Deputy Mayor from a Meeting or a portion of a Meeting. While acting as Chair the Member shall exercise all of the powers and responsibilities of the Mayor under this Procedural By-law. In the case of a Statutory Public Meeting, Public Meeting or a Court of Revision Hearing, Chair shall mean the Mayor, Deputy Mayor or the Member, whoever presides over a portion of the Meeting of the Statutory Public Meeting, Public Meeting or a Court of Revision Hearing as provided for in this Procedural By-law. In the case of an Ad Hoc Committee or Advisory Committee, Chair means the Member appointed as such by the Committee.
- 1.1.7 **'Clerk'** shall mean the Clerk of the Municipality of Central Elgin and includes the Deputy Clerk and any official of the Municipality appointed by Council to exercise the power(s) of the Municipal Clerk in the absence of the Clerk or Deputy Clerk.
- 1.1.8 **'Committee'** shall mean a committee of Council and includes Standing Committees, or sub-committees of the Standing Committees.
- 1.1.9 **'Committee of Adjustment'** shall mean the group of individuals appointed by the Council of the Municipality of Central Elgin to the Committee of Adjustment pursuant to the provisions of *the Planning Act, R.S.O., 1990, c.P.13, as amended*.
- 1.1.10 **'Council'** shall mean the Council of the Corporation of the Municipality of Central Elgin.
- 1.1.11 **'Councillor'** shall mean a person elected or appointed as a Member of Council but does not include the Mayor.
- 1.1.12 **'Delegation'** shall mean a person or group of persons desiring to verbally present information or to make a request to Council.
- 1.1.13 **'Deputy Mayor'** shall mean the Member of Council who is elected to the position and who, in the absence of the Mayor, shall exercise the powers and responsibilities of the Mayor provided for in this by-law or any other by-law or statute.
- 1.1.14 **'Electronic Participation'** shall mean participation in a Meeting from a remote location by such electronic means or service as determined and provided by the Clerk.
- 1.1.15 **'Holiday'** shall mean a holiday as defined by the Legislation Act, 2006 S.O. 2006, c. 21, Schedule F as amended or replaced from time to time.
- 1.1.16 **'Local Board'** shall mean a local board as defined in the Municipal Act, S.O.2001, c.25 as amended.
- 1.1.17 **'Mayor'** shall mean the Head of Council of the Corporation of the Municipality of Central Elgin.
- 1.1.18 **'Meeting'** shall mean any Regular or Special Meeting of Council, including a Statutory Public Meeting, Public Meeting or a Court of Revision Hearing where,
a) a quorum of members is present, and
b) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, local board or

committee.

- 1.1.19 **'Member'** shall mean a Member of the Council of the Corporation of the Municipality of Central Elgin, and includes the Mayor.
- 1.1.20 **'Motion'** shall mean a question or proposal to be considered by Council and which is moved and seconded and is subject to debate. When a Motion is adopted, it becomes a Resolution.
- 1.1.21 **'Municipal Act'** shall mean the *Municipal Act, 2001, (S.O.2001, c. 25)*, as amended or replaced from time to time.
- 1.1.22 **'Municipality'** shall mean the Corporation of the Municipality of Central Elgin.
- 1.1.23 **'Pecuniary Interest'** shall mean a direct or indirect Pecuniary Interest within the meaning of the *Municipal Conflict of Interest Act, R.S.O.1990, chapter M.50*, as may be amended.
- 1.1.24 **'Planning Act'** shall mean the *Planning Act, R.S.O. 1990, c.P. 13, as amended*.
- 1.1.25 **'Point of Order'** shall mean a statement made by a Member during a Meeting drawing to the attention of the Presiding Member a breach of the Rules of Procedure.
- 1.1.26 **'Point of Privilege'** shall mean the raising of a question that concerns a Member, or all of the Members of Council, when a Member believes that his rights, immunities or integrity or the rights, immunities or integrity of Council or staff as a whole have been impugned.
- 1.1.27 **"Quorum"** means the minimum number of Members that must be present at a meeting to make the proceedings of that meeting valid, as established by the Municipal Act, 200, as defined in Section 4.9 herein.
- 1.1.28 **'Recorded Vote'** shall mean the written record of the name and vote of every Member present when the vote is called on any matter or question during a Meeting of Council.
- 1.1.29 **'Resolution'** shall mean a formal expression of opinion or intention by Council.
- 1.1.30 **'Rules of Procedure'** shall mean the rules and requirements contained within this Procedural By-law.
- 1.1.31 **'Vice Chair'** shall mean such Member of a Board or Committee who has been appointed to act in the place and stead of the Board or Committee Chair when such Chair is absent from a meeting of the Board or Committee for any cause and who shall exercise all the rights, power and authorities of the Chair.
- 1.1.32 **"Website"** shall mean the Municipality of Central Elgin website address identified as www.centralelgin.org

- 1.2 Unless the context otherwise requires, in this Procedural By-law the words used in the female gender shall include the male gender and the singular shall include the plural, and vice-versa, as the context requires.

Section 2 - GENERAL PROVISIONS

2.1 Applicability

- 2.1.1 Save as otherwise provided herein, the procedural rules and requirements of this by-law shall be observed in all Meetings and shall be the rules and requirements which govern the order of their business.

2.2 Principles of the Procedural By-law

- 2.2.1 The principles of openness, transparency and accountability to the public guide the municipal decision-making process. In the context of Council proceedings, this is accomplished by:
- a) ensuring the decision-making process is understood by the public and other stakeholders;
 - b) providing access to information and opportunities for input by the public and other stakeholders consistent with the requirements of this by-law and other statutory requirements;
 - c) exercising and respecting individual and collective roles and responsibilities provided for in this by-law and other statutory requirements; and
 - d) the protection of basic rights by recognizing the right of the majority to decide, the minority to be heard and individuals have the opportunity to participate.
- 2.2.2 The principles of parliamentary law governing Council include:
- a) the majority of Members have the right to decide;
 - b) the minority of Members have the right to be heard;
 - c) all Members have the right to information to help make decisions, unless otherwise prevented by law;
 - d) all Members have a right to an efficient Meeting;
 - e) all Members have the right to be treated with respect and courtesy; and
 - f) all Members have equal rights, privileges and obligations.

2.3 Suspension of Rules and Procedures

- 2.3.1 Notwithstanding Section 2.1.1 of this by-law, the rules and regulations contained herein that are discretionary and not mandatory under statute may be temporarily suspended by a majority vote, with the exception of the following circumstances:
- a) where required by-law;
 - b) contractual agreements binding the Municipality;
 - c) amending this by-law; and
 - d) quorum requirements

2.4 Issue not Addressed

- 2.4.1 If an issue is raised that is not expressly addressed in this by-law, the issue shall be decided by the Chair, subject to an appeal to the Members.
- 2.4.2 All points of order or procedure not provided for in these Rules of Procedure shall be decided in accordance with the rules of procedure known as Robert's Rules of Order.

2.5 Video Equipment, Recording Devices and Cellular Telephones

- 2.5.1 All communication devices shall be switched to 'silent' upon entering the location where any Council Meeting is being held.

- 2.5.2 The Municipality will make every reasonable effort to ensure that live streaming and video recordings are available to the public. However, there may be situations where due to technical difficulties the live streaming and video recordings may be unavailable or delayed. Meetings will not be cancelled, postponed or delayed due to technical issues with live streaming or recording of meetings if the physical Council Chambers is open and accessible to the public.
- 2.5.3 The official record of all Council Meetings shall be the written minutes in accordance with the Municipal Act, Section 239 (1) which states that minutes of meetings are to be recorded without note or comment by the Clerk.
- 2.5.4 Video files from live streaming on the internet are part of the public realm and, as such, are subject to alteration by a member of the public with no municipal control over such alterations. The Municipality assumes no liability associated with any alterations that may be made by a member of the public on the internet.

Section 3 - DUTIES OF COUNCIL

3.1 Duties of the Mayor

- 3.1.1 It shall be the duty of the Mayor to carry out the responsibilities of Head of Council set forth in the Municipal Act, in addition to the following responsibilities:
- a) to open the Meeting of Council by taking the Chair and calling the Members to order;
 - b) to announce the business before the Council in the order in which it is to be acted upon;
 - c) to receive and submit, in the manner prescribed by this Procedural By-law, all motions presented by Members;
 - d) to recognize any Member who wishes to speak and to determine the order of speakers;
 - e) to put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of the proceedings;
 - f) to decline to put to vote motions which contravene the provisions of the Procedural By-law;
 - g) to enforce the provisions of the Procedural By-law;
 - h) to enforce on all occasions the observance of order and decorum among the Members;
 - i) to call by name, any Member refusing to comply with this Procedural By-law and to order the Member to vacate the Council Chambers, or the place of Meeting, as the case may be;
 - j) to cause to be expelled and excluded any member of the public who creates a disturbance or acts improperly during a Meeting and, if necessary, to direct the Clerk to seek appropriate assistance from the Ontario Provincial Police Service;
 - k) to authenticate, by signature, all By-laws and Meeting minutes;
 - l) to rule on any points of order raised by Members;
 - m) to represent and support the decisions of Council, declaring its will and explicitly and implicitly obeying its decisions in all things;
 - n) to adjourn the Meeting when the business is concluded, or if considered necessary by the Mayor because of grave disorder, to adjourn the sitting without putting to the vote any question, or suspend the sitting for a time to be named
 - o) to nominate for Council consideration the Members of Council to serve on Committees or to request advice or nominations from members of Council for

appointment to such committees;

3.1.2 By virtue of office, the Mayor is appointed as an ex-officio member of Ad-Hoc Committees, Advisory Committees and Boards, with the right to participate fully and vote, unless prohibited by law.

3.1.3 Where an Ad-Hoc Committee, Advisory Committee or Board is established by reference to a particular number of Members without specifically providing for membership of the Mayor, such number is automatically increased by one, except where prohibited by law.

3.2 Duties of the Deputy Mayor

3.2.1 Where the Mayor gives notice to the Clerk that she will be absent from the Municipality, or of her absence through illness, or her office is vacant, or she refuses to act, then the Deputy Mayor shall act in her place and instead of the Mayor and, while so acting, has and may exercise all the rights, powers and authority of the Head of Council.

3.3 Participation of Chair in Debate

3.3.1 The Chair who presides over any part of a Meeting may state relevant facts and the Chair's position on any matter before Council without leaving the chair, which may take place immediately prior to the vote, but it shall not be permissible for the Chair to move a motion or debate without first leaving the chair.

3.3.2 If, during a Meeting of Council, the Mayor desires to leave the chair to move a motion or take part in the debate pursuant to Section 3.3.1, or otherwise, the Mayor shall call on the Deputy Mayor or, in his absence, another Member to preside until the Mayor resumes the chair.

3.4 Duties of the Members of Council

3.4.1 It shall be the duty of the Members to carry out the role of Council as set forth in the Municipal Act, in addition to the following responsibilities:

- a) to deliberate on the business submitted to Council;
- b) to vote when a motion is put to a vote, except where otherwise disqualified from doing so by law;
- c) to represent and support the decisions of Council, declaring its will and explicitly and implicitly obeying its decisions in all things
- d) to Chair the portion of a Meeting for which he is the appointed Chair and assume the duties of the Mayor as detailed in Section 3.1.1; and
- e) to apply and respect the Rules of Procedure.

3.4.2 Council Members shall adhere to the Council Code of Conduct as adopted by Council and as amended from time to time.

3.4.2 Act as an alternate lower-tier member to attend County Council where the Municipality gives notice to the County Clerk of the absence of a County Councillor in accordance with the Elgin County Procedural By-law.

3.4.3 No member of the Council shall have power to direct or interfere with the performance of any work for the Corporation of the Municipality of Central Elgin.

Section 4 - MEETINGS

4.1 Place of Meeting

- 4.1.1 Unless otherwise directed by Council, all Regular and Special Meetings shall be held in the Council Chambers at 450 Sunset Drive, Central Elgin, Ontario.

4.2 Inaugural Meeting

- 4.2.1 The Inaugural Meeting of the Council shall be held, in a year in which a municipal election is held, on the first Monday of December at 7:00 p.m.
- 4.2.2 The Clerk shall be responsible for the location, content and format of the Agenda for the Inaugural Meeting and all arrangements related thereto.

4.3 Regular Meetings

- 4.3.1 Regular Meetings of Council shall be held on the second and fourth Monday of each month commencing at 7:00 p.m., unless such a day is a Holiday, or on such other day and time as may be determined from time to time by resolution of Council.
- 4.3.2 Pursuant to Section 4.3.1 of this By-law, when a Regular Meeting falls on a Holiday, the meeting shall occur on the Tuesday.
- 4.3.3 Notwithstanding Section 4.3.1 of this by-law, in July and August, Regular Meetings of Council shall be held on the third Monday of each month commencing at 1:00 p.m., unless such a day is a Holiday, or on such other day and time as may be determined from time to time by resolution of Council.

4.4 Special Meetings

- 4.4.1 In addition to Regular Meetings, the Mayor may, at any time, summon a Special Meeting of Council by giving direction to the Clerk stating the date, time and purpose of the Special Meeting.
- 4.4.2 The Clerk shall summon a Special Meeting of Council when requested to do so in writing by a majority of Members, at the time mentioned in the request.
- 4.4.3 Written notice of a Special Meeting of Council shall be given to all Members at least twenty-four (24) hours before the time appointed for such Meeting and shall be delivered electronically via e-mail to their respective municipal e-mail address.
 - a) The written notice shall indicate the nature of the business to be considered at the Special Meeting as well as date, time and place of the Meeting.
- 4.4.4 No business other than that indicated in the written notice shall be considered at the Special Meeting.
- 4.4.5 All Special Meetings of Council shall be held at the location of the last Regular Meeting of Council unless an alternative location is specified in the notice of Special Meeting.

4.5 Emergency Meeting

- 4.5.1 Notwithstanding any other provision of this by-law, on urgent and extraordinary

occasions, an Emergency Special Meeting of the Council may be called by the Mayor without advance notice being given by the Clerk pursuant to this By-law, to consider and deal with such urgent and extraordinary matters.

- a) In this case, the consent of a majority of the Members to hold such a Meeting without advance notice is necessary.

- 4.5.2 Notwithstanding any other provision of this by-law, on urgent and extraordinary occasions, Council may, by Resolution, authorize the holding of a Regular or Special Meeting at a location outside the Municipal boundaries.

4.6 Statutory Public Meetings, Public Meetings, Court of Revision Hearings, Hearings or Information Sessions Held Under the Planning Act, Development Charges Act and Other Applicable Legislation

- 4.6.1 Council from time to time may conduct a Statutory Public Meeting, Public Meeting, Court of Revision Hearing, Hearing or other Information Session for any purpose giving such Notice as may be deemed necessary or required by law, or the Municipality's Public Notice By-law, as amended from time to time.

- 4.6.2 If Council is required by law to hold a Statutory Public Meeting, Public Meeting, Court of Revisions Hearing, Hearing or other Information Session the Rules of Procedure outlined herein shall govern.

4.7 Meetings Open to Public

- 4.7.1 Subject to Section 4.8 of this Procedural By-law, Meetings shall be open to the public and no person shall be excluded therefrom except for improper conduct.
- 4.7.2 Physical access to the place of meeting and/or a digital stream that is capable of and/or enables the public to hear, or watch and hear, all Members participating in the Meeting constitutes an open meeting.
- 4.7.3 The Chair may request that members of the public vacate the Council Chambers if their behaviour is deemed to be disruptive to the business at hand. The Chair may unilaterally suspend the Meeting until order is restored in the Council Chambers.

4.8 Closed Meetings

- 4.8.1 Except as otherwise provided herein, all Meetings shall be open to the public.
- 4.8.2 Council may, by Resolution, close a Meeting or part of a Meeting to members of the public if the subject matter being considered is:
 - a) the security of the property of the Municipality or Local Board;
 - b) personal matters about an identifiable individual, including Municipal and Local Board Employees;
 - c) a proposed or pending acquisition or disposition of land by the Municipality;
 - d) labour relations or employee negotiations;
 - e) litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality;
 - f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) a matter in respect of which the Council is authorized by another provincial statute to hold a closed meeting;
 - h) information explicitly supplied in confidence to the municipality or local board

- i) by Canada, a province or territory or a Crown agency of any of them;
- j) 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 organization;
- k) 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;
- l) 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.
- m) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- n) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ontario Ombudsman, a municipal Ombudsman, or meeting investigator.

4.8.3 A motion by Council to close a Meeting or part of a Meeting to the public shall state:

- a) the fact of the holding of the closed Meeting; and
- b) the general nature of the subject matter to be considered at the closed Meeting.

4.8.4 Where a Meeting or part of a Meeting is closed to the public, Council shall request those persons not specifically invited to the closed Meeting to vacate Council Chambers and discontinue digital streaming and recording as the case may be.

4.8.5 A Meeting or part of a Meeting shall not be closed to the public during a vote except where permitted by law including, without limitation, Section 239(6) of the *Municipal Act*, which allows a Meeting to be closed to the public during a vote pursuant to sections 239 (2) or (3) and the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality or persons retained by or under a contract with the Municipality, and Council deems that it is in the best interests of the Municipality to do so.

4.8.6 Notwithstanding Section 4.8.5, the vote on a resolution approving a contract for the acquisition or disposal of land, including the sale of road allowances, shall be conducted in open session.

4.8.7 The Motion to rise from "In Camera" shall include the time that Council arose.

4.8.8 The Clerk shall record without note or comment all resolutions, decisions and other proceedings at a Meeting of Council when it is closed to the public.

4.8.9 Members shall ensure that confidential matters disclosed to them during closed Meetings are kept confidential. Any breach of confidential matters disclosed during closed Meetings shall be subject to the sanctions contained in the Council Code of Conduct.

4.9 Quorum

4.9.1 A quorum of Council shall be four (4) Members.

4.9.2 A quorum of an Ad-Hoc Committees, Advisory Committee and Board shall be a majority of the Members of the Ad Hoc Committee.

4.9.3 If a Quorum is not present within thirty (30) minutes after the time appointed for the Meeting, the Clerk or designate shall record the names of the Members present and the Meeting shall stand adjourned until the date of the next Regular Meeting or other Meeting called in accordance with the provisions of this Procedural By-law.

4.10 Education and/or Training Sessions

4.10.1 An Education and/or Training Session of Council shall not be deemed to be a Meeting of Council and shall not be subject to the rules and regulations applicable to Meetings contained in this By-law.

4.10.2 All Members of Council are entitled to attend at the Education and/or Training Session, together with the designated staff or consultants retained by the Municipality.

4.10.3 No motion, resolution, by-law, debate, agreement in principle, consensus, straw-vote, report, recommendation or other action or decision may be proposed, discussed, decided upon, adopted, taken or made at an Education and/or Training Session.

4.10.4 The Clerk shall take notes describing, in general terms, each subject matter dealt with during the session and upon conclusion thereof, the notes shall be maintained as a public record under the control of the Clerk which records shall not be subject to section 6(1)(b) of the Municipal Freedom of Information and Protection of Privacy Act, as amended.

4.11 Public Notice of Meeting

4.11.1 Public notice of each regularly scheduled Meeting shall be deemed to be given by making the agenda available for viewing on the Municipal Website by 7:00 p.m. on the Thursday preceding the regularly scheduled Meeting.

4.11.2 Notice of Special Meetings shall be posted on the Municipal Website not less than twenty-four (24) hours before the time appointed for the Special Meeting.

4.11.3 Where an Emergency Special Meeting of Council is held in accordance with Section 4.5, notice of the Emergency Special Meeting shall be posted on the Municipal Website, as soon as practicable.

4.11.4 Lack of sufficient notice, as provided for herein, shall not affect the validity of holding a Meeting, Special Meeting or any action taken thereat where a majority of Members are present and the Meeting is open to the public pursuant to Section 4.7 of this by-law.

4.12 Adjournment - Due Hour

4.12.1 Except as provided in Section 10.30, a Regular or Special Meeting of Council shall adjourn at the hour of 11:00 p.m., if in session at that time, and shall reconvene at such other day and time as Council, by resolution, may direct, or the next regularly

scheduled Meeting of Council.

4.13 Cancellation of Meeting

- 4.13.1 The Mayor or the Deputy Mayor, in the Mayor's absence, or the Clerk, in the absence of both the Mayor and Deputy Mayor, may cancel any Meeting of Council if he is of the opinion that weather conditions or an emergency warrant. The Clerk shall inform as many Members as he is able to reach.

4.14 Electronic Participation

- 4.14.1 A Member who is unable to attend a Council Meeting in person may participate in that Meeting by electronic or other communication facilities if:
- a) the facilities enable all participating Members, whether attending in person or through electronic participation, to hear and be heard by all other Members.
 - b) except for all or any part of the Council Meeting that is closed to the public, the electronic or other facilities are capable of and enable the public to hear, or watch and hear, all Members participating in the Meeting.
- 4.14.2 A Member who intends to participate in any such Meeting by electronic or other communication facilities shall give to the Clerk Notice of that intention at least 24 hours prior to the commencement of such Meeting, provided that, if Notice of such Meeting is provided less than 24 hours prior to its scheduled commencement, then the Member shall give to the Clerk as much notice as possible prior to commencement of such Meeting.
- 4.14.3 In all such circumstances, the Clerk will, as soon as reasonably possible, provide the Member intending to attend by electronic participation with instructions on how to connect to and participate in that Meeting by electronic or other communication facilities.
- 4.14.4 There shall be no limit upon the number of Members who may attend a Meeting of Council by electronic or other communication facilities.
- 4.14.5 Each Member attending the Meeting by electronic or other communication facilities shall notify the Chair and other Members when he or she joins the Meeting and, if and when applicable, upon leaving the Meeting.
- 4.14.6 Any Member attending and present during a Meeting by electronic or other communication facilities shall be counted for purposes of quorum at the commencement of and at any point in time during the Meeting.
- 4.14.7 Any Member attending and present during a Meeting by electronic or other communication facilities may vote on any matter being considered in such Meeting and that vote shall be counted.
- 4.14.8 The method of vote shall be as determined by the Chair and may be unrecorded or recorded. Any members participating electronically without video abilities will be asked by the Chair to vote verbally.
- 4.14.9 If the Member, whether present in person or electronically after two (2) attempts, fails to vote and/or respond to the call of his name, then the vote is recorded as 'no', unless directed otherwise by the Chair.

Section 5 - AGENDAS AND MINUTES

5.1 Council Meeting Agenda

5.1.1 The Clerk shall cause to be prepared an electronic Agenda generally under the following headings for the use of the Members at the Regular Meetings of Council:

- I. Call to Order
- II. Disclosures of Pecuniary Interest
- III. Review of Items Not Listed on Agenda
- IV. Adoption of Minutes of previous Meeting(s)
- V. Delegations
- VI. Correspondence
 - a. Requiring Action
 - b. Receive for Information
- VII. Reports
 - a. Central Elgin Planning Office
 - b. Chief Administrative Officer
 - c. Director of Infrastructure & Community Services
 - d. Director of Financial Services
 - e. Director of Fire Rescue Services
 - f. Director of Asset Management & Development Services
- VIII. By-laws
- IX. Public Notice
- X. Motions and Notice of Motion
- XI. Other Business
- XII. Closed Session
- XIII. By-law to Confirm the Proceedings of Council
- XIV. Adjournment

5.1.2 The business of Council shall be considered in the order as it appears on the Agenda, unless otherwise decided by a vote of the majority of the Members present and voting.

5.1.3 Items that, in the opinion of the Clerk, are of an urgent matter may be placed on an Addendum to an Agenda if the items are received after the Agenda has been prepared.

5.2 Statutory Planning Meeting Agenda

5.2.1 The Clerk shall cause to be prepared an electronic Agenda generally under the following headings for the use of the Members at a Statutory Planning Meeting:

- I. Call to Order
- II. Disclosures of Pecuniary Interest
- III. Chair's Remarks on the Purpose of the Meeting
- IV. Purpose and Effect of the Proposed Amendment
- V. Correspondence
- VI. Public Participation
- VII. Adjournment

5.2.2 The business of Council shall be considered in the order as it appears on the Agenda, unless otherwise decided by a vote of the majority of the Members present and voting.

5.3 Committee of Adjustment Meeting Agenda

5.3.1 The Clerk shall cause to be prepared an electronic Agenda generally under the following headings for the use of the Members at a Committee of Adjustment Meeting:

- I. Call to Order
- II. Disclosures of Pecuniary Interest
- III. Chair's Remarks on the Purpose of the Meeting
- IV. Purpose and Effect of the Proposed Amendment
- V. Correspondence
- VI. Public Participation
- VII. Adjournment

5.3.2 The business of the Committee of Adjustment shall be considered in the order as it appears on the Agenda, unless otherwise decided by a vote of the majority of the Members present and voting.

5.4 Court of Revision Meeting Agenda

5.4.1 The Clerk shall cause to be prepared an electronic Agenda generally under the following headings for the use of the Members at a Court of Revision Meeting:

- I. Call to Order
- II. Disclosures of Pecuniary Interest
- III. Chair's Remarks on the Purpose of the Meeting
- IV. Purpose and Effect of the Court of Revision
- V. Correspondence
- VI. Public Participation
- VII. Adjournment

5.4.2 The business of the Court of Revision shall be considered in the order as it appears on the Agenda, unless otherwise decided by a vote of the majority of the Members present and voting.

5.5 Public Meeting Agenda

5.5.1 The Clerk shall cause to be prepared an electronic Agenda generally under the following headings for the use of the Members at a Public Meeting:

- I. Call to Order
- II. Disclosures of Pecuniary Interest
- III. Chair's Remarks on the Purpose of the Meeting
- IV. Purpose and Effect of the Meeting
- V. Correspondence
- VI. Public Participation
- VII. Adjournment

5.5.2 The business of Council shall be considered in the order as it appears on the Agenda, unless otherwise decided by a vote of the majority of the Members present and voting.

5.6 Meeting Minutes

- 5.6.1 The Clerk shall cause the Minutes to be taken of each Meeting of Council whether it is closed to the public or not. These minutes shall include:
- a) the place, date and time of the Meeting;
 - b) the name of the Members and the record of attendance of the Members;
 - i. should a Member enter after the commencement of the Meeting or leave prior to adjournment, the time shall be noted;
 - c) declarations of pecuniary interest;
 - d) all resolutions of the Meeting without note or comment.
- 5.6.2 The Minutes of each Meeting shall be presented to Council for confirmation at the next Regular Meeting.
- 5.6.3 Following approval of the Minutes, the Minutes shall be signed by the Mayor and the Clerk.
- 5.6.4 The Clerk shall ensure that the Minutes of the last Regular and Special Meetings of Council are posted on the Municipal website and prepared in accordance with Section 5.6 of this Procedural By-law.

Section 6 - ORDER OF PROCEEDINGS - COUNCIL

6.1 Call to Order

- 6.1.1 As soon as a Quorum is present after the hour set for the holding of the Meeting, the Mayor shall take the Chair and call the Members present to order.
- 6.1.2 If the Mayor does not attend a Meeting within fifteen (15) minutes after the time set for the Meeting and a quorum is present, the Deputy Mayor shall preside over the Meeting and shall exercise all duties and responsibilities of the Mayor as outlined in this Procedural By-law until the Mayor is present at the Meeting and able to perform his responsibility to assume the chair.
- 6.1.3 If the Deputy Mayor is also not present within fifteen (15) minutes after the time set for the Meeting and a quorum is present, the Clerk shall call the Meeting to order, and the Members present shall appoint a Presiding Member who shall act as Chair of the Meeting until the arrival of the Mayor or Deputy Mayor, whoever is the first to arrive and is able to assume the chair.

6.2 Disclosures of Pecuniary Interest

- 6.2.1 Where a Member, either on his 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 at which the matter is the subject of consideration, the Member shall:
- a) prior to any consideration of the matter at the Meeting, disclose the interest and the general nature thereof;
 - b) not take part in any discussion of or vote on any question with respect to the matter; and
 - c) not attempt in any way before, during and after the meeting to influence the voting on any such question.
- 6.2.2 Where the Meeting is not open to the public, in addition to complying with the requirements of Section 6.2.1, the Member shall immediately leave the Meeting or

part of the Meeting during which the matter is under consideration.

6.2.3 Where a Member is absent from a Meeting which includes a matter for which the Member has a pecuniary interest, the Member shall disclose this interest and otherwise comply at the first Meeting attended by him after the particular Meeting.

6.2.4 A Member shall file with the Clerk a written statement of any interest declared by the Member in accordance with the *Municipal Conflict of Interest Act, RSO 1990* and its general nature, and the Clerk will make the disclosure publicly available and will maintain a registry of written statements of disclosure.

6.3 Minutes

6.3.1 Minutes of previous Meetings shall be listed under this section of the Council Agenda.

6.3.2 Previous Meeting Minutes may be disposed of through a single resolution or, alternatively, any Member may request that one or more be separated and voted on separately.

6.4 Delegations

6.4.1 Delegations shall be conducted in accordance with Section 8 of this by-law.

6.5 Correspondence

6.5.1 All Correspondence, including petitions, intended to be presented to Council shall be legibly written or printed, shall not contain any defamatory, impertinent or improper matter or language, shall identify the author(s) by name and municipal address and shall be filed with the Clerk before it is presented to Council.

6.5.2 Correspondence shall not be placed on the Agenda if the identity of the author or authors cannot be confirmed.

6.5.3 No person, except a member of Council or an authorized Municipal employee, shall before or during a meeting of Council, place on the desks of Members or otherwise distribute any material whatsoever.

6.5.4 Correspondence, including emails, intended for Council or a committee is generally received as public information subject to the Municipal Freedom of Information and Protection of Privacy Act. The Clerk shall be advised of any confidential items, the general nature of the confidentiality and will determine whether the item meets identified criteria for confidential correspondence and whether it will be circulated within the Agenda, circulated under separate cover or provided in the Closed Agenda.

6.5.5 Every item of Correspondence shall be delivered to the Clerk no later than Wednesday at 4:00 p.m. of the week prior to the Meeting. The Clerk, at his own discretion, is delegated the authority to direct the item of Correspondence or a summary thereof to the appropriate Agenda. The Clerk shall ensure that a summary of the content of the correspondence is prepared and included in the Agenda and a recommendation for disposal, being either 'Receive for Information' or 'Requiring Action' is assigned.

6.6 Reports to Council

- 6.6.1 The Reports to Council section of the Council Agenda shall include any staff report to Council.

6.7 By-laws

- 6.7.1 Every By-law, when introduced, shall be in written form and shall contain no blanks, except such as may be required to conform to accepted procedure or to comply with the provisions of any Act, and shall be complete with the number and date to be affixed.
- 6.7.2 All by-laws shall be given first and second readings in a single motion, unless a Member wishes to discuss the contents of a specific by-law, at which time the subject by-law shall be removed from the motion and dealt with separately.
- 6.7.3 When the by-laws are reported with or without amendment, they shall be forthwith given third reading in a single motion at the same Meeting on the affirmative vote of the majority of the Members present and voting.
- 6.7.4 Every By-law which has been enacted by Council shall be numbered and dated, and shall be signed by the Mayor, or his designate, and the Clerk, sealed with the seal of the Municipality and, thereafter, shall be retained under the control of the Clerk.

6.8 Public Notice

- 6.8.1 The Public Notice section of the Council Agenda shall include relevant public notices for informational purposes.

6.9 Motions and Notices of Motion

- 6.9.1 A Member of Council may file a Motion or Notice of Motion to be placed on the Council Agenda with the Clerk no later than 4:00 P.M. on the Wednesday of the week preceding the Council Meeting at which it is to be presented for consideration and dealt with.
- 6.9.2 Any motion may be introduced without notice if Council, without debate, agrees on a majority vote to dispense with notice.

6.10 Other Business

- 6.10.1 Items of business requiring the attention or direction of Council or a formal resolution will appear under this section in the Agenda. These matters should generally pertain to information items and can include Members' Reports on Advisory Committees. Any proposal to present a Motion must comply with Section 10 of this By-law.
- 6.10.2 Any matters presented, considered, referred or tabled or not otherwise disposed of through the consideration of an Agenda matter or previous Agenda, shall be disposed of during this portion of the Meeting.

6.11 By-law to Confirm the Proceedings of Council

- 6.11.1 At the conclusion of all Regular and Special Meetings of Council and prior to Adjournment, a Confirming By-law shall be brought forward to confirm the actions of

the Council at that Meeting in respect of each Motion, Resolution and other action taken and a Confirming By-law, when introduced, shall be taken as having been read and shall be voted on without debate.

6.12 Adjournment

6.12.1 See Sections 10.28, Section 10.29 and Section 10.30

Section 7 - ORDER OF PROCEEDINGS – PUBLIC MEETINGS

7.1 Public Meetings

7.1.2 Public Meetings shall be conducted in the following manner:

- a) the Chair shall state the purpose of the Public Meeting and shall explain to those present how the Public Meeting shall be conducted;
- b) a member of the Municipal staff and/or Municipal Consultant shall then address the Council to present the matter to Council;
- c) if applicable, the applicant or agent who is present shall then make representation regarding the matter;
- d) members of the public shall then be permitted to make representation regarding the matter.
- e) Members of the Committee shall then be given the opportunity to ask questions or seek clarification regarding the matter.

7.2 Adjournment

7.2.1 See Section 10.28, Section 10.29 and Section 10.30

Section 8 - DELEGATIONS

8.1 Delegations

8.1.1 There shall be no more than three (3) delegations, in total, scheduled for any Regular Meeting of Council.

8.1.2 Persons desiring to verbally present information on matters of fact or to make a request to Council shall give notice, including specific details regarding the subject of their address to the satisfaction of the Clerk no later than 4:00 p.m. Wednesday of the week prior to the Meeting.

8.1.3 Notwithstanding Section 8.1.2, a person wishing to present information is not required to give written notice nor be listed on the agenda with respect to a matter before Council for which the public has been given notice of the Public Meeting under the Planning Act, any other Act, or according to Municipal Policy, as required.

8.1.4 Delegations shall be permitted to speak on a matter only once within a six (6) month period and shall be limited to speak for no more than ten (10) minutes and be so advised in advance of their delegations. An extension to speak may be decided, without debate, by a majority of Council Members present. Where a Delegation wishes to provide Members with written communication, including a petition, supporting the Delegation's comments, the communication shall be provided to the Clerk and may be distributed to the Members at the discretion of the Clerk.

8.1.5 Municipal audio visual equipment may be used to assist in presentations, provided that

permission has been obtained for the use of such equipment from the Clerk at the time the presenter(s) contacts the Clerk to register for the meeting. The presentation material must be provided to the Clerk by 4:00 p.m. Wednesday the week prior to the scheduled day of the Meeting.

8.1.6 No Delegation shall:

- a) speak disrespectfully of any person;
- b) use improper language or unparliamentary language;
- c) speak on any subject other than the subject for which they have received approval to address Council; or
- d) disobey the rules of procedure or a decision of the Chair of Council.
- e) speak regarding an identifiable individual involved in an on-going by-law investigation or on an by-law enforcement matter;
- f) enter into a cross debate with other delegations, administration, members of Council, or the Mayor.

8.1.7 Members of Council shall be permitted to ask questions of delegates only to clarify their submissions or to elicit further information from them that is relevant to their submission.

8.1.8 Council may refuse to hear delegations when, in the opinion of Council, the subject of the presentation is beyond the jurisdiction of the Municipalities.

8.1.9 Delegates may be permitted to participate electronically in a Meeting following procedures and requirements set out by the Clerk and subject to the following:

- a) electronic means of participating must be available for the Meeting;
- b) electronic participation must be clear and uninterrupted and allow for two-way communication, and if any unreasonable delay or interference is caused to the Meeting as a result of the Electronic Participation, the connection will be terminated.

Section 9 - RULES OF DEBATE AND CONDUCT

9.1 Conduct of Members of Council

9.1.1 No Member shall:

- a) speak disrespectfully of the Reigning Sovereign, or of any Member of the Royal Family, or of the Governor-General, the Lieutenant-Governor of any Province, of any member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario;
- b) use offensive words or unparliamentary language or speak disrespectfully against Council, against any Member or against any officer or employee of the Municipality of Central Elgin;
- c) speak on any subject other than the subject being debated;
- d) disobey the Rules of Procedure or a decision of the Chair, whoever is in the chair for the Meeting or a portion of the Meeting, on questions of Points of Order or procedure or upon the interpretation of the Rules of Procedure except where the ruling of the Chair is reversed by the Council pursuant to this by-law. If a Member persists in any such disobedience after having been called to order, the Chair shall forthwith order that Member to vacate the Council Chambers or room in which the Meeting is being held, but if the Member apologizes, he may, by majority vote of the Members, be permitted to retake his seat;
- e) speak in a manner that is discriminatory in nature based on an

- individual's race, ancestry, place of origin, ethnic origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability; or
- f) where a matter has been discussed in a closed Meeting, and where the matter remains confidential, disclose the content of the matter or the substance of the deliberations of the closed Meeting to any person.

9.2 Address the Chair

- 9.2.1 Any Member desiring to speak shall signify their desire to speak in such manner as the Chair may direct, and upon being recognized by the Chair, shall address the Chair, only.

9.3 Order of Speaking

- 9.3.1 When two or more Members signify a desire to speak, the Chair shall recognize the Member who, in the opinion of the Chair, so signified first and next recognize in order the other Members.

9.4 Point of Privilege

- 9.4.1 Where a Member considers that his integrity, the integrity of the Council as a whole, or the integrity of staff has been impugned, the Member may, on a Point of Privilege, rise with the consent of the Chair for the purpose of drawing the attention of Council to the matter.
- 9.4.2 When a Member is permitted to raise such matter of privilege, it shall take precedence over other matters, but the Member shall not be permitted to enter into any argument or introduce any Motion related to the Point of Privilege.
- 9.4.3 When the Chair considers that the integrity of staff has been impugned or questioned, the Chair may permit staff to make a statement to Council.
- 9.4.4 When a Point of Privilege is raised, it shall be considered and decided by the Chair immediately and the decision of the Chair under this section shall be final.

9.5 Point of Order

- 9.5.1 When a Member desires to call attention to a violation of the Rules of Procedure, the Member shall ask leave of the Chair to raise a Point of Order and, after leave is granted, shall succinctly state the Point of Order to the Chair and the Chair shall then decide upon the Point of Order and advise the Member of the decision.

9.6 Appeal of Ruling of Chair

- 9.6.1 With respect to a ruling on either a Point of Privilege or a Point of Order, if the Member does not appeal immediately thereafter to Council, the decision of the Chair shall be final.
- 9.6.2 If the Member wishes to appeal the decision of the Chair, he shall appeal immediately to Council, otherwise the decision of the Chair is final.
- 9.6.3 If the decision is appealed, the Chair will give concise reasons for his ruling and will call a vote by Council, without debate on the following question: "Will the ruling be

sustained?", and the decision of Council, is final. The Chair may vote on this question. In the event of a tie of votes, the ruling of the Chair shall be deemed to be sustained.

9.7 Members Speaking

- 9.7.1 When a Member is speaking, no other Member shall interrupt the Member except to raise a Point of Order.

9.8 Question Read

- 9.8.1 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.

9.9 Speak Once – Reply

- 9.9.1 No Member shall speak more than once to the same question without leave of Council except that a reply shall be allowed to be made only by a Member who has presented the motion, but not by any Member who has moved an amendment or procedural motion in response to that motion.

9.10 Time Limited

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

9.11 Questions

- 9.11.1 A Member may ask a question for the purposes of obtaining information relating only to the matter under discussion and such questions must be stated concisely and asked only through the Chair.
- 9.11.2 Notwithstanding Section 9.11.1 when a Member has been recognized as the next speaker, then immediately before speaking, such Member may ask a question through the Chair, concerning any matter connected with the business of the Municipality currently under discussion but only for the purpose of obtaining information, following which the Member may speak.

Section 10 - MOTIONS

Reading

- 10.1 All motions must be introduced by a mover and a seconder before the Chair may put the question or motion on the floor for consideration. If no Member seconds the motion, the motion shall not be on the floor for consideration and therefore it shall not be recorded in the minutes.
- 10.2 Notwithstanding Section 10.1, if a motion is printed in the Agenda as either a separate item or as part of a Report, it need not be read in its entirety unless requested to do so by a Member of Council but shall be deemed as read for the purposes of introducing the Motion.

Withdrawn

- 10.3 After a motion is properly moved and seconded, it shall be deemed to be in possession of Council, but may be withdrawn by the mover at any time before decision or amendment.

No debate until properly moved and seconded

- 10.4 No Member shall speak to any motion until it is properly moved and seconded, and the mover is entitled to speak first if the Member so elects. If debated, the question or motion may be read before being put.

Motion ruled out of order

- 10.5 Whenever the Chair is of the opinion that a motion is contrary to these Rules of Procedure, the Chair shall rule the motion out of order.

Not within jurisdiction of Council

- 10.6 A Motion in respect of a matter which requires the exercise of a legislative power by Council which is not within its jurisdiction shall not be in order at a Meeting of Council.

Motions Without Notice and Without Leave

- 10.8 The following matters and motions may be introduced orally by a Member without written notice and without leave, except as otherwise provided by this Procedural By-law, and shall be decided without debate:

- a) a point of order or privilege;
- b) to adjourn;
- c) to table the question without directions or instructions;
- d) to suspend the Rules of Procedure;
- e) to lift from the table;
- f) to divide the question;
- g) to refer (without instructions);
- h) question be now put; and
- i) to recess.

- 10.9 The following motions may be introduced orally by a Member without notice and without leave, except as otherwise provided by this Procedural By-law, and may be debated:

- a) to refer with direction (direction for referral only to be debatable);
- b) to table with instructions (instructions for tabling only to be debatable);
- c) to amend; and
- d) to rescind.

Priority of Disposition

- 10.10A motion properly before Council for decision must be disposed of before any other motion can be received except a motion in respect of matters listed in Sections 10.8 and 10.9.

Motion to Amend

- 10.11 A motion to amend:

- a) shall relate to the subject matter of the main motion;
- b) shall not be received proposing a direct negative to the question; and
- c) shall be put to a vote in reverse order to the order in which the amendments are made.

Question be now put

10.13 A motion that the question be now put:

- a) is not debatable cannot be amended
- b) cannot be proposed when there is an amending motion under consideration, except for the purpose of moving that the amending motion be put;
- c) when resolved in the affirmative, requires that the question, motion, amending motion or motion as amended, whichever is under consideration be put forward immediately without debate or amendment;
- d) can only be moved in the following words, "that the question be now put"; and
- e) requires an affirmative vote of two-thirds (2/3) of the Members present and voting.

Motion to refer or defer/postpone

10.14 A motion to refer or to refer back or to defer or to postpone the question may include instructions respecting the terms upon which the question is to be referred or deferred or postponed.

10.15 A motion to refer or to refer back or to defer or to postpone the question shall not be debatable except where instructions are included, in which case, only the instructions shall be debatable.

10.16 A motion to refer or to refer back or to defer or to postpone the question may not be amended except where instructions are included, in which case, only the instructions may be amended in accordance with the provisions in Section 10.15.

Motion to table

10.17 A motion simply to table is not debatable except where instructions are included, in which case, only the instructions shall be debatable. Such motion cannot be amended.

10.18 A motion to table with some condition, opinion, or qualification added to the motion shall be deemed to be a motion to defer or postpone made under Section 10.14, Section 10.15 and Section 10.16.

10.19 The matter tabled shall not be considered again by Council until a motion has been made to lift from the table the tabled matter at the same or subsequent Meeting.

10.20 A motion to lift a tabled matter from the table is not subject to debate or amendment.

Motion to divide

10.21 A motion containing distinct proposals may be divided and a separate vote shall be taken upon each proposal contained in a motion if decided upon by a majority vote of the Members present and voting.

Motion to rescind

10.22 A motion to rescind a previous action of Council requires a majority vote of the Members present and voting provided that notice has been given at the previous Meeting or in the Agenda for the Meeting, and in case the aforesaid notice has not been given, the motion to

rescind requires a majority vote of the Members present and voting.

10.23A motion to rescind is not in order when action has been taken on the order of Council of which it is impossible to revise. The part of an order of Council which has not been acted upon, however, may be rescinded.

Reconsideration

10.24A resolution, by-law or any question or matter (except one of indefinite postponement) which has been adopted previously by Council may be reconsidered by Council subject to the following:

- a) only a Member who voted thereon with the majority may make a Motion to Reconsider;
- b) such motion must be supported by a majority of the Members present and voting in favour of such reconsideration before the matter is re-opened for debate;
- c) debate on a motion to reconsider must be confined to reasons for or against the subject of the reconsideration;
- d) if a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the motion calls for a future date, and debate on the question to be reconsidered may proceed as though it previously had never been voted on; and
- e) a vote to reconsider a particular matter or decision will not be considered more than once during the term of Council.

Motion to recess

10.26A motion to recess shall provide for Council to take a short intermission within a Meeting which shall neither end the Meeting nor destroy its continuity and after which, proceedings shall immediately resume at the point where they were when interrupted.

10.27 A motion to recess is not debatable, but it is amendable as to the length of the recess and is not in order when another motion is on the floor.

Motion to Adjourn

10.28 A motion to adjourn is not debatable or amendable and shall always be in order except:

- a) when another Member is in possession of the floor;
- b) when a vote has been called;
- c) when the Members are voting; or
- d) when a Member has indicated to the Chair his desire to speak on the matter before Council.

10.29 A motion to adjourn, if carried, without qualification, will bring a Meeting or session of the Council to an end.

10.30 A motion to proceed beyond the hour of 11:00 p.m.:

- a) shall not be amended or debated;
- b) shall always be in order except when a Member is speaking or the Members are voting; and

- c) shall require the support of two-thirds (2/3) of the Members present and voting.

Section 11 - VOTING ON MOTIONS

- 11.1 Immediately preceding the taking of a vote on a motion, the Chair may state the question in the form introduced and shall do so if required by a Member.
- 11.2 After a question is finally put by the Chair, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
- 11.3 Every Member present at the Meeting, when the question is put, shall vote thereon unless disqualified under the Municipal Conflict of Interest Act to vote on the question.
- 11.4 Except where the Member is disqualified under the Municipal Conflict of Interest Act from voting, if a Member abstains from a vote when a question is put, that Member shall be deemed to have voted in the negative.
- 11.5 Each Member has only one vote.

Unrecorded Vote

- 11.6 The manner of determining the decision of the Council on a motion shall be at the direction of the Chair and may be by voice, show of hands, standing, or otherwise.

Recorded Vote

- 11.7 Immediately preceding or after the taking of a vote on a motion, a Recorded Vote may be requested by a Member at which time each Member present, except a Member who is disqualified from voting by any Act, shall announce his vote openly and the Clerk shall record his name and his vote on the question.
- 11.8 The order in which Members, present and voting, vote on Recorded Votes shall be:
 - a) Ward Councillors (in ascending numerical order);
 - b) Deputy Mayor; and
 - c) Mayor
- 11.09 If, during the Recorded Vote, any Member present and eligible to vote refuses to vote, the Member shall be deemed and recorded as voting against the question.

Section 12 - CONDUCT OF THE AUDIENCE

- 12.1 Members of the public who constitute the audience in the Council Chamber, or other such place where a Meeting is held in accordance with Section 4 of this Procedural By-law, during a Meeting shall respect the decorum of Council, maintain order and quiet and may not:
 - a) address Council without permission;
 - b) interrupt any speaker or action of the Members or any person addressing Council;
 - c) speak out;
 - d) behave in a disorderly manner; or
 - e) make any noise or sound that proves disruptive to the conduct of the Meeting.
- 12.2 Placards, signs, posters, etc. or any advertising devices shall not be permitted in the Council

Chambers, or any other location in which Council may conduct their business.

- 12.3 The Mayor or Chair may request that a member or members of the public vacate the Council Chambers or any other location in which Council may conduct their business if their behaviour is deemed to be disruptive to the business at hand.

Section 13- ADMINISTRATION

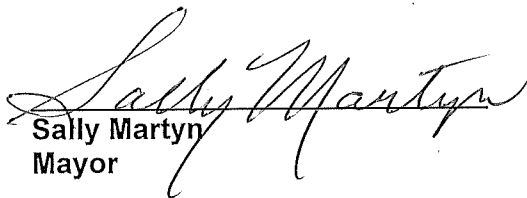
- 13.1 This By-law shall be administered by the Clerk.

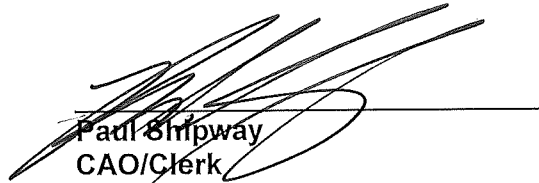
- 13.2 The Clerk shall be delegated authority to make minor clerical, typographical or grammatical corrections to any Council record or documentation, including but not limited to: by-laws, Motions, resolutions, Agendas and/or minutes. Said corrections are to be made to ensure correct and complete implementation of the decisions and actions of the Council.

- 13.3 By-law No. 2307, as amended shall be repealed in its entirety.

- 13.4 This By-law shall come into full force and effect on the 20th day of July, 2021.

READ A FIRST, SECOND and THIRD time and finally passed on the 19th day of July 2021.


Sally Martyn
Mayor


Paul Shipway
CAO/Clerk