

The Corporation of The Municipality of South Bruce By-Law 2026-33

Being A By-Law to Govern the Calling, Place and Proceedings of Meetings (Procedure By-Law)

Whereas the *Municipal Act, 2001*, s. 238 (2), as amended, states that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

And Whereas the *Municipal Act, 2001*, s. 238 (2.1) sets out the procedure by-law shall provide for public notice of meetings;

And Whereas the Corporation of the Municipality of South Bruce deems it advisable to enact a new By-law to govern the proceedings of Council, the calling and the place of meetings.

Now Therefore the Council of the Corporation of the Municipality of South Bruce enacts as follows:

1. That the Procedure By-law attached hereto as Schedule "A" and forming part of this by-law, is hereby adopted.
2. That By-laws 2017-98, 2020-30 and 2020-77 are hereby repealed.
3. That this By-Law shall come into full force and effect upon its final passage.
4. That this By-law may be cited as the "South Bruce Procedure By-law".

That this By-Law be Read, Enacted, Signed and Sealed this 28th day of April, 2026.

By signing this by-law on April 28, 2026, Mayor, Mark Goetz, will not exercise the power to veto this by-law.

Mark Goetz, Mayor
Seal.

Vivian Kennedy, Clerk



MUNICIPALITY OF

South Bruce

Schedule A - Procedure By-law 2026-33

Rules of Order and Procedures for the
Council of the Municipality of South Bruce

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1 Definitions

In this By-law:

“**Act**” means the *Municipal Act, 2001* S.O. 2001, c.25, as amended from time to time.

“**Ad-Hoc Committee**” means a Committee created by Council, with a defined starting and ending date, who reports directly to Council on a specific matter.

“**Agenda**” means the written order of business and may be an Agenda for Council, Local Board, Statutory Committee, or Ad-Hoc Committee Meeting.

“**Appeal**” means to ask the Council for reconsideration of the decision of the Chair.

“**Chair**” means the person presiding at a Meeting.

“**Chief Administrative Officer**” means the Chief Administrative Officer or designate of the Municipality of South Bruce.

“**Clerk**” means the Municipal Clerk, Deputy Clerk, or designate, of the Municipality of South Bruce, authorized by the Act and appointed by By-law.

“**Closed Session / Meeting**” means a Meeting or part of a Meeting closed to the public, in accordance with the Act.

“**Committee**” means a committee or board wholly within the sphere of the jurisdiction of Council and may be established, revised, disbanded and replaced as Council deems necessary.

“**Confirmation By-law**” means a by-law passed prior to adjournment of every Council meeting to confirm each Motion, Resolution and other actions passed and taken by Council at the Meeting.

“**Consent Agenda**” means a list of items, which are generally of a routine or informational nature, on the agenda containing recommendations from staff as to their disposition all of which may be adopted by one Motion of Council.

“**Council**” means the members of the Council of the Corporation of the Municipality of South Bruce.

“**Deputy Mayor**” means the Member who holds the position of Deputy Mayor and acts in place of the Mayor when they are absent.

“**Electronic Participation**” means a Member of Council or of a Committee who participates remotely in any regular or special meeting which is an open or closed Council or Committee Meeting via electronic means. Such Member has the same rights and responsibilities as if they were in physical attendance, including the right to vote and shall count towards a Quorum of Members.

“**Emergency**” or “**Emergencies**” shall have the same meaning as that in the *Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9* and shall

mean a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise.

“Ex-Officio” means ‘by virtue of the office’. The Mayor shall be a member of all Committees and shall have the same rights and privileges as other members of the respective Committee who are entitled to vote. The Mayor, when a member Ex-Officio, shall not be counted towards Quorum.

“Friendly Amendment” means a proposal by a member to make an uncontroversial amendment to a Motion while not changing the general intent of the Motion.

“Hybrid Meeting” means a meeting where participants can join the meeting in-person or by Electronic Participation.

“Mayor” means the Head of Council and shall have the same meaning as Head of Council in the Act.

“Meeting” means any regular, special or other meeting of Council or Committee, where:

- a) a quorum is present; and
- b) where Members discuss or otherwise deal with matters in a way that materially advances the business or decision making of the relevant body.

“Member” means a member of the Council or a Committee, as the case may be.

“Motion” means a question which is moved, seconded, presented and to be considered by the Council or a Committee. When a Motion is carried, it becomes a Resolution.

“Municipality” means the Corporation of the Municipality of South Bruce.

“Municipal Website” means www.southbruce.ca and includes other municipally managed websites which link from the main website and includes the municipal meeting management software website (currently iCompass and as amended from time to time).

“Notice of Motion” means an advance notice to Members of a matter on which Council will be asked to take a position.

“Point of Order” means a matter that a Member considers to be a departure from or contravention of the rules, procedures and/or generally accepted practices of Council.

“Question of Privilege” means a matter that a Member considers is questioning their integrity and/or the integrity of Council, Committee or Staff.

“Quorum” means a majority of Members of Council.

“Recorded Vote” means where a vote is taken for any purpose and a Member of Council requests immediately prior to, or, immediately subsequent to, the taking of

the vote, that the vote be recorded, each Member present except a Member who is disqualified from voting by any act, shall announce his/her vote openly and any failure to vote by a Member who is not disqualified shall be deemed to be a negative vote and the Clerk shall record each vote.

“Resolution” means a Motion that has been carried.

“Special Meeting” means a Meeting not scheduled in accordance with the approved calendar of Meetings.

“Statutory Committee” means such committees or boards as the Municipality established by applicable statute, and also includes committees and boards established by applicable statute which the Municipality appoints members to sit on.

2 Purpose and Principles

2.1 Purpose

Sections 238 (2) of the Act states that *“Every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings”* and (2.1) *“The procedure by-law shall provide for public notice of meetings”*. This Procedure By-law fulfils those requirements.

2.2 Principles

- a) Each Member has the right to:
 - i. Vote - One vote, subject to the declaration of pecuniary interest.
 - ii. Information to help make decisions, unless otherwise prevented by law.
 - iii. Make motions.
 - iv. Speak in debate.
 - v. An efficient Meeting; and
 - vi. Be treated with respect and courtesy.
- b) No item shall be placed on an Agenda with respect to a matter which is not within the jurisdiction of Council or Committees. The Mayor and/or Chair, in consultation with the Clerk, will determine if a matter is within the jurisdiction of Council or Committees.
- c) If any provisions of this By-law conflict with the Act, or any other legislation, the provision of the legislation shall prevail.
- d) Severability - If any provision(s) of this By-law shall be held to be invalid, illegal, unenforceable or in conflict with the law of any jurisdiction, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

3 Application

3.1 Procedures Observed at all Times

- a) The rules of procedure set out in this bylaw govern all proceedings of Council and Committees.
- b) Where this bylaw states that a matter applies to Council, it also applies to a Committee subject to any specific modifications set out in this bylaw.
- c) Notwithstanding anything in this bylaw, where Council or a Committee convenes to hold a hearing as required by any statute, the provisions of the statute and the Statutory Powers Procedure Act, as applicable, will govern the proceedings.

3.2 Special Powers and Duties of the Head of Council (Strong Mayor Powers)

Any procedural requirements, authority or timelines applicable to the exercise of the special powers and duties of the Mayor under Part VI.1 (Special Powers and Duties of Head of Council) of the *Municipal Act, 2001* ("Strong Mayor Powers") shall prevail in the case of a conflict with anything specified in this By-law which has not been delegated back through a mayoral decision. In accordance with s. 284.2(1) of the Act, if the Mayor exercises a power or performs a duty under Part VI.1, it shall be in writing, in accordance with the regulations.

3.3 Matters Not Specifically Addressed in this By-law

- a) The Chair, in consultation with the Clerk as needed, will decide all matters not covered by this bylaw, subject only to a Member's immediate appeal to the Council from such ruling. If there is no appeal, the decision of the Chair shall be final. Suspension of Rules
- b) Any procedure required by this by-law may be suspended for the duration of the Meeting with the consent of two-thirds (2/3) of the Members of the Council or Committee present, unless prohibited by law

4 General

4.1 Use of Audio and/or Video Equipment

- a) The use of audio and/or video recording equipment during a Meeting shall not be permitted within the designated areas, unless
 - i. the Chair or the majority of all Council Members permit the use of such equipment or devices; and
 - ii. it is not disruptive to the conduct of the Meeting at which the recording privileges are granted.

- b) Any and all audio and / or video recordings recorded other than by the Municipality shall not, under any circumstances, be deemed to be official records.

4.2 Addressing Members of Council

- a) Members of Council are to be addressed as "Councillor (surname inserted)".
- b) The Mayor shall be addressed as "Mayor (surname inserted)" or as "your worship".

5 Roles and Responsibilities

5.1 Role of Council

It is the role of the Council to:

- a) represent the public and to consider the well-being and interests of the Municipality;
- b) develop and evaluate policies and programs of the Municipality;
- c) determine which services the Municipality provides;
- d) ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- e) ensure the accountability and transparency of the operations of the Municipality, including the activities of the senior management of the Municipality;
- f) maintain the financial integrity of the Municipality; and
- g) carry out the duties of Council under the Municipal Act or any other act.

5.2 Role of the Mayor

It is the role of the Mayor to:

- a) act as chief executive officer of the Municipality and as chief executive officer shall:
 - i. uphold and promote the purposes of the Municipality;
 - ii. promote public involvement in the Municipality's activities;
 - iii. act as the representative of the Municipality both within and outside the Municipality, and promote the Municipality locally, nationally and internationally;
 - iv. participate in and foster activities that enhance the economic, social and

environmental well-being of the Municipality and its residents.

- b) preside over Council Meetings so that its business can be carried out efficiently and effectively;
- c) provide leadership to the Council;
- d) without limiting subsection 5.2 c), provide information and recommendations to the Council with respect to the role of Council described in subsections 5.1 d) and e);
- e) represent the Municipality at official functions;
- f) carry out the duties of the head of Council under the Municipal Act or any other act;
- g) act as Council's representative when dealing with other levels of government, their agencies and the private sector;
- h) serve on the Council of the County of Bruce;

5.3 Role of the Deputy Mayor

It is the role of the Deputy Mayor to:

- a) In the absence of the Mayor, the Deputy Mayor shall act in the place of the Mayor, and while so acting, has and may exercise all the rights and powers, and authority of the Head of Council, except the Strong Mayors powers as defined in Part VI.1 of the Act.
- b) The Deputy Mayor will attend Bruce County Council in the absence of the Mayor.

5.4 Role of Chief Administrative Officer (CAO)

It is the role of the CAO to:

- a) exercise general control and management of the affairs of the Municipality for the purpose of ensuring the efficient and effective operation of the Municipality;
- b) ensure implementation of Council's decisions and establishment of administrative practices and procedures to carry out Council's decisions;
- c) ensure undertaking of research and provision of advice to Council on the policies and programs of the Municipality;
- d) carry out such other duties required under the Municipal Act, or any other act, and other duties assigned by the Council.

5.5 Role of Clerk

It is the role of the Clerk to:

- a) record without note or comment, all Resolutions, decisions and other proceedings of the Council;
- b) if required by any Member present at a vote, record the name and vote of every Member voting on any matter or question;
- c) keep the originals or copies of all by-laws and of all minutes of the proceedings of the Council;
- d) make such minor clerical, typographical or grammatical corrections in form to any by-law, Motion or Resolution and/or minutes as they may be required for the purpose of ensuring correct and complete implementation of the actions of Council;
- e) perform any other duties required under the Municipal Act or under any other act;
- f) perform such other duties as are assigned by the Council.

5.6 Role of Municipal Administration (Staff)

It is the role of the officers and employees of the Municipality,

- a) to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
- b) to undertake research and provide advice to council on the policies and programs of the Municipality; and
- c) to carry out other duties required under this or any Act and other duties assigned by the Municipality.

6 Meetings Open to the Public

6.1 General

- a) All Meetings shall be open to the public except as provided for in this By-law, in accordance with s. 239(1) of the Act.
- b) The Mayor shall preside at all Meetings of the Council.

6.2 Decorum in the Council Chambers

- a) Council affirms that the business of Council and its Committees is an important function and that it will not tolerate incivility in its Meetings on the part of any individual or group, and that the Mayor or Chair is expected to maintain decorum by all persons in attendance at its Meetings in accordance with this Procedure By-law and the Municipal Act.
- b) To preserve and protect the decorum of the Council Chambers or other

Meeting places, no person participating in a Meeting, including members of the audience, may undertake any of the following actions:

- i. Make deprecating comments about, or speak disrespectfully of, or harm the integrity of staff, the public, Mayor, Members of Council or Committee;
 - ii. Use indecent, offensive, defamatory, disrespectful or insulting language or an aggressive one of attack;
 - iii. Use offensive words;
 - iv. Disobey any rule or request of the Chair or any decision of Council on question or order or practice;
 - v. Enter into cross debate with the Chair or any decision of Council on questions of order or practice;
 - vi. Appear before Council for the sole purpose of generating publicity or personal attacks;
 - vii. Address Council without permission;
 - viii. Interrupt any speech or action of the Members of Council, staff or any other person addressing Council;
 - ix. Bring into council chambers or meeting room any signs or placards, or hand out any brochures, pamphlets, buttons or literature, without being on the Agenda and obtaining previous permission of the Chair;
 - x. Applaud participants in debate or engage in conversation or other behaviour which may disrupt the proceedings of Council;
 - xi. Bring into council chambers or the meeting room any electronic devices which emit a sound, unless such devices are turned off or silenced;
 - xii. Carry on private conversations enough to disrupt the proceedings;
 - xiii. Bring into council chambers or the meeting room any animal other than a service animal as per the Municipality's Accessible Customer Service Standards.
- c) The Mayor or Chair may expel or exclude from any Meeting any person who has engaged in improper conduct at the Meeting if the Mayor is satisfied that evidence exists to support the expulsion or exclusion and states the reason.
- d) The Mayor or Chair may unilaterally suspend the Meeting until order is restored in the Meeting.

6.3 Meeting Location

- a) All Meetings of Council and Committees shall take place in the Council Chambers at 21 Gordon St. East, Teeswater, ON in the Municipality of South Bruce, or through electronic means or a combination of both, unless otherwise authorized.

- b) The location of the Meeting may be changed if proper notice is provided as per the Municipality of South Bruce's Notice By-law.

6.4 Electronic Meetings and Participation

- a) An electronic meeting is held in full or in part via electronic means, including, but not limited to audio teleconference, video teleconference, or via means of the internet, and with or without the attendance by other Members in person.
- b) Any meeting, or part thereof, of Council or Committee may be conducted by electronic meeting, or as a hybrid meeting, and subject to any protocols that may be determined necessary by the Chair, in consultation with the Clerk, to facilitate the meeting.
- c) The Chair may determine the extent to which any meeting will be conducted electronically.
- d) Any member of the Council or Committee may participate in any open or closed Council, Special Council or Committee meeting electronically and be counted for the purpose of establishing quorum.
- e) Members who participate electronically have all the rights and powers as a member attending in person, including moving/seconding a motion, participating in debate and voting privileges.
- f) The Municipality shall allow for Electronic Participation, including the Clerk and municipal staff, in both open and closed Council Meetings, per Appendix A - Hybrid Meeting Procedure.
- g) Delegations and others presenting at or participating in a Meeting may participate in an electronic meeting via telephone, videoconferencing software and/or other technology methods deemed appropriate by the Clerk's Office.
- h) Members participating electronically shall be responsible for conducting themselves with decorum, appropriate meeting attire and shall ensure that no background noise at their location interferes with the meeting.
- i) When attending a meeting electronically, all members are encouraged to leave their cameras on whenever they are present and participating in the meeting.
- j) All members attending closed meetings, electronically or in-person, shall ensure that the confidentiality of the Closed Session is maintained.
- k) Any cost incurred by a Member to use Electronic Participation shall be at the expense of the member, except where otherwise provided for. Members participating electronically will be required to connect to the meeting in an acceptable period prior to the commencement of the meeting, to avoid interruption and delay of the meeting. If an electronic connection fails prior to the meeting, attempts to connect the member shall not delay the commencement of the meeting. If the connection fails during the meeting,

attempt to reconnect will only be made if staff resources are available and at no time shall the reconnection delay the flow of the meeting, or a vote on a motion. If the connection fails, the member is deemed to be absent from, or to have left, the meeting.

7 Notice of Meetings

- a) Where required, public notice of Meetings will be provided on the municipal website, and in accordance with the Municipality's notice by-law.
- b) Lack of receipt of notice by any Member shall not affect the validity of holding a meeting nor any action taken at the meeting.

7.1 Notice - Regular Meetings

Notice shall not be required to be given of regular Meetings of the Council, unless the day of the Meeting is other than that provided in this by-law. The electronic publishing (posting) of the Agenda on the Municipal Website shall be considered as adequate notice of such regular Meetings.

7.2 Notice - Addendums

In the interest of transparency, Addendums are to be avoided wherever possible. However, where necessary, Addendums will be posted publicly to the Municipal Website and Council will be informed by email of the posting of the Addendum and/or a copy of the addendum will be placed on their desk, as soon as possible and no later than 5:00 p.m. on the day of the Meeting.

7.3 Notice - Special Meetings

- a) At least twenty-four (24) hours notice of all Special Meetings shall be given by the Clerk.
 - i. Notice to Members of Council shall be provided by electronic mail (email) or telephone.
 - ii. Notice to the public shall be given by publishing the Agenda for the Special Meeting to the Municipal Website.
- b) Notwithstanding the provisions of subsection 7.3 a), in the event of a bona fide emergency, a meeting may be held as soon as practicable following receipt of the summons or petition of Council, as the case may be, and notice may be given by telephone, personal contact or email as determined by the Clerk.

8 Quorum

- a) A majority of the whole number of Members required to constitute the Council shall be necessary to form a quorum, pursuant to subsection 237 (1) of the

Act.

- b) If the number of Members, who by reason of the *Municipal Conflict Of Interest Act* are ineligible to vote is such that there is no quorum, despite any other act, any number that is not less than one-third of the total number of Members of the Council, committee or board shall be deemed to constitute a quorum, but the number shall not be less than two.
- c) Unless a quorum is present within fifteen (15) minutes after the time appointed for the Meeting of the Council, the Council shall stand adjourned either until a special Meeting is called to deal with the matters intended to be dealt with at the adjourned Meeting, or until the convening of the next regular scheduled Meeting of the Council.

9 Inaugural Meeting

9.1 Meeting Details

- a) The Inaugural Meeting of a new Council shall be held on November 15th of a regular election year at 6:00 p.m. in the municipal council chambers.
 - i. If November 15th of a regular election year falls on a weekend or a holiday, it shall be moved to the next regular business day following the 15th which is deemed appropriate by the CAO and Clerk.
 - ii. In the event it is necessary to cancel the scheduled Inaugural Meeting, the mayor-elect shall decide upon the next suitable date and time for the Inaugural Meeting of Council to be held, so long as it is within twenty-one (21) days of the regular election.
- b) The Mayor-elect and Clerk shall be responsible for the location, content and format of the agenda of the Inaugural Meeting and all arrangements of the inaugural proceedings.

9.2 Procedures to Elect a Deputy Mayor

- a) Commencing on the 2026 Council Term, Candidates running as a Councillor-at-large shall be notified that if they receive the most votes, they will serve as the Deputy Mayor for the Term of Council.
- b) Following the election, the Councillor-at-large-elect with the most votes in the regular election shall be appointed as the Deputy Mayor for the term of Council at the Inaugural Meeting.
- c) If the appointment of Deputy Mayor is refused by the Councillor-at large receiving the most votes, the Councillor-at-Large receiving the second most votes in the regular election shall be appointed as Deputy Mayor.
- d) If the Deputy Mayor, once appointed, is no longer able to fulfil the appointment, the Councillor-at-Large receiving the second most votes shall be

appointed as Deputy Mayor.

- e) If the appointment of the Deputy Mayor position is refused by the Councillor-at-Large receiving the second most votes in the regular election, or if the Councillor-at-Large receiving the second most votes was serving as the Deputy Mayor and can no longer fulfil the appointment, then the Clerk shall conduct an election for the office of deputy mayor as follows:
 - i. nominations will be conducted by declaring the nomination verbally.
 - ii. the Clerk shall announce the names of those being nominated. Nominees shall have the opportunity to decline at this time.
 - iii. voting shall be conducted by voting verbally in open session.
 - iv. the Councillor receiving a clear majority of the votes by all Members present shall be declared elected.
 - v. should no candidate receive a clear majority of the votes cast, the names of the candidate receiving the smallest number of votes shall be dropped and the Council shall proceed to vote again and so continue until the deputy Mayor is elected.
 - vi. in the case of a tie vote the candidates shall draw lots to fill the position.
 - vii. the Clerk shall announce the result of the ballot by declaring the name of the Councillor who has received a clear majority of the votes.
 - viii. the deputy Mayor shall be elected for the term of Council.

10 Regular Meetings

10.1 Date and Time

- a) An annual calendar of Council Meetings (“Annual Council Schedule” / “Schedule”) will be prepared by the Clerk for Council approval. The Schedule will include Council Meetings on the second and fourth Tuesdays of the month, with the following exceptions:
 - i. Only one meeting in August will be held. The meeting will be held on the fourth Tuesday of the month.
 - ii. Only one meeting in December will be held. The meeting will be held on the second Tuesday of the month.
- b) Any meeting otherwise removed from the Annual Council Schedule shall be approved by a Resolution passed by a majority of Members present.
- c) Regular Meetings of Council shall commence at 6:00 p.m. For a duration of no more than three and one half hours (until 9:30 p.m.). Unless otherwise

determined by a Resolution of Council passed by a majority of Members present, the Council shall adjourn at 9:30 p.m. Any unfinished business will be dealt with first on the agenda for the next regular Meeting.

10.2 Agendas

- a) The Clerk or designate shall, in consultation with CAO, under the direction of the Mayor, prepare for the use of the Members at the regular meetings of Council an Agenda which may include all or some of the following headings:
- Call to order:
 - Adoption of the agenda (and any addendum(s) to the agenda)
 - Disclosure of pecuniary interest & the general nature thereof
 - Minutes of Previous [Council] Meetings:
 - Unfinished Business;
 - Adjourn to Committee of Adjustment
 - Public Meetings required under the Planning Act
 - Delegations
 - Reports:
 - Staff
 - Councillor reports (must be in writing)
 - Consent Agenda
 - Informational / statistical reports
 - Accounts
 - Correspondence list
 - Minutes of Committees
 - Other Communications
 - By-laws
 - Closed session
 - Confirmation by-law
 - Adjournment.
- b) All matters including staff and Councillor reports requiring the attention of Council shall be submitted in writing to the office of the Clerk for placement on the Agenda for Council Meetings, by the end of day on the preceding Tuesday (one week prior to the meeting).
- c) The Clerk, in consultation with the CAO, may, at their discretion, add such items to the Agenda as they deem appropriate until the Agenda is published.
- d) The Clerk will endeavor to ensure that the Agenda package, including departmental reports, are available on the Municipal Website for each Member of Council not later than the preceding Friday, or at least forty-eight (48) hours

prior to a regular Meeting of Council.

e) The Agenda for a Council Meeting will be posted publicly on the Municipal Website.

f) **Consent Agenda:**

10.2.1 Amendments to the Agenda

a) Following the Agenda being published, the Clerk, in consultation with the CAO, or at the request of the Mayor, may add such items to the Agenda that are of an urgent nature or are considered an emergency and such items shall appear on an addendum agenda.

i. The Agenda shall be republished with the addendums and made available to the public.

ii. A motion to adopt the Agenda as amended shall be presented to Council for consideration at the Meeting.

10.2.2 Consent Agenda

a) The purpose of a Consent Agenda is to enable Council to consider and disposition several items with one motion and without amendment or debate.

b) A Consent Agenda may include, but is not limited to, correspondence list, accounts listings, minutes from committees, communications, resolutions from other municipalities and information or statistical staff reports not requiring action.

c) If any item(s) requires discussion, any Member of Council may make a request for any item(s) to be pulled from the Consent Agenda for individual consideration.

i. A request to pull an item from the Consent Agenda shall be made to the CAO and Clerk, no later than noon on the Monday before the regular meeting (being noon the day before the meeting).

d) If a member declares a conflict of interest on an item that is included in a consent motion, that item shall be removed and voted separately.

10.3 Cancelling or Postponing a Regular Meeting

a) Any meeting may be cancelled or postponed by the Mayor, in consultation with the CAO, with appropriate notice, through the Clerk's office. Some examples include but are not limited to, if it has been determined that there are insufficient Agenda items for the Meeting or if it appears that identified scheduling conflicts, inclement weather, illness or an Emergency situation will prevent Members from attending.

b) The date for any regular Council Meeting may be changed by a Resolution of the Council passed by the majority of Members present.

10.4 Absenteeism and Leave of Absence

- a) All Members will endeavor to provide substantive notice of such absence to the CAO and/or Clerk at least 24 hours prior to the commencement of the Meeting from which the Member shall be absent.
- b) Where a Member is absent from the Meetings of Council for three successive Meetings, the absence must be authorized by a Resolution of Council; and
 - i. if the Member is absent for more than three consecutive Meetings, the Member will not receive any further remuneration until they return to active status, as authorized by Council.
- c) Where a Member is absent from the Meetings of Council for three successive months without being authorized to do so by a Resolution of Council, the office of that Member shall be declared to become vacant and procedures as set out in section 263 of the *Municipal Act, 2001* shall apply.
- d) A vacancy does not occur where the Member is absent for 20 consecutive weeks or less if the absence is the result of the Member's pregnancy, the birth of the Member's child or the adoption of a child by the Member.
- e) If a Member desires to leave a Meeting of Council prior to adjournment, and not return thereto, the Member shall endeavor to advise the Mayor at the beginning of the Meeting and the time of Member's departure shall be recorded in the minutes.

11 Special Meeting

- a) With at least twenty-four (24) hours notice which shall be given by the Clerk, a Special Meeting of Council may be called:
 - i. At any time by the Mayor or in the absence of the Mayor, the deputy Mayor (s. 240 of the Act);
 - ii. Upon approval of a Council Resolution authorizing a Special Meeting;or

By the Clerk, upon receipt of a petition of the majority of the Members of the Council, for the purpose and at the time mentioned in the petition (s. 240 of the Act)

- b) The Agenda for a Special Meeting will be prepared in a similar order to a regular agenda but will not include the adoption of past minutes.
- c) Only the business listed on the agenda of a Special Meeting may be considered. No additional business may be considered.

12 Commencement of Meetings

- a) As soon after the hour fixed for a Meeting, and if a quorum is present, the Meeting shall be called to order.
- b) When a quorum is not present within fifteen (15) minutes after the hour fixed for the Meeting, the Clerk shall record the names of the Members of Council present and the Meeting shall stand adjourned until the next Meeting.

13 Minutes

- a) The Clerk shall truly record, without note or comment, all proceedings of the Council Meeting.
- b) The minutes of such proceedings shall not record any discussion undertaken during a Meeting but shall only record decisions expressed in Resolution form and shall record all such Resolutions including those which are affirmatively voted upon by a majority of the Members present and those which are defeated.
- c) Presentations, delegations, petitions, communications and inquiries received during a Meeting shall only be referred to in a brief and summary manner in the minutes of the Meeting.
- d) The adoption, by Resolution, of the minutes of each and every regular and special Meeting of the Council shall be subsequently ratified and enacted by a confirmatory by-law.
- e) It shall be the duty of the Clerk to ensure that the minutes of the last regular Meeting and all subsequent Meetings are made available to each Member not less than forty-eight hours before the hour appointed for holding such regular Meeting.
- f) Such minutes as referred to above may be adopted by Council without having been read at the Meeting considering the question of their adoption.
- g) Minutes may only be circulated to staff and Council Members prior to their adoption by Council.
- h) Minutes may be circulated to other interested parties following their adoption by Council.

14 Communications and Petitions

- a) Every communication intended for Council must be within Council's jurisdiction, legibly written, typed or printed and must contain the signature and contact address of at least one (1) person and submitted to the Clerk.
- b) Petitions filed with the Clerk will be considered complete and valid when they:

- i. are submitted in a Portable Document Format (PDF) or printed format;
 - ii. contain a clear statement of the matter on which Council is being asked to take action;
 - iii. address a matter within the jurisdiction of Council;
 - iv. identify a spokesperson;
 - v. include fields for each petitioner to provide:
 - a printed name;
 - a full address;
 - an acknowledgement that the petition will be made available to the public; and
 - a signature.
- c) The Clerk shall place on the correspondence list to be included with the Agenda only those communications and petitions received prior to 4:30 p.m. on the Tuesday preceding the regular Council Meeting.
 - d) Correspondence or petitions containing obscene or defamatory language shall not be presented to Council.
 - e) Any person submitting a communication or petition may specify if it is directed to Council or to a committee or board having responsibility thereof.
 - f) Communications or petitions addressed to Council, except Resolutions requesting support, will be heard without debate. Following the presentation of any such communication or petition, instructions may be given by Council, if in the opinion of Council, they are required. If the petition or communication addresses some present or personal grievance requiring immediate attention, the matter may be brought forward for discussion and direction or may be assigned to a future Meeting for consideration or referred to a committee.
 - g) Unless a request has been made by a Member of Council to bring the item forward for consideration, Resolutions not directly impacting the Municipality, Resolutions of support or requests for proclamations, will be placed on the Correspondence list only.
 - h) The Clerk may, upon receipt, refer any written submissions to a department head without the prior consideration of Council.
 - i) Personal information, other than contact information, disclosed in correspondence items will become part of the public record, including the name of the author.

15 By-laws

- a) All by-laws, together with a brief description and the by-law number, shall be listed on the Agenda for the Meeting at which they are to be read.

- b) Every by-law shall have three readings prior to being passed.
- c) By-laws may be given first, second and third reading by way of one Resolution. In situations where a by-law is adopted in principle to confirm general support or per any Act, the by-law will be given first and second reading, until required details are available for the third and final reading.
- d) By-laws may be considered separately or jointly with other by-laws.
- e) Every by-law when introduced shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any act and shall be complete.
- f) A by-law shall be deemed to have been read upon the title or heading or short description thereof being read or taken as read.
- g) The Clerk shall set out on all by-laws enacted by Council the date of their readings and passage.
- h) Each and every by-law passed by Council shall be printed, signed by the Clerk and by the Head of Council or presiding officer at the Meeting at which the by-law was passed, and shall be sealed with the seal of the Corporation.
- i) The Clerk shall cause to be filed each and every by-law adopted by Council in the by-law books of the Municipality and shall be indexed by number and subject matter.

16 Committee of Adjustment, Public Meetings and Delegations

16.1 General

- a) No more than a total of seven (7) matters within the Public Meeting and Delegations headings combined are permitted at any meeting. The Clerk, in considering the time requirement for each matter, may reduce the total number of permitted matters in one meeting and may give preference to Public Meeting matters.
- b) Individuals, professionals and or groups/organizations invited by Council or staff to share a presentation or present a report are not subject to the same limitations as delegations provided below, however, they may be included under the Delegation heading within the Agenda, and if so, count towards the maximum number of delegations.
- c) Council may at its discretion, expressed by Resolution adopted by a majority of Members present, hear any person.

16.2 Committee of Adjustment

Committee of Adjustment Meetings will be held on the same evening as regular Council meetings, as needed, commencing as soon as possible after 6:00 p.m. for matters requesting a minor variance. Council will temporarily adjourn the regular meeting of Council to proceed into the Committee of Adjustment.

16.3 Public Meetings

- a) Public meetings required by legislation, such as the *Planning Act R.S.O. 1990* or the *Drainage Act, R.S.O. 1990*, (with the exception of minor variance which will be heard at a Committee of Adjustment), unless otherwise advertised, will be dealt with during regular Meetings of Council and will be presented and discussed under the Public Meetings heading within the structure of the Agenda which will represent the public meeting as required under the applicable legislation.
- b) A maximum of Four (4) Public Meetings per regular Meeting are permitted, unless deemed necessary, due to timelines or practicality, by the Clerk, in consultation with the CAO.
- c) No Public Meetings, as noted in 16.3 a), shall be permitted during a special Meeting unless specifically approved by Council or Committee.

16.4 Delegations and Presentations

- a) Any person or group desiring to present a delegation to Council shall submit a request to the Clerk not later than 4:30 p.m. on the Tuesday of the week preceding the day of the Meeting and such a request shall clearly state the nature of the business to be discussed and provide a general summary of the information to be presented.
- b) Delegates addressing Council shall confine their remarks to the business stated in their request to be heard and shall present same in a respectful and temperate manner.
- c) All delegations heard by Council may be referred to a Committee following their presentation. No debate shall be allowed following the presentation; however, any Council Member may direct questions through the Chair to the delegate and certain directions may be given by Council.
- d) Whenever a delegation in its presentation, offers comments or statements that are deemed to be erroneous and unsubstantiated, any Member of Council, may be recognized by the Mayor or Chair on a "Point of Order" whereby the Member of Council so recognized by the Chair may bring necessary corrections or clarifications to the comments or statement said by the delegation.
- e) Delegates shall be limited to speaking no more than (10) minutes.
- f) Delegates wishing to appear before Council or a Committee shall be limited to

no more than two (2) speakers with a total speaking time of not more than (10) minutes. Upon consent of the Chair, in consideration of the general feeling of interest of Council, the (10) minute time limit for delegations may be extended. Persons requesting to appear before Council / Committee shall be advised of the time limitation in advance of their delegation.

- g) A delegation, once heard, shall not be entitled to be heard on substantially the same matter for a period of 3 months from the date of first being heard, unless new information is being provided to assist Council in its decision making. Refusal of request to appear as a delegation may be appealed to the Head of Council.
- h) Delegations which subject relates to a matter currently before the courts or administrative tribunals will not be scheduled.
- i) A maximum of three (3) delegations per regular Meeting shall be permitted, and no delegations shall be permitted during a special Meeting unless specifically approved by Council or Committee.

17 General Announcements

If a matter is associated with an agenda item, Council Members may make announcements, recognize achievements, promote an event or recognize matters of community-wide interest at the time the agenda item is brought forward.

If a matter is not associated with an agenda item, Members may submit a Councillor Report which shall be provided to the CAO and Clerk in writing, with a copy to the Mayor, at least one week prior to the Council meeting to be included in the agenda under "Councillor Reports".

18 Closed Sessions

Except as provided in this by-law, all Meetings shall be open to the public.

18.1 When a Meeting *may* be Closed

A Meeting or part of a Meeting may be closed to 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 or local board employees;
- c) A proposed or pending acquisition or disposition of land by the Municipality or local board;
- d) Labor relations or employee negotiations;

- e) Litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality or local board;
- f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- g) A matter in respect of which a Council, board, committee or other body may hold a Closed Meeting under another act.
- 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.

18.1.1 Education or Training:

A Meeting of Council or Local Board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

- a) the Meeting is held for the purpose of **education or training** the Members;
and
- b) at the Meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, Local Board or committee.

18.2 When a Meeting *shall* be Closed

- a) A Meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the Council, or board or other body is designated the head of the institution for the purposes of that act.

18.3 Before Holding a Closed Meeting

- a) The subject matter shall be included on the Agenda outlining the general nature of the matter considered.
- b) Before holding a Meeting or part of a Meeting that is closed to the public for

one of the reasons listed above, Council will pass a motion in public stating:

- i. the fact that Council is convening into Closed Session;
 - ii. The specific provision under the Act that permits the item to be considered in a Closed Session; and
 - iii. The general nature of the matter to be considered.
- c) Members are prohibited from discussing any additional matters during a Closed Session other than those identified by the Motion passed in accordance with the section above.
- d) All confidential reports shall be distributed to Council Members by paper copy or electronically through the Clerk. Under special circumstances, it may be distributed through an alternate method deemed secure by the Clerk, in consultation with the CAO.

18.4 Attendance in Closed Session

- a) Attendance in Closed Session will be limited to the Members of Council, the CAO, the Clerk or a person appointed as the Clerk for the purpose of the Meeting, the reporting staff and those specifically invited to remain by Council.

18.5 Recording of Closed Minutes

- a) The use of electronic devices to record proceedings of a Closed Session is prohibited.
- b) The Clerk and/or their delegate shall attend all Closed Sessions and record the proceedings, including procedural Motions and direction given to staff, without note or comment.
- c) The Clerk is responsible for maintaining a confidential copy of all original documentation distributed and confidential minutes of all Closed Sessions.

18.6 Closed Session Voting

- a) Per section 239 (6) of the Act, in relation to a matter considered in a Closed Session, Council may vote:
- i. on procedural matters; or
 - ii. for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.

18.7 After Holding a Closed Session

- a) Following the confidential discussion required, and the adjournment of the Closed Session, the open Meeting shall be re-opened by Motion;
- b) The Chair will report out in an open Meeting immediately following the Closed Session in a manner that does not reveal any information deemed to be

confidential.

- c) Matters discussed in a Closed Session which require an open Meeting Resolution will be brought forward to an open Meeting of Council or Committee.
- d) All information, documentation or deliberations received, reviewed or undertaken in a Closed Session is confidential. No member, staff person or other person present at a Closed Session may release or make public any information considered during a Closed Session or discuss the content of any Closed Session with persons other than members or relevant staff.

19 Rules of Debate and Conduct

19.1 Chair

In directing the course of debate, the Chair shall:

- a) Designate the Member who has the floor when a Member raises their hand to speak.
- b) Preserve order, rule on points of order and decide all questions relating to the orderly procedure of the Meeting, subject to an appeal to Council.
- c) Cause to be stated or read all Motions/recommendations.

19.2 Members

- a) Any Member may request the question or Motion under discussion to be read at any time during the debate but may not interrupt a Member speaking in order to make such a request.
- b) In addressing the Council / Committee, no Member shall:
 - i. speak disrespectfully of His Majesty the King or any of the Royal Family, or of the Governor-General, Lieutenant-Governor or any Member of the Senate, the House of Commons of Canada, or the Legislative Assembly of Ontario.
 - ii. use offensive, insulting or improper language in or against the Council or any Member thereof, employees of the Municipality or citizens of the Municipality.
 - iii. be deemed to have precedence or seniority over any other Member.
 - iv. hold discourse which may interrupt or pass between the speaker and the Mayor or Chair when a Member is speaking, except to raise a point of order.
 - v. speak beside the question in debate [meaning the debate should not be repetitive and it should be relevant and stick to the subject matter].

- vi. speak to the same question for longer than 2 (two) minutes. With the leave of Council/Committee, a supplementary question with a further 1 (one) minute, may be granted.
 - vii. without the leave of Council, speak more than once on an item where another member wishes the floor who has not spoken the first time to a question, except in explanation of a material part of their speech which may have been misunderstood.
 - viii. Criticize any decision of the Council/Committee or a decision of the Chair on questions out of order or practice, or upon the interpretation of the rules of the Council/Committee, except to appeal a decision or request a recorded vote in accordance with this by-law.
- c) A Member may ask a question only for the purpose of obtaining facts relevant to the matter under discussion and necessary for a clear understanding thereof.
 - d) All questions shall be stated succinctly and questions shall not be used as means of making statements or assertions.

20 Question of Privilege and Points of Order

- a) A Member may raise a Point of Order at any time.
- b) A Member may raise a Question of Privilege at any time if they consider that their integrity, the integrity of Council or the Committee, or staff has been impugned (i.e. the integrity has been challenged, criticized, or the motives, reputation, or the truthfulness of a statement has been called into question).
- c) Whenever any Point of Order, Question of Privilege, or matter of urgency arises, it shall be immediately taken into consideration.
- d) When the Chair is called on to decide a Point of Order or Question of Privilege, the point shall be stated without unnecessary comment, and the Chair or presiding officer shall rule on the Point of Order or Question of Privilege.
- e) When a Point of Order or Question of Privilege is raised, or when a Member is called to order from the Chair:
 - i. Interrupt the current matter under consideration;
 - ii. Ask the Member raising the Point of Order or Question of Privilege to state the substance and the basis for it; and
 - iii. Rule on the Point of Order or Question of Privilege immediately without debate by Council or Committee and state the rule or authority applicable.
- f) The decision of the Chair shall be final, unless an appeal is made to the Council in which case the question: "shall the ruling of the Chair be

sustained?" shall be determined, without debate, by vote. If the appeal is upheld, the Chair shall change his or her ruling accordingly. If the appeal is rejected, then the ruling stands.

- g) Whenever the Mayor is of the opinion that any Motion offered to the Council is contrary to the rules of the Council, he or she shall advise the Members thereof immediately and quote the rule or authorities applicable. Argument or comment shall not be permitted.

21 Voting

21.1 Closed Session Meeting Voting

*See [section 18.6](#)

21.2 Chair May Vote

The Chair, including the Mayor/Head of Council, and Chairs of Committees, Ad Hoc Committees and Working Groups, (except where disqualified from voting by reason of interest or otherwise) may vote with the Members on all questions.

21.3 Process of Voting

- a) At the Chair's sole discretion, discussion of an item may take place prior to obtaining a mover and seconder for a related motion.
- b) After a Motion is moved, seconded and read aloud, it shall be deemed to be in the possession of the Council.
- c) A Motion may be withdrawn at the joint request of the mover and seconder at any time before decision or amendment.
- d) When a Member moves a Motion or an amendment to a Motion that is not included as part of the Agenda package, that Councillor shall provide a written copy of the Motion to the Mayor or Chair prior to the vote being taken.
- e) A Motion in respect of a matter which is not within the jurisdiction of the Council shall not be in order. The Chair, in consultation with the Clerk, will determine if the matter is within the jurisdiction of the Council.
- f) When a Motion is under consideration, no other Motion shall be received unless it is a Motion:
 - i. To refer the Motion to a Committee, staff or any other person or body.
 - ii. To amend the Motion.
 - iii. To defer the Motion to another time.
 - iv. To call a vote on the Motion.
- g) Once all Motions relating to the main Motion have been dealt with and once

the main Motion is put, there shall be no further discussion or debate and the Motion shall be immediately voted on.

21.4 Voting on Questions

- a) When the Chair calls for the vote on a question, each Member shall occupy their seat and shall remain there until the result of the vote has been declared by the Chair. During such time no Member shall speak to any other Member or make any noise or disturbance.
- b) Every Member of Council or Committee shall have one vote, unless the Member has declared any pecuniary interest, direct or indirect to the question.
- c) A Member not in their seat when the question is called by the Mayor or Chair is not entitled to vote on that question.
- d) A failure to vote by a Member who is present at the Meeting at the time of the vote and who is qualified to vote, shall be deemed to be a negative vote.
- e) When the Motion under consideration contains distinct clauses, and a Member has requested to vote on each distinct clause, then a vote shall be taken separately on each clause, including each clause added by way of an amendment.
- f) After a vote has been called by the Chair, no Member shall be recognized to speak to the Motion or make any other Motion after the result of the vote has been declared.
- g) Members shall vote by raising their hands. Members attending electronically may raise their hand, raise their virtual hand or vote verbally.
- h) Where a Motion is “carried” or “defeated” shall be recorded in the minutes of the Meeting.

21.5 Appeal of Declaration of Result

- a) If a Member who has voted on a question disagrees with the declaration of the Chair that the question is carried, or lost, the Member may, but only immediately after the declaration by the Chair, appeal the declaration.
- b) On an appeal by a Member, the Chair shall call for a Recorded Vote to be taken on the question in the manner prescribed in the “Recorded Vote” section of this by-law.

21.6 Tie Vote

- a) Any Motion on which there is a tie vote shall be deemed to be defeated, except where otherwise provided by any act.

21.7 Recorded Vote

- a) Where a vote of Council is taken for any purpose, a Member may request

immediately prior or immediately after the taking of a vote that the vote be recorded in the minutes.

- b) All Members who are present, shall announce their vote openly when called to do so by the Clerk, unless they have disclosed a pecuniary interest, direct or indirect, or is absent from their seat at the time the vote is taking place.
- c) For the purpose of Recorded Votes, the Clerk shall call each member individually by name beginning with the Member who requested the Recorded Vote and continuing in alphabetical order with the Mayor voting last, unless the Mayor requested the recorded vote). The Members shall respond yes or no when called upon.
- d) The Clerk shall record the names of those who voted for and those who voted against in the minutes and announce the results after the vote has been called.
- e) If any Member refuses to vote except where the Member has declared a pecuniary interest, direct or indirect, they shall be recorded as voting in the negative on the question.

22 Motions / Recommendations

22.1 General

- a) Motions or notices thereof shall be submitted to the Clerk in writing.
- b) Motions in respect of a matter of privilege or adjournment may be made verbally.
- c) A Motion may only be put in the positive and not in the negative. A Motion to not do something does not need to be made.
- d) A Motion must be formally seconded before the question can be put on the floor and recorded in the minutes.
- e) The Chair may call for a vote after each Member who wishes to speak has spoken once.
- f) The Mayor, Chair, CAO, Clerk, or any Member, will at the earliest opportunity, raise as a concern that the subject matter of debate may be contrary (*ultra vires*) to the Municipal by-laws, provincial or federal statutes and shall apprise the Council thereof, stating the rules, by-laws or statutes which are applicable to the case.
- g) A Member may move or second a Motion to initiate discussion and debate, but that Member may vote in opposition to the Motion.
- h) Every Motion, when duly moved and seconded, shall be received by the Chair.

- i) The Chair may state the question in the form introduced and shall do so if required by a Member. The Chair shall state the question in precise form in which it will be recorded in the minutes.
- j) The following matters may be introduced orally, without written notice, and without leave:
 - A Point of Order or privilege.
 - A Motion to suspend a rule of procedure or in compliance with a rule of procedure.
 - A Motion to adjourn (not debatable).
 - A Motion that the vote now be taken (a call for the *Previous Question*).
- k) When the Motion under consideration concerns two or more matters, a vote on each matter, upon the request of any Member, may be taken separately (*Division of a Question*).
- l) The Clerk, at their discretion, may suggest administrative edits to motions submitting in writing. Edits:
 - i. Will not change the intention of the motion;
 - ii. May include grammatical and typographical corrections;
 - iii. Can occur prior to, during or following adjournment of a meeting; and
 - iv. Council will confirm any edits by way of approving the minutes at a subsequent Council meeting.

22.2 Notice of Motion

- a) No new Motion shall be discussed unless such notice has been given in one of the following manners:
 - i. Developing out of reports or communications on an Agenda (motion can be considered at the same meeting);
 - ii. By Notice of Motion at a previous Meeting by providing a brief verbal explanation and providing the Chair with the written motion to (motion to placed on the next regular meeting agenda for consideration); or
 - iii. By Notice of Motion prior to a Meeting that is filed with the Clerk by end of day on the Tuesday proceeding the date of the Meeting at which the Motion is to be introduced (motion to be placed on the next regular meeting agenda for consideration).
- b) Prior to Council's consideration of a Motion of which notice has been given previously, a revised Motion on the same subject, approved by both the mover and the seconder, may be substituted for the original one contained in the Notice of Motion by noon on the Tuesday before the Meeting it is to be considered.
- c) Unless otherwise prohibited, a Motion requiring notice may be introduced

without notice with the approval of two-thirds of the Members present.

- d) Recommendations in reports to Council or a Committee do not require notice for consideration.

22.3 Withdrawal of a Motion

After a Motion has been received and/or read by the Chair, it shall be deemed to be in possession of the Council/Committee but may be withdrawn by the mover, with the consent of the seconder, prior to amendment or voting thereon.

22.4 Motion to Adjournment

- a) A Motion to adjourn the Council or adjourn the debate shall always be in order, except:
- i. When a Member is in possession of the floor.
 - ii. When a Recorded Vote has been called for.
 - iii. When the Members are voting.
 - iv. When it has been decided that the main question shall be put forthwith.
- b) A Motion to adjourn:
- is not debatable.
 - cannot be amended.
 - when defeated, shall not be made again until the next Agenda order of business is completed.

22.5 Motion to Refer

- a) Used to refer the Motion to a Committee, staff or any other person or body. Such Motion to refer:
- is open to debate;
 - shall include:
 - the name of the body to whom the Motion is to be referred,
 - the terms upon which it is to be referred, and
 - the date or period, if any, within which the matter is to be referred;
 - is amendable; and
 - shall end amendment or debate of the proceeding Motion.

22.6 Motion to Amend

- a) To amend the Motion. Such a Motion to amend:
- is open to debate;
 - shall not propose a direct negative to the main Motion;
 - may propose a separate and distinct disposition of a question;
 - shall be relevant to the main Motion;
 - shall be dispositioned prior to a decision on the main question;

- is subject to only one further amendment, and any amendment more than one must be the main Motion; and
- if more than one, shall be put in the reverse order that in which they were moved, and shall be decided or withdrawn before the main Motion is put to the vote.

22.7 Friendly Amendment

- A Member may ask if the mover and seconder of the Motion would accept a change in it, termed a friendly amendment. Both the mover and seconder may either accept or reject the proposed change.
- If the proposed change is accepted, the changed Motion will be read.
- If the proposed change is rejected, the Member suggesting the change can propose an amendment.

22.8 Motion to Amend Something Previously Adopted

To change part of a motion previously adopted or substitute a different version.

- Such a motion to amend something previously adopted:
 - is open to debate;
 - is amendable;
 - shall require only a majority vote, so long as Notice of Motion had been previously given.

22.9 Motion to Defer

- To defer the Motion to another time. Such a Motion to defer:
 - is not open to debate;
 - shall include the time, place and the purpose of the deferral;
 - is not subject to amendment; and
 - applies to the main Motion and any amendments thereto under debate at the time the Motion to defer is made.

22.10 Motion To Call a Vote on the Motion

- Such a Motion to call a vote on the Motion:
 - cannot be amended;
 - cannot be proposed when there is an amendment under consideration;
 - when resolved in the affirmative, shall be forwarded by voting on the Motion, without debate or amendment;
 - when resolved in the negative, shall be followed by resumption of debate; and
 - shall always be in order.

22.11 Motion to Reconsider

Reconsideration of Previous Decisions.

- a) Except as otherwise provided in this by-law, Council may reconsider any questions, matter, Resolution or by-law after it has been decided, if the majority of Members present agrees to such reconsideration by Resolution.
- b) A Resolution that was decided by Council cannot be reconsidered if:
 - i. Action has been taken implementing the Resolution resulting in legally binding commitments that are in place on the date the Motion to reconsider is considered by Council;
 - ii. Action has been taken implementing the Resolution resulting in something that is impossible to undo;
 - iii. It was a Motion to Reconsider;
 - iv. The same result can be obtained by some other Motion; and
 - v. It is determined by the Chair to be dilatory (causing delay).
- c) If Council passes a Resolution and adopts the same matter by by-law, only the Resolution may be reconsidered. If the decision resulting from the reconsideration warrants, the by-law will be amended or repealed accordingly.
- d) A Motion to reconsider must be made by a Member who voted with the majority on the original Motion. Any Member who was not on Council at the time of the original vote shall be deemed to have voted with the prevailing side.
- e) A Motion for reconsideration may be seconded by any Member.
- f) No discussion on the main Resolution shall be allowed unless the Motion for reconsideration is approved by a majority.
- g) If a Motion to reconsider is decided in the affirmative, then consideration of the original matter shall become the next order of business.
- h) No Motion shall be reconsidered more than once during a period of 90 days (three months) following the date on which the question was decided after which, the subject matter shall become a matter to be brought forward as though it were a new question.
- i) Debate on a Motion to reconsider shall be confined to reasons for or against reconsideration. There shall be no discussion of the decided matter proposed to be reconsidered.
- j) A Motion to reconsider suspends action on the Motion to which it applies until it has been decided.
- k) The following Motions cannot be reconsidered:
 - To adjourn;
 - To recess;
 - To suspend the rules;

- To reconsider;
- To postpone indefinitely which has been lost.

22.12 Motion to Rescind

Council can change an action previously taken by passing a motion to rescind which strikes out an entire motion.

- a) A Motion to rescind or that has the effect of being contrary or opposite to a Motion entered upon the minutes shall be received or put only when previous notice or notice of motion has been given of intention to introduce such Motion is given with the call of the meeting.
- b) Such a motion to rescind:
 - is open to debate;
 - is amendable;
 - shall require a majority vote, so long as Notice of Motion had been given or previous notice was provided with the call of the meeting setting out the exact content.

22.13 Order of Vote

When one or more Motions have been made, the order of the vote shall be as follows:

- a) To defer the Motion;
- b) To refer the Motion;
- c) Upon the amendment in the reverse order to that in which they were moved, dealing with an amendment to an amendment immediately before the amendment it proposes to amend; and
- d) Then, upon the main Motion or upon the main Motion as amended. If any amendments have been carried.

23 Committees (including Boards as noted in the definition)

23.1 General

- a) The contents of this by-law which are applicable shall apply to all Committees where separate rules of procedure do not exist or are limited for a Committee. In the event of a conflict between provisions of this By-law and any Committee specific procedures, the Committee specific procedures shall prevail.
- b) Committees may be established by the Council at any time as is deemed necessary for the consideration of matters within the jurisdiction of the Council.

- c) When Council establishes a Committee, a mandate for, and the composition of, the Committee shall be adopted.
- d) If the Committee requires sub-committee(s) and is authorized to do so under its terms of reference, the Committee may establish such sub-committee.
 - i. All sub-committee secretarial duties will be provided by the each of the sub-committees for their Meeting.
 - ii. No Member of Council is required to sit on a sub-committee.
 - iii. Motions in a sub-committee do not require a seconder.

23.1.1 Mayor Ex-Officio

The Mayor shall be an ex-officio Member of all municipal authorities, committees, boards, Ad-hoc Committees or other bodies established or appointed by Council, unless already a member, and shall have the same rights and privileges to vote and participate as any of the other Members, unless prohibited by law. However, the Mayor as an ex-officio member does not count for quorum (is not counted in determining the number required for a quorum or whether a quorum is present at a Meeting).

23.2 Mayor to Appoint Members

- a) The Mayor shall appoint Committee Members, including Statutory Committee Members, as required.
- b) If a process is not provided within the Committee establishing / regulating documents, or otherwise, for appointing a chair and vice-chair(s), the Mayor shall appoint the Chair and vice-chair(s).

23.2.1 Appointments following an Election Year:

- a) No later than January 31st following an election year, the Mayor shall appoint Members of Council to the various Committees.
 - i. The Mayor shall invite individual Council Members to provide their written aspirations for committee involvement by listing their first, second, and third choices. However, it is acknowledged that the Mayor's selection is final and not all requests may be approved.
- b) Save and except where the Committee terms of reference provide specific procedures for appointing a chair and/or vice-chair(s), the Mayor may review these positions and appoint new chairs and/or vice-chairs, no later than January 31st following an election year.
- c) With the consensus of Council, such appointments may be reviewed on an annual basis.

23.3 Terms of Reference

Subject to the provision of any general or special Act, Terms of Reference for a

Committee shall be prepared and presented to Council for adoption. The Terms of Reference shall include, but is not limited to:

- a) The mandate and responsibilities;
- b) The Committee membership/composition, including the number of council members to serve, as directed by Council.
- c) Roles and responsibilities of Committee Members, and decision-making process.
- d) Administrative requirements, including reporting requirements, meeting schedule, duration and location of meetings and whether virtual or hybrid meetings are permissible and quorum.
- e) The terms of reference shall also explicitly state the role to be played by any and all Members of Council appointed to the Committee.

23.3.1 Procedures Apply with Modifications

The rules governing the procedure of the Council and the conduct of its Members shall be observed in Committee Meetings, with the necessary modifications, except that:

- a) Motions in sub-committees do not require a seconder;
- b) A Member shall not speak more than once to a Motion until every Member who desires to speak has spoken once.

23.3.2 Points of Order - Decision by Chair

Points of order arising in Committee Meetings shall be decided by the Chair, subject to an appeal by a Member of the Committee.

23.3.3 Recommendations to Council

- a) Each Committee may make recommendations to Council through the Meeting Minutes of the Committee at the next regular Council Meeting, unless otherwise decided.
- b) Notwithstanding the above section, a Committee recommendation may be dealt with by Council when the Council Meeting reconvenes that same night.

23.3.4 Minutes

Minutes of Committee Meetings shall be kept and the proceedings shall be recorded in the form of recommendations voted upon by the Members.

23.3.5 Notice of Meeting

The distribution of the Agenda shall be deemed notice of regular Committee Meetings.

23.3.6 Agenda

- a) The Chair, through the Committee secretary, shall cause to be delivered to each Committee Member an Agenda for each Committee Meeting. Distribution of the Agenda is deemed delivered upon being emailed to the Member or by a mutually acceptable alternate method.
- b) Lack of receipt of the Agenda by the Members shall not affect the validity of the Committee Meeting or any action lawfully taken thereat.

23.3.7 Alternates may be Appointed

Where the Mayor deems it necessary, "alternates" may be appointed by Resolution of Council to represent the lay Members on Committees. An alternate can only act as a voting Member of a committee in the absence of a lay Member of the same Committee. The alternates are only counted in a quorum in the absence of the appointed Member.

23.4 Ad-hoc Committees & Working Groups

23.4.1 Composition and Mandate

- a) Council may establish ad-hoc committees and/or working groups from time to time for consideration of specific matters within the jurisdiction of the Council.
- b) When Council establishes an ad-hoc committee or working group, a mandate for the committee, as well as the composition of the committee / group shall be adopted. The Resolution establishing the ad-hoc committee or working group shall include the name of the ad-hoc committee or working group.
- c) A "sunset provision", being the date of event of which the ad-hoc committee or working group must report back to Council and will cease to exist. If an ad-hoc committee or working group requires extra time, the Chair must come back to Council requesting the additional time needed.

23.4.2 Appointment of Chairs, Vice-Chairs

The Chairs and Vice-Chairs of the ad-hoc committee or working group shall be appointed by the Mayor.

23.4.3 Meeting Schedule and Location

Ad-hoc committees' and working groups' meeting schedule shall be established by the ad-hoc committee or working group, at a location to be determined by the Chair.

23.4.4 Special Meetings

Special Meetings of ad-hoc committees or working groups may be called by the Chair whenever considered necessary.

23.4.5 Distribution of Agenda

The Chair shall determine the method and manner of distribution of the Agendas for the ad-hoc committees or working groups.

23.4.6 Members under 18 years of age

Members under the age of 18 years of age are permitted on ad-hoc committees and working groups with parental consent.

23.4.7 Notice of Meetings

The secretary shall not be required to give notice of regular meetings but the delivery of the agenda for the Meeting shall constitute notice thereof.

The secretary shall endeavor to notify all Members of Meeting cancellations.

23.4.8 Quorum

Quorum shall consist of the majority of the whole number chosen to comprise any ad-hoc committee or working group, or as otherwise determined by Council.

24 Disclosure of Pecuniary Interest

24.1 Responsibilities and Duties relating to the MCI Act

- a) Members of Council and Local Boards as defined in the *Municipal Conflict of Interest Act*, R.S.O. 1990 (MCI Act) are bound by the provisions of the MCI Act and the Municipality's Code of Conduct and have personal responsibilities and duties.
- b) The Clerk shall provide each Member of Council with a copy of the *Municipal Conflict of Interest Act*, R.S.O. 1990 prior to being sworn into office.
- c) Each Member of Council and Local Board, as defined in the *Municipal Conflict of Interest Act*, R.S.O. 1990, has an individual responsibility to satisfy himself or herself as to whether he or she has a conflict of interest in accordance with the legislation. No Member of Council or Local Board shall seek specific advice from any Member of the municipal administration.
- d) Prior to a particular matter being addressed, members shall declare aloud any pecuniary interests they may have, and the general nature thereof, in connection with that matter pursuant to the *Municipal Conflict of Interest Act*. Such members shall be precluded from participating in any way regarding the matter in question, including presiding over the meeting while the matter is under consideration.
- e) A Member shall file a written statement after the Member discloses a pecuniary interest under section 5 of the *Municipal Conflict of Interest Act*, R.S.O. 1990.

- f) Where the Council is meeting in Closed Session:
- i. The Member shall make their declaration when called for by the Chair;
 - ii. The Member shall vacate their seat and the meeting room prior to discussion of the matter and until the question is decided;
 - iii. The Clerk shall duly record the circumstances in the minutes. Where the Member is participating electronically, they shall be placed in the electronic waiting room and only be admitted once the related discussion has ceased.

24.2 Exceptions

Where the matter under consideration is whether to suspend the remuneration paid to the Member if the Integrity Commissioner has reported that, in their opinion, the Member has contravened the Municipality of South Bruce Code of Conduct for Council, Local Board and Committee Members, the Member may take part in the discussion even at a Closed Session, however, the Member is not permitted to vote on any question in respect of the matter.

24.3 Absence or Oversight

Where the interest of a member is not disclosed at a meeting due to the absence or oversight of the member, the disclosure must be made at the next meeting at which the member is present.

24.4 Voting other

- a) No member who has declared an interest in a matter may move, second or vote on a motion to adopt multiple items if the matter that is subject of the interest is contained therein. Members may request to divide such a motion in order to vote on those items in which there is no interest.
- b) A member who has declared an interest in a matter may move, second and vote on:
 - i. the confirmation by-law for the meeting in which the interest was declared; and
 - ii. adopting the minutes of the meeting in which the interest was declared.

25 Amendment to this By-Law

25.1 Notice for Amendment or Repeal

- a) No amendment or repeal of the by-law or any part thereof shall be considered at any Meeting of the Council unless notice of the proposed amendment or repeal has been given at a previous regular Meeting of the Council. The waiving of this notice by the Council is prohibited.

- b) Notice of an amendment or repeal of this by-law shall be in accordance with the Municipality of South Bruce Notice of Provisions by-law, as amended from time to time.

25.2 Proposed By-Law Deferred – Further Notice not Required

If the proposed by-law is not passed at the Council Meeting specified in the notice, but consideration of the matter is deferred, no further notice is required, if a public statement is made at the Meeting that the matter has been deferred and that the Municipality intends to adopt or amend the by-law at a later Council Meeting specified in the public statement. This also applies to any further deferrals of the matter.

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Appendix A – Electronic / Hybrid Meeting Procedure

1. Purpose and Application

This procedure is intended to establish rules and practices governing the process for participating in and conducting Council, Local Boards, Statutory Committees, and Ad-Hoc Committees in an electronic format.

The procedure applies to all Council, Local Boards, Statutory Committee, and Ad-Hoc Committee Meetings, both open and Closed Sessions, where:

- a. an element of Electronic Participation is present which creates a Hybrid Meeting format whereby some Members, staff and the public attend in-person while others participate electronically; or
- b. the meeting is fully Electronic, meaning all participants are Electronic Participants.

This Procedure may change due to practical application and the use of different technologies. The Clerk is authorized to make minor adjustments, and/or exceptions, to these protocols where warranted.

2. Technology

The CAO and Clerk will determine the most appropriate electronic method and technology used for Electronic and Hybrid Meetings in open and Closed Sessions, based on advice and resources from the IT specialist and taking into consideration the circumstances and context for the given Meeting.

The notice for the Meeting will inform the public on how to connect to the Meeting and will set out public participation parameters.

There is no guarantee of the quality of any Electronic Participation.

Each Member participating in a Meeting by electronic means shall be available at least fifteen (15) minutes before the beginning of the Meeting to assist staff in establishing the electronic connection.

In the case of a loss of connection, or any connection issue which impedes the ability of a Member(s) to participate in the Meeting in real time, the Meeting will continue without attempts by staff to reconnect. The Member may attempt to reconnect and rejoin the Meeting.

At any time during the Meeting, should technical difficulties or other unforeseen circumstances require a recess, the Chair or Clerk will issue instructions on how the Meeting will resume.

3. Participation

- a) Members wishing to participate by electronic means must notify the Clerk as soon as possible before the Meeting that they wish to attend electronically.
- b) Members attending Meetings electronically will:
 - inform the Chair about their intentions to leave the Meeting either on a temporary or permanent basis;
 - mute their electronic device when they are not speaking;
 - ensure that no one other than the Member of Council is present for any Closed Session discussions;
 - keep their video on if participating by video conferencing;
 - identify themselves, if participating by telephone, whenever wishing to speak;
 - abide by all rules of procedure; and
 - dress and act as though in attendance in person.
- c) Open Meeting requirements included in the Municipal Act continue to apply despite any Electronic Participation and specifically:
- d) Members of the public will be permitted to be present for the electronic Meetings which are not closed under the provisions of the Act.
- e) In the instance of a pandemic or public health Emergency, the number of Members of the public who are permitted may be limited to the size and location of the Meeting space.
- f) Members attending electronically shall announce their vote verbally, by utilizing the electronic raise hand or by raising their hand within the camera view.
- g) A Member(s) participating by Electronic Means will be deemed to have left the Meeting when they are no longer electronically connected to the Meeting.