

**RULES OF PROCEDURE**

**FOR ADVISORY BOARDS & COMMITTEES OF THE CORPORATION OF THE  
MUNICIPALITY OF CENTRAL ELGIN**

**AS ADOPTED BY BY-LAW NO. 2730**

**TABLE OF CONTENTS – ADVISORY BOARD & COMMITTEE PROCEDURAL BY-LAW**

**MUNICIPALITY OF CENTRAL ELGIN**

<b><u>SECTION</u></b>	<b><u>TITLE</u></b>
1	DEFINITIONS
2	GENERAL PROVISIONS
3	DUTIES OF ADVISORY BOARDS & COMMITTEES
4	MEETINGS
5	ADVISORY BOARDS & COMMITTEES
6	AGENDAS & MINUTES
7	ORDER OF PROCEEDINGS
8	RULES OF DEBATE & CONDUCT
9	MOTIONS
10	VOTING ON MOTIONS
11	CONDUCT OF THE AUDIENCE
12	ADMINISTRATION

**BY-LAW NO. 2730**

**OF**

**THE CORPORATION OF THE MUNICIPALITY OF  
CENTRAL ELGIN**

**BEING A BY-LAW TO GOVERN THE PROCEEDINGS OF  
MUNICIPAL ADVISORY BOARDS AND COMMITTEES OF  
THE MUNICIPALITY OF CENTRAL ELGIN AND OF 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 Corporation of the Municipality of Central Elgin supports and acknowledges the value of Advisory Boards and Committees and their Members;

**AND WHEREAS** the Council of the Corporation of the Municipality of Central Elgin now deems it advisable to enact a By-law to govern the proceedings of Municipal Advisory Boards and Committees, the conduct of its Members and the calling of Meetings, and to provide for procedures and statutory requirements in accordance with the Act;

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

**Section 1 – Definitions**

- 1.1 For the purposes of this by-law; unless stated otherwise or the context requires a different meaning:
  - 1.1.1 **‘Advisory Board or Committee’** shall mean a board or committee appointed by Council to act in an advisory capacity to Council on operational and strategic issues during the full term of Council.
  - 1.1.2 **‘Chair’** shall mean the Member appointed as such by the Advisory Board or Committee.
  - 1.1.3 **‘Council’** shall mean the Council of the Corporation of the Municipality of Central Elgin.
  - 1.1.4 **‘Councillor’** shall mean a person elected or appointed as a Member of Council but does not include the Mayor.
  - 1.1.5 **‘Delegation’** shall mean a person or group of persons desiring to verbally present information or to make a request to the Advisory Board or Committee.
  - 1.1.6 **‘Deputy Clerk’** shall mean the Deputy Clerk of the Municipality of Central Elgin.

- 1.1.7 **'Mayor'** shall mean the Head of Council for the Municipality.
- 1.1.8 **'Meeting'** shall mean any Meeting of the Advisory Board or Committee.
- 1.1.9 **'Member'** shall mean a Member of an Advisory Board or Committee of the Corporation of the Municipality of Central Elgin.
- 1.1.10 **'Motion'** shall mean a question or proposal to be considered by the Advisory Board or Committee and which is moved and is subject to debate. When a Motion is adopted, it becomes a Resolution.
- 1.1.11 **'Municipal Act'** shall mean the *Municipal Act, 2001, (S.O.2001, c. 25)*, as amended or replaced from time to time.
- 1.1.12 **'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.
- 1.1.13 **'Point of Order'** shall mean a statement made by a Member during a Meeting drawing to the attention of the Chair a breach of the Rules of Procedure.
- 1.1.14 **'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 the Advisory Board or Committee as a whole have been impugned.
- 1.1.15 **'Presiding Member'** shall mean the Chair of the Meeting.
- 1.1.16 **'Quorum'** shall be as defined in Section 4.6 of this Procedural By-law.
- 1.1.17 **'Resolution'** shall mean a formal expression of opinion or intention by an Advisory Board or Committee.
- 1.1.18 **'Rules of Procedure'** shall mean the rules and requirements contained within this Procedural By-law.
- 1.1.19 **'Secretariat'** shall mean the person elected by the Advisory Board or Committee responsible for the preparation of Agendas and taking of Minutes for the Advisory Board or Committee
- 1.1.20 **'Municipality'** shall mean the Corporation of the Municipality of Central Elgin.
- 1.1.21 **'Vice Chair'** shall mean such Member of an Advisory Board or Committee who has been elected to act in the place and stead of the Chair when such Chair is absent from a meeting of the Advisory Board or Committee for any cause and who shall exercise all the rights, power and authorities of the Chair.
- 1.1.22 **'Website'** shall mean the Municipality of Central Elgin website address identified as [www.centralelgin.org](http://www.centralelgin.org)

## **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 Advisory Board and Committee Meetings and shall be the rules and requirements which govern the order of their business.
- 2.1.2 This By-law applies to the creation, amendment and dissolution of Advisory Boards and Committees and to appointments for representation of the public, staff and Members of Council as authorized by Council on Advisory Boards and Committees.
- 2.1.3 This by-law outlines a fair and equitable approach and process for the establishment and operation of Advisory Boards and Committees.

### **2.2 Issue not Addressed**

- 2.2.1 If an issue is raised that is not expressly addressed in this By-law, the issue shall be decided by the Chair or Vice Chair, subject to an appeal to the Advisory Board or Committee, as the case may be.
- 2.2.2 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.

### **2.3 Communication Devices**

- 2.3.1 All communication devices shall be switched to 'silent' upon entering the location where any Advisory Board or Committee Meeting is being held.

## **Section 3 – Duties of Advisory Board & Committees**

### **3.1 Duties of the Chair**

- 3.1.1 It shall be the duty of the Chair to carry out the following responsibilities:
  - a. to open the Meeting of the Advisory Board or Committee by taking the Chair and calling the Members to order;
  - b. to announce the business before the Advisory Board or Committee in the order in which it is to be acted on;
  - c. to receive and submit, in the manner prescribed by this Procedural By-law, all Matters of Business presented by Members;
  - d. to recognize any Member who wishes to speak and to determine the order of the speakers;
  - e. to put to vote all questions which are regularly moved or necessarily arise in the course of the proceedings and to announce the results;

- f. to participate as an active and voting member, encouraging active participation by all Advisory Board and Committee members;
- g. to decline to put to vote motions which contravene the provisions of this Procedural By-law;
- h. to enforce the provisions of the Procedural By-law;
- i. to enforce on all occasions, the observance of order and decorum among the Members;
- j. to call by name, any Member refusing to comply with this Procedural By-law and to order the Member to vacate the place of Meeting;
- k. to cause to be expelled and excluded any member of the public who creates a disturbance or acts improperly during a Meeting;
- l. to rule on any points of order raised by Members;
- m. to represent and support the decisions of the Advisory Board or Committee, declaring its will and explicitly and implicitly obeying its decisions in all things;
- n. to review the goals and objectives of the Advisory Board or Committee and ensure the work plan is realistic, up-to-date and being followed;
- o. to recognize workload limitations of the Advisory Board or Committee;
- p. to adjourn the Meeting when the business is concluded.

### **3.2 Duties of the Vice Chair**

- 3.2.1 Where the Chair gives notice that they will be absent from the Advisory Board or Committee, or of their absence through illness, or they refuse to act, then the Vice Chair shall act in his place and instead of the Chair and, while so acting, has and may exercise all the rights, powers and authority of the Chair.

### **3.3 Duties of the Members of Advisory Boards and Committees**

- 3.3.1 It shall be the duty of the Members to carry out the role of the Advisory Board or Committee as set forth in the Advisory Board or Committee mandate, in addition to the following responsibilities:
  - a. to deliberate on the business submitted to the Advisory Board or Committee;
  - b. to vote when a motion is put to a vote, except where otherwise disqualified from doing so by law;
  - c. to apply and respect the Rules of Procedure;

- d. to attend all scheduled and special Advisory Board or Committee meetings, sending regrets otherwise;
- e. to understand his role and expectations, including all applicable Municipality Policies;
- f. to follow the agenda and stay focused on the topic at hand;
- g. to understand and follow the mandate of the Advisory Board or Committee, including its relationship to Council;
- h. to understand and respect the role and expectations of all participants;
- i. to develop and maintain a climate where mutual support, trust, respect, courtesy, teamwork, creativity and a sense of humour are valued;
- j. to maintain a high degree of professionalism, discharging all duties with honour and integrity in order that the member may merit the trust and confidence of the citizens of the Municipality of Central Elgin, Council and staff;
- k. to respect the individual worth and dignity of other members and, at all times, work together to achieve a common vision for the community, utilizing the diverse knowledge, expertise and talents of all members to optimal advantage;
- l. to challenge ideas and not people, creating a climate where it is okay to disagree;
- m. to communicate directly, concisely and honestly, listening without interruption, and be open-minded, allowing a variety of opinions to be heard;
- n. to work effectively with the administration to provide excellent service to residents, recognizing the professional obligations of staff as an employee of the Municipality and not intervening in administrative practices;
- o. to respect that resolutions made shall reflect the majority view of the Advisory Board or Committee;
- p. to respect that decisions of Council are final and accurately communicate the decisions of Council even if they disagree with the majority decision of the Advisory Board or Committee;
- q. to respect confidential information;
- r. to attend any training session for Members.

### 3.3.2 Advisory Boards or Committees may appoint Affiliate or Student Members from

time to time. Affiliate or Student Members shall be bound by Sections 3.3.1 and 3.3.2 of this Procedural By-law; however, Affiliate and Student Members shall have no voting privileges.

### **3.4 Duties of the Council Members and Staff on Advisory Boards and Committees**

3.4.1 It shall be the duty of Council Members and staff appointed to Advisory Boards and Committees to carry out the role of the Member as set forth in the Section 3.3.1 and 3.3.2 of this By-law, in addition to the following responsibilities:

- a. to contact Advisory Board or Committee Chairs if issues or concerns related to Members or staff arise and ensure conflict resolution mechanisms are employed, where appropriate;
- b. to assist the Advisory Board or Committee by offering policy advice on matters within the purview of the Advisory Board or Committee;
- c. to assist the Chair in preparing any reports or action items.

3.4.2 Council Members and staff shall only vote if the Terms of Reference or mandate of the individual Advisory Board or Committee permit.

### **3.5 Duties of the Secretariat of Advisory Boards and Committees**

3.5.1 It shall be the duty of the Member elected as Secretariat to the Advisory Board or Committee to carry out the role of the Member as set forth in the Section 3.3.1 and 3.3.2 of this By-law, in addition to the following responsibilities:

- a. to prepare agendas including relevant resolutions in cooperation with the Chair;
- b. to electronically distribute agendas to Members before a meeting;
- c. to arrange for or set up of meeting areas, giving consideration to the nature of the matters to be discussed, any audio-visual requirements, attendance by the public and ensuring accessibility for all in compliance with the Municipality Accessibility for Ontarians with Disabilities Act Handbook;
- d. to arrange for attendance of invited guests at meetings, in conjunction with the Chair;
- e. to record when the meeting started and adjourned;
- f. to record the Members present and absent;
- g. to take minutes, recording a summary of the discussion for each item, actions to be taken and recommendations, including the names of the movers of motions;



- h. to finalize minutes for distribution.

## **Section 4 - MEETINGS**

### **4.1 Place of Meeting**

- 4.1.1 Unless otherwise directed by the Advisory Board or Committee, all Meetings shall be held virtually or in Municipal facilities.

### **4.2 Inaugural Meeting**

- 4.2.1 The Inaugural Meeting of the Advisory Board or Committee shall be held at a time determined by the Council or staff Member appointed to the Advisory Board or Committee.
- 4.2.2 The Advisory Board or Committee Council or staff Member 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 Advisory Boards and Committees shall be held on a set schedule with fixed start times to be determined by the Advisory Board or Committee at its Inaugural Meeting.
- 4.3.2 Where a change is made to the day and time of an Advisory Board or Committee Meeting, the Chair shall give notice of the change to all Members via email.

### **4.4 Meetings Open to Public**

- 4.4.1 Subject to Section 4.5 of this Procedural By-law, Meetings shall be open to the public and no person shall be excluded therefrom except for improper conduct.
- 4.4.2 A Meeting shall be considered open to the public if the agenda is posted on the Central Elgin CivicWeb Portal with instructions how to gain access to the Advisory Board or Committee Meeting.
- 4.4.3 The Municipality does not record and/or livestream Advisory Board & Committee Meetings.
- 4.4.4 The Chair may request that members of the public vacate the Place of Meeting 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 Place of Meeting.

### **4.5 Closed Meetings**

- 4.5.1 Except as otherwise provided herein, all Meetings shall be open to the public.
- 4.5.2 The Advisory Board or Committee 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 by Canada, a province or territory or a Crown agency of any of them;
- i. 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;
- j. a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- k. 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.

4.5.3 A motion by the Advisory Board or Committee, to close a Meeting or part of a Meeting to the public shall state:

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

4.5.4 Where a Meeting or part of a Meeting is closed to the public, the Advisory Board or Committee shall request those persons not specifically invited to the closed Meeting to vacate the Place of Meeting.

4.5.5 A Meeting or part of a Meeting shall not be closed to the public during a vote.

- 4.5.6 The Motion to rise from 'In Camera' shall include the time that the Advisory Board or Committee arose.
- 4.5.7 The Secretariat shall record without note or comment all resolutions, decisions and other proceedings at a Meeting of the Advisory Board or Committee when it is closed to the public.
- 4.5.8 Members shall ensure that confidential matters disclosed to them during closed Meetings are kept confidential.

#### **4.6 Quorum**

- 4.6.1 Quorum shall be a simple majority of the total Advisory Board or Committee Members, including any vacancies. Subcommittees and Working Groups are subject to quorum rules.
- 4.6.2 If a Quorum is not present within thirty (30) minutes after the time appointed for the Meeting, the Secretariat 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.

#### **4.7 Adjournment - Due Hour**

- 4.7.1 Except as provided in Section 9.1.10 of this Procedural By-law, a Regular or Special Meeting of an Advisory Board or Committee shall adjourn at the hour of 9:00 p.m., if in session at that time, and shall reconvene at such other day and time as the Advisory Board or Committee, by resolution, may direct.

#### **4.8 Cancellation of Meeting**

- 4.8.1 The Chair or the Vice Chair, in the Chair's absence, or the Secretariat, in the absence of both the Chair and Vice Chair, may cancel any Meeting of the Advisory Board or Committee if he is of the opinion that weather conditions or an emergency warrant. The Chair shall inform as many Members as he is able to reach, and any persons that are scheduled to be in attendance.
- 4.8.2 Postponement of the Meeting shall not be for any longer than the next regularly scheduled Meeting of the Advisory Board or Committee.

#### **4.9 Accessibility**

- 4.9.1 Adequate provisions shall be made by the Chair to ensure that Places of Meeting, Agenda and Minute formats, communications and conduct of meeting are accessible, to ensure maximum participation. Reference may be made to the provisions of the Municipality of Central Elgin Accessibility Handbook.

#### **4.10 Electronic Participation**

- 4.10.1 A Member who is unable to attend an Advisory Board or Committee Meeting in

person may participate in that Meeting by electronic or other communication facilities if the facilities enable all participating Members, whether attending in person or through electronic participation, to hear and be heard by all other Members.

- 4.10.2 A Member who intends to participate in any such Meeting by electronic or other communication facilities shall give to the Chair notice of that intention at least 24 hours prior to the commencement of such Advisory Board or Committee Meeting, provided that, if notice of such Advisory Board or Committee Meeting is provided less than 24 hours prior to its scheduled commencement, then the Member shall give to the Chair as much notice as possible prior to commencement of such Advisory Board or Committee Meeting.
- 4.10.3 In all such circumstances, the Chair 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 Advisory Board or Committee Meeting by electronic or other communication facilities.
- 4.10.4 There shall be no limit upon the number of Members who may attend an Advisory Board or Committee Meeting by electronic or other communication facilities.
- 4.10.5 Each Member attending the Advisory Board or Committee 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.
- 4.10.6 Any Member attending and present during an Advisory Board or Committee 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 Advisory Board or Committee Meeting.
- 4.10.7 Any Member attending and present during an Advisory Board or Committee Meeting by electronic or other communication facilities may vote on any matter being considered in such Meeting and that vote shall be counted.
- 4.10.8 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.
- 4.10.9 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 – Advisory Board & Committees**

### **5.1 Establishment of Advisory Boards and Committees**

- 5.1.1 Advisory Boards and Committees are proposed by resolution of Council and established by by-law. Each by-law shall incorporate the mandate for the specific Advisory Board or Committee. Prior to Council's establishment of any Advisory Board or Committee staff shall submit a report to Council including the following information:

- a. inventory of previous and existing activities related to the matter, including public consultation initiatives;
  - b. membership composition and level of expertise or specialization required by committee members for the selection process;
  - c. orientation, training and facilitation needs.
- 5.1.2 If individual Terms of Reference do not prohibit the establishment of working groups or subcommittees, Advisory Boards and Committees may appoint working groups and sub committees.

## **5.2 Review of Advisory Boards and Committees**

- 5.2.1 Council may review all Advisory Boards and Committees and their respective mandates at any time during the term of Council. The Deputy Clerk shall assist in this effort by providing an overview of all Advisory Boards and Committees when requested.
- 5.2.2 Council may abolish an Advisory Board or Committee at any time during the term of Council with fully substantiated reasoning.

## **5.3 Orientation Sessions**

- 5.3.1 Orientation sessions shall be conducted for Advisory Board and Committee appointees at the beginning of each term of Council. All Members benefit from orientation. Further sessions may be conducted for appointees during the term of Council, as required. Electronic orientation handbooks will be distributed to all Members for reference purposes.

## **5.4 Appointment Process for Advisory Board and Committee Members**

- 5.4.1 Where a Provincial Statute prescribes the type of appointments to be made by the Municipality to a given Advisory Board or Committee, the Statute shall be complied with.
- 5.4.2 Where the Municipality makes appointments to Advisory Boards or Committees of its own creation the vacancies for citizen appointments shall be publicly advertised on the Municipality of Central Elgin website.
- 5.4.3 To apply to serve as a Member on a Municipality Advisory Board or Committee, interested individuals shall be invited to apply and submit an application, which is available on the Municipality of Central Elgin website. These appointments enable local stakeholders from various backgrounds to participate in local government and voluntarily give their time and expertise to help formulate the direction of certain programs.
- 5.4.4 All appointments to Advisory Boards or Committees shall be subject to compliance with the Municipality of Central Elgin Advisory Board and Committee Policy, inclusive of all screening requirements.

- 5.4.5 The duration of Advisory Board or Committee appointments are the same as the term of Council. While appointees may serve on more than one Advisory Board or Committee, Council shall give the first consideration to individuals who are not already appointed to another Advisory Board or Committee.
- 5.4.6 Initial Advisory Board and Committee appointments, each term of Council, shall be made by resolution of Council.
- 5.4.7 Unless prohibited by legislation, additional in term appointments or membership alterations may be made by the specific Advisory board or Committee.

## **5.5 Elections**

- 5.5.1 The Chair, Vice-Chair and Secretariat shall be elected to a term as agreed upon by the Advisory Board or Committee at the Inaugural Meeting.
- 5.5.2 Election shall be by show of hands, with each member receiving one vote.
- 5.5.3 The Council Member or staff are not eligible to serve as Chair or Vice Chair.

## **5.6 Resignation and Dismissal Process**

- 5.6.1 Advisory Board and Committee members wishing to resign their appointment shall submit a letter of resignation which shall be forwarded as soon as possible to the Deputy Clerk.
- 5.6.2 Council may, with or without the advice of the Advisory Board or Committee, and with a supporting rationale, make changes to the Advisory Board or Committee membership.

## **5.7 Attendance Management**

- 5.7.1 After two consecutive absences by any Member at regularly scheduled meetings, the following process shall be followed:
  - a. The Council Member shall informally contact the absent Member to determine if they plan to attend the next regularly scheduled meeting, noting any reasonable or compassionate circumstances which would prohibit their attendance.
  - b. If no reasonable or compassionate response is given, the Council Member shall inform the absent Member that if they are absent from the next regular meeting (the third meeting), the Advisory Board or Committee shall declare their seat vacant and remove the Member.
  - c. If the Council Member is unable to reach the absent member or if there was no reasonable or compassionate grounds for absences given at the time of preparing the Agenda for the third meeting:
    - i. The Secretariat shall include the item "Absentee Member" on the

Agenda under the Matters of Business heading.

- ii. Upon consideration of the item, the Secretariat shall briefly identify the requirements of the Advisory Board and Committee Procedural By-law and the name of the absent Member.
  - iii. The Advisory Board or Committee shall declare their seat vacant and remove the Member.
- d. An Advisory Board or Committee may, by resolution, based on evidence of absenteeism due to compassionate or reasonable grounds waive the attendance requirements of the Advisory Board and Committee Procedural By-law.

## **Section 6 – Agendas & Minutes**

### **6.1 Advisory Board and Committee Agenda**

- 6.1.1 The Secretariat shall cause to be prepared an electronic Agenda under the following headings for the use of the Members at Meetings of the Advisory Board or Committee:

Call to Order  
Disclosures of Pecuniary Interest  
Delegations  
Adoption of Minutes  
Matters of Business  
Adjournment

- 6.1.2 The Agenda shall be posted on Central Elgin CivicWeb Portal and each Member shall be advised of the same no later than two days preceding the commencement of the Advisory Board or Committee Meeting in question.
- 6.1.3 The business of the Advisory Board or Committee 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.

### **6.2 Meeting Minutes**

- 6.2.1 Meeting structure, Agenda and Minute formats should meet the individual needs of Advisory Boards and Committees, while ensuring consistency, completeness and accountability. An Advisory Board or Committee may choose to follow a more informal procedure and allow for a consensus approach to discussion. It is recommended that the following components included in Section 6.1.1, be included in Agendas, where specific subject items are described in each component and the use of the minute template, as approved by the Deputy Clerk.
- 6.2.2 The Secretariat shall cause the Minutes to be taken of each Meeting of the Advisory Board or Committee, 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 Presiding Officer or Officers and the record of attendance of the Members; 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. the reading, if requested, correction and confirmation of the minutes of prior Meetings; and
  - e. all resolutions, decisions and all other proceedings of the Advisory Board or Committee, without note or comment.
- 6.2.3 The Minutes of each Advisory Board or Committee shall be presented to the Members for confirmation at the next Regular Meeting.
- 6.2.4 Once approved pursuant to Section 6.2.3, the Minutes of each Advisory Board or Committee shall be posted on Central Elgin CivicWeb Portal.
- 6.2.5 Action items for Council consideration shall be placed on the Advisory Board & Committee resolution template for Council consideration.

## **Section 7 – Order of Proceedings**

### **7.1 Call to Order**

- 7.1.1 As soon as a Quorum is present after the hour set for the holding of the Meeting, the Chair shall call the Members present to order.
- 7.1.2 If the Chair does not attend a Meeting within fifteen (15) minutes after the time set for the Meeting and a Quorum is present, the Vice Chair shall preside over the Meeting and shall exercise all duties and responsibilities of the Chair as outlined in this Procedural By-law until the Chair is present at the Meeting and able to perform his responsibility to assume the chair.
- 7.1.3 If the Vice Chair is also not present within fifteen (15) minutes after the time set for the Meeting and a Quorum is present, the Secretariat 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 Chair or Vice Chair, whoever is the first to arrive and is able to assume the chair.

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

- 7.2.1 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 of the Advisory Board or Committee 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.

7.2.2 Where the Meeting is not open to the public, in addition to complying with the requirements of Section 7.2.1 of this Procedural By-law, the Member shall immediately leave the Meeting or part of the Meeting during which the matter is under consideration.

7.2.3 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 of the Advisory Board or Committee attended by him after the particular Meeting.

### **7.3 Delegations**

7.3.1 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 the Members present. Where a delegation consists of a group of three or more persons, the group may address the Advisory Board or Committee for no more than fifteen (15) minutes.

7.3.2 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 the Advisory Board or Committee; or
- d. disobey the rules of procedure or a decision of the Chair.

7.3.3 The Advisory Board or Committee may refuse to hear delegations when, in the opinion of the Advisory Board or Committee, the subject of the presentation is beyond the jurisdiction of the Advisory Board or Committee.

### **7.4 Matters of Business**

7.4.1 Any matters presented, considered, referred or tabled or any delegations not otherwise disposed of through the consideration of another Agenda heading, shall be disposed of during this portion of the Meeting.

7.4.2 Items of business requiring the direction of the Advisory Board or Committee or a formal resolution will appear under this heading in the Agenda. These matters should generally pertain to information items and can include

correspondence and Members' Reports.

- 7.4.3 All Matters of Business intended to be presented to the Advisory Board or Committee shall be legibly written or printed, shall not contain any impertinent or improper matter or language, shall identify the author(s) by name and municipal address and shall be filed with the Secretariat before it is presented to the Advisory Board or Committee.
- 7.4.4 All matters to be considered under this heading of the Agenda shall be received by the Secretariat no less than five (5) days prior to the Advisory Board or Committee Meeting date.

## **7.5 Adjournment**

- 7.5.1 See Section 9.10 of this Procedural By-law

## **Section 8 – Rules of Debate & Conduct**

### **8.1 Duties and Conduct**

- 8.1.1 Advisory Boards and Committees work on behalf of Council for the citizens of the Municipality of Central Elgin. Advisory Boards and Committees may consult with community stakeholders or engage in activities that puts Members in direct contact with citizens and various organizations. Members shall reflect a professional and courteous manner when interacting with the public. Should a Member exhibit a pattern of inappropriate conduct, the Advisory Board or Committee or staff may request that Council rescind the Member's appointment.
- 8.1.2 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 the Advisory Board or Committee, 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 Advisory Board or Committee pursuant to subsection 8.6.2. If a Member persists in any such disobedience after having been called to order, the Chair shall forthwith order that Member to vacate the Place of Meeting, 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;
- 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.

## **8.2 Address the Chair**

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

## **8.3 Order of Speaking**

- 8.3.1 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.

## **8.4 Point of Privilege**

- 8.4.1 Where a Member considers that his integrity or the integrity of the Advisory Board or Committee as a whole 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 the Advisory Board or Committee to the matter.
- 8.4.2 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.
- 8.4.3 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.

## **8.5 Point of Order**

- 8.5.1 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.

## **8.6 Appeal of Ruling of Chair**

- 8.6.1 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 the Advisory Board or Committee the decision of the Chair shall be final.

8.6.2 If the Member wishes to appeal the decision of the Chair, he shall appeal immediately to the Advisory Board or Committee otherwise the decision of the Chair is final.

8.6.3 If the decision is appealed, the Chair will give concise reasons for his ruling and will call a vote by the Advisory Board or Committee, without debate on the following question: "Will the ruling be sustained?", and the decision of the Advisory Board or Committee 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.

## **8.7 Members Speaking**

8.7.1 When a Member is speaking, no other Member shall pass between the Member and the Chair, or interrupt the Member except to raise a Point of Order.

## **Section 9 - Motions**

### **9.1 Reading**

9.1.1 All motions must be introduced by a mover before the Chair may put the question or motion on the floor for consideration.

### **9.2 Withdrawn**

9.2.1 After a motion is properly moved, it shall be deemed to be in possession of the Advisory Board or Committee, but may be withdrawn by the mover at any time before decision or amendment.

### **9.3 No debate until properly moved and seconded**

9.3.1 No Member shall speak to any motion until it is properly moved, and the mover is entitled to speak first if the Member so elects

### **9.4 Motion ruled out of order**

9.4.1 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.

### **9.5 Not within jurisdiction of Council**

9.5.1 A Motion in respect of a matter which requires the exercise of a legislative power by the Advisory Board or Committee which is not within its jurisdiction shall not be in order at a Meeting the Advisory Board or Committee.

### **9.6 Motion to Amend**

9.6.1 A motion to amend:

- a. shall be presented in writing if requested by the Chair;

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

9.6.2 Only one motion to amend an amendment to the original motion shall be allowed and any further amendment must be to the original motion.

## **9.7 Motion to table**

9.7.1 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.

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

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

## **9.8 Reconsideration**

9.8.1 A resolution or any question or matter which has been adopted previously by the Advisory Board or Committee may be reconsidered by the Advisory Board or Committee subject to the following:

- a. a majority of the Advisory Board or Committee agree to such reconsideration by Resolution. Only a Member who voted thereon with the majority may make a Motion to Reconsider;
- b. such motion must be supported by two-thirds (2/3) 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 the Advisory Board or Committee.

## **9.9 Motion to recess**

9.9.1 A motion to recess shall provide for the Advisory Board or Committee 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.

9.9.2 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.

## **9.10 Motion to Adjourn**

9.10.1 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 the Advisory Board or Committee.

9.10.2 A motion to adjourn, if carried, without qualification, will bring a Meeting or session of the Advisory Board or Committee to an end.

9.10.3 A motion to proceed beyond the hour of 9:00 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 10 - VOTING ON MOTIONS**

### **10.1 Unrecorded Vote**

10.1.1 A simple majority vote of the Members present shall be followed. Recorded votes shall not be permitted.

10.1.2 The manner of determining the decision of the Advisory Board or Committee on a motion shall be at the direction of the Chair and may be by voice, show of hands, standing, or otherwise.

10.1.3 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.

- 10.1.4 Except where the Member is disqualified under the Municipal Conflict of Interest Act from voting, if a Member does not vote when a question is put, that Member shall be deemed to have voted in the negative.
- 10.1.5 A Member not in his seat when the question is called by the Chair is not entitled to vote on that question.
- 10.1.6 Each Member has only one vote.
- 10.1.7 The Chair shall announce the result of every vote.

### **Section 11 - CONDUCT OF THE AUDIENCE**

- 11.1 Members of the public who constitute the audience in the Advisory Board or Committee Place of Meeting, during a Meeting, shall respect the decorum of Advisory Boards and Committees, maintain order and quiet and may not:
  - 11.1.1 address the Advisory Board or Committee without permission;
  - 11.1.2 interrupt any speaker or action of the Members or any person addressing the Advisory Board or Committee;
  - 11.1.3 speak out;
  - 11.1.4 applaud;
  - 11.1.5 behave in a disorderly manner; or
  - 11.1.6 make any noise or sound that proves disruptive to the conduct of the Meeting.
- 11.2 Placards, signs, posters, etc. or any advertising devices shall not be permitted in the Place of Meeting.
- 11.3 The Chair may request that a Member or Members of the public vacate the Place of Meeting if his behaviour is deemed to be disruptive to the business at hand.

### **Section 12 - ADMINISTRATION**

- 12.1 Unless the context otherwise requires, in this Procedural By-law the words used in the male gender shall include the female gender and the singular includes the plural, and vice-versa, as the context requires.
- 12.2 This By-law shall be administered by the Deputy Clerk.
- 12.3 This By-law shall come into full force and effect on the 1<sup>st</sup> day of December, 2022.
- 12.4 The short title of this By-law is the 'Advisory Board & Committee Procedural By-law'

**READ A FIRST, SECOND and THIRD time and finally passed on the 18<sup>th</sup> day of**

**August, 2022.**