



**Policy Review Committee Agenda
November 13, 2018, immediately following Council
Carleton Place Town Hall, Council Chambers**

Please silence all electronic devices.

- 1) **CALL TO ORDER**
- 2) **DECLARATION OF PECUNIARY/CONFLICT OF INTEREST**
- 3) **REGISTRATION OF PUBLIC WISHING TO SPEAK**
- 4) **DELEGATIONS/PRESENTATIONS**
 - i. **Planet Youth Lanark County**
Brian Turner, David Somppi, Carleton Place Municipal Drug Strategy Committee

5) **COMMUNICATIONS (REPORTS)**

- i. **Central Bridge Update
(Communication 129350)**
Paul Knowles, Town Engineer

p3

Suggested Motion:

THAT Council attend the Public Information Centre on November 19th, 2018 to view the recommended preferred solution; and

THAT the Consultant present to Council on December 11th, 2018 the recommended preferred solution and a summary of the community's feedback from the Public Information Centre.

- ii. **Private Retail Cannabis
(Communication 129351)**
Diane Smithson, Chief Administrative Officer

p6

Suggested Motion:

THAT Council instruct staff to proceed with Option 2, to gather input from the community via a survey regarding the possibility of retail cannabis stores in the Town of Carleton Place; and

THAT staff report back in early January with the results of the survey and make a recommendation to Council on whether to allow retail cannabis outlets.

- iii. **Draft Procedural By-law
(Communication 129352)**
Stacey Blair, Deputy Clerk

p10

Suggested Motion:

THAT the draft Procedural By-law be forwarded to Council for approval; and
THAT the Clerk be directed to post the required public notice for the adoption of the By-law on the Town's website and in Municipal Matters in addition to being previously published on the September 11, 2018 Policy Review agenda.

6) ADJOURNMENT

COMMUNICATION 129350

Received from: Paul Knowles, Town Engineer
Addressed to: Policy Review Committee
Date: November 13th, 2018
Topic: Central Bridge Update

SUMMARY

For some time now work has been required on the Central Bridge. In 2016, the consultant identified that significant repairs and railing replacements were needed and the Town submitted an application for funding in the amount of \$1,380,172.50 towards the \$1,533,525.00 rehabilitation project. The funding was not approved and the project was deferred.

In 2017, the consultant conducted a more detailed inspection of the bridge and advised that load limits needed to be posted. The detailed inspection identified additional items which required rehabilitation and this increased the price of the project to \$2,122,733.25. In September 2017, the Town submitted a funding application in the amount of \$1,083,205 for this project. This application was not approved.

Since the September 2017 application, the Consultant has completed further structural analysis of the bridge and in December 2017, delivered a Structural Evaluation Report for the Central Bridge. Based on the analysis, the evaluation indicates that the main girders and floor beams have insufficient load carrying capacity based on the Canadian Highway Bridge Design Code (CHBDC) evaluation loads, and as a result, the bridge required a load posting. The load posting required is Level - 1 = 15 tonnes, Level - 2 = 25 tonnes, and Level - 3 = 35 tonnes. The posting has been implemented. This posting will prohibit large trucks from using the bridge. However, most traffic can continue to use the bridge at this time.

Current Details of Central Bridge

Central Bridge is located on Bridge Street in downtown Carleton Place and is the central link for the community across the Mississippi River. The existing bridge was constructed in 1928 and rehabilitated in 1983. The substructure is two (2) masonry abutment walls and two (2) masonry piers. The bridge is a 60.7 m three-span steel plate girder structure. Each of the spans is 20.2 m long. The overall structure width is 12.8 m including steel railings on both sides with a roadway width of 7.3 m. The bridge deck is 190 mm thick concrete slab with a 90 mm asphalt wear course and waterproofing. The deck is supported by two main steel plate girders spaced at 8.1 m with 10 longitudinal stringers in between.

The bridge currently supports two (2) lanes of traffic, a sidewalk on each side, a steel railing on each side that does not comply with current standards and lighting / banner / landscaping poles. The bridge also supports a trunk watermain on the east side and an Enbridge gas main and a major Bell communications cable on the west side.

The bridge is a single load path structure with three (3) different load transferring aspects/mechanisms which are: 1) it is a two-girder system; 2) the main girders are not continuous over the pier supports; and, 3) the main girders and floor beams are not composite with the concrete deck. Given the bridge is a single load path structure (as described above), failure of one of the main girders can result in total failure of the bridge. Rehabilitation to eliminate the posting is not recommended due to the age, condition and structural configuration of the bridge.

Regardless of the load posting, the bridge must be replaced within one to five years.

In March 2018, R.V. Anderson was retained to:

- Complete the Municipal Class Environmental Assessment (MCEA) process which will determine the preferred alternative solution to replace Central Bridge;
- Analyze traffic impacts caused by construction;
- Complete detailed designs and administer a contract to replace Central Bridge, add a walkway and rehabilitate Gillies Bridge (McArthur Island) and provide interim and final watermain river crossings;
- Define work, obtain prices and engage sub-consultants for:
 - Heritage Assessment
 - Natural Environment Assessment
 - Geotechnical Investigation
 - Topographical Survey
 - Hydrotechnical Study to determine sufficient clearance

On May 3rd, 2018, a Public Information Centre was hosted at the Canoe Club to explain the problem to the public and input from a number of members of the public was gathered.

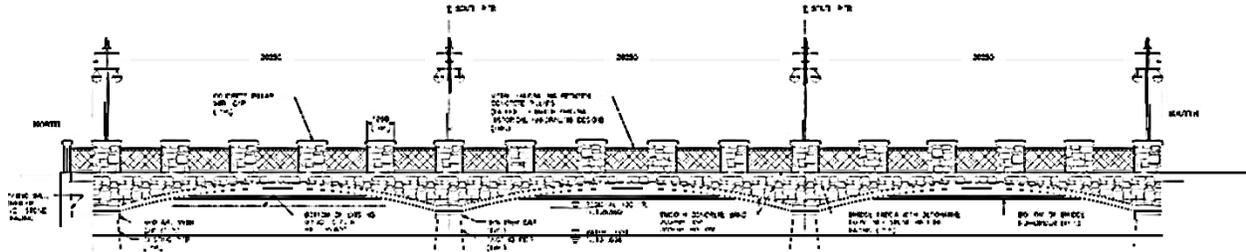
On June 27th, 2018, a second Public Information Centre was hosted at the Town Hall where various alternative solutions were reviewed. Replacing Central Bridge with a new two-lane bridge in the same location was identified as the preferred general design solution.

On November 19th, 2018, a third Public Information Centre will be hosted at the Town Hall where the Consultant will review the detailed design alternatives which were considered and describe the recommended preferred solution. In general terms, the recommended preferred solution includes the following features:

- Refurbish and reuse the existing piers and abutment walls
- New concrete support girders
- Decorative stone look on outside of bridge
- Two 4.0m travel lanes for vehicles and cycling
- A 2.4m sidewalk on both sides
- Optional viewing platforms where the sidewalk is wider
- Steel railings anchored to concrete pillars (choice of railings)
- Decorative lighting with provisions for flower baskets and/or banners

FINANCIAL IMPLICATIONS

The financial implications of the Central Bridge project will be determined after cost estimates are prepared and input is received from the Public Information Centre.



STAFF RECOMMENDATION

THAT Council attend the Public Information Centre on November 19th, 2018 to view the recommended preferred solution;

AND THAT the Consultant present to Council on December 11th, 2018 the recommended preferred solution and a summary of the community's feedback from the Public Information Centre.

COMMUNICATION 129351

Received From: Diane Smithson, CAO
Addressed To: Policy Review Committee
Date: November 13, 2018
Topic: Private Retail of Cannabis

SUMMARY

Bill 36, the Ontario Cannabis Statute Law Amendment Act provides the framework for sales, retailer licensing, store licensing, places of use and other cannabis rules. In the new model:

- private retailers would be licensed by the Alcohol and Gaming Commission of Ontario (AGCO); the AGCO will begin to accept applications for retail store front licenses in December 2018.
- The Ontario Cannabis Retail Corporation (OCRC) would be the exclusive wholesaler and online retailer of cannabis in the province;
- municipalities are able to pass a council resolution by January 22, 2019 to opt-out of retail stores within their communities; and
- First Nation communities are able to top-out of cannabis deliveries and retail stores.

The province will provide \$40 million over two (2) years to help municipalities with the costs of recreational cannabis legalization.

BACKGROUND

Bill 36 enables the implementation of a tightly controlled licensing and regulatory framework for private storefront cannabis retailing in Ontario and names the AGCO as the provincial regulator for cannabis storefronts. The AGCO currently licenses, regulates and ensures compliance in the alcohol, gaming and horse racing industries in Ontario, and as such, has experience and expertise as a regulator of controlled substances.

As the independent provincial regulator, the AGCO will oversee the private sales channel and ensure the province's objectives related to cannabis retailing, protecting youth and combatting the illegal market, are met. It will do this by:

1. Issuing a Retail Operator License after investigation (i.e. due diligence) into the business;
2. Issuing a Retail Store Authorization to a licensed Retail Operator for the operation of a specified retail store after a local public notice process (administered by the AGCO), and upon confirmation of meeting certain requirements (e.g. safety and security plans in place);
3. Issuing certain individuals, a Cannabis Retail Manager License; and
4. Conducting compliance and audit processes, including store inspections prior to opening.

Licensing Parameters

The legislation establishes due diligence requirements and specific eligibility criteria for the issuance of licenses and store authorizations, including financial responsibility and conduct based on the principles of integrity and public interest. Persons operating in contravention of provincial and federal cannabis legislation would not be eligible to operate a cannabis retail store.

The licensing framework does:

- Not cap the total number of licenses or authorizations;
- Enable ownership concentration limits for private retailers to be established by regulation in advance of December 2018 following appropriate consultation;
- Prohibit the sale or transfer of licenses;
- Permit licensed producers to operate a single store at a single production facility in Ontario, per company, including all affiliates; or
- Require authorized retailers to display the cannabis retailer seal and create new offences for false representations as an authorized cannabis retailer.

Store Operating Parameters and Distance Buffers

Additional store operating parameters (e.g. store format, security requirements, staff training requirements) will be established by regulation or by AGCO Registrar's standards and requirements subject to additional consultation before the AGCO begins accepting applications in December 2018.

A distance buffer between private cannabis retail stores and schools will be set through regulation in advance of December 2018 following further consultation with municipalities and key stakeholders.

Municipalities

Municipalities are being provided with the opportunity to opt-out of cannabis retail stores in their communities by January 22, 2019. Municipalities that opt-out of cannabis retail stores could allow them in the future, but municipalities that do not opt-out of stores by January 22, 2019, cannot opt-out of them at a later date.

In municipalities that have not opted-out, if a request for a store location authorization request is received, the AGCO would initiate a public notice process in which the affected municipality and the public would have an opportunity to identify any comments within a 15-day period similar to the licensing process for a commercial liquor license i.e. for a restaurant or bar. The AGCO Registrar would consider any comments raised through this process when making its final decision to grant an authorization for that location. The Ministry of the Attorney General will continue to consult with municipalities on the implementation of this process. It should be noted that **Municipalities will not be able to designate cannabis retail as a separate land use from retail generally or create a cannabis retail licensing regime within their jurisdiction.**

Municipal Funding

The Province will provide \$40 million over two years to help municipalities with the implementation costs of recreational cannabis legalization with each municipality receiving at least \$10,000 in total. As soon as possible, this year, the province will make the first payment to all municipalities on a per household basis, with at least \$5,000 provided to each municipality. The province will then distribute a second payment following the proposed January 22, 2019 deadline for municipalities to opt-out. It is not clear from the information received whether the second payment of \$5,000 will be paid to those municipalities which opt-out.

In addition to the above, the province is considering setting aside a certain portion of the municipal funding in both 2018-19 and 2019-20 fiscal years for unforeseen circumstances and priority would be given to municipalities that have not opted-out. Lastly, if Ontario's portion of the federal excise duty on recreational cannabis over the first two years of legalization exceeds \$100 million, the province will provide 50% of the surplus only to municipalities that have not opted-out as of January 22, 2019.

COMMENT

As noted above, a municipality has until January 22, 2019 to decide if it wishes to opt-out of allowing retail cannabis within their community. In order to opt-out, municipal councils must pass a resolution by the January date stating they do not wish to host cannabis retail stores in their communities and send the resolution to the AGCO. Given the short timeframe in which to decide, options for Council to consider include:

Option 1

Make the decision to allow retail cannabis stores within the community. Under this option, the Town will initially receive \$10,000 to assist with the implementation costs of recreational cannabis and would be eligible to receive further payments if Ontario's portion of the federal excise duty on recreational cannabis over the first two years of legalization exceeds \$100 million as the province has committed to providing 50% of the surplus to municipalities that have not opted-out as of January 22, 2019. It should be noted that under this option that the Town cannot include restrictions as to where cannabis retail locations can be established i.e. exclude downtown Carleton Place.

Option 2

Seek public input into if the public would like to allow retail cannabis stores within the community. Under this option, staff would develop a survey which would be advertised and put on the Town's website for people to provide their input into this matter. The survey could be posted until sometime in December and then staff could report to Council on the survey's results which would help to inform Council in its decision making with respect to this matter. As it will take time to prepare the survey, post it and summarize the results in time for Council to make

its decision by January 22, 2019, a decision on this would need to be made as soon as possible and before this matter could be considered by the new Council in December.

Option 3

Make the decision to not allow retail cannabis. Under this option, it is likely the Town would receive the initial \$10,000 payment but would not be entitled to the further share in revenues proposed by the Province. In addition, if this is the decision, this Council could leave the decision making to the new Council to pass the necessary resolution once they have taken office.

FINANCIAL IMPLICATIONS

The financial implications associated with the various options are noted above.

STAFF RECOMMENDATION

THAT Council instruct staff to proceed with Option 2, to gather input from the community via a survey regarding the possibility of retail cannabis stores in the Town of Carleton Place; and

THAT staff report back in early January with the results of the survey and make a recommendation to Council on whether to allow retail cannabis outlets.

COMMUNICATION 129352

Received From: Stacey Blair, Deputy Clerk
Addressed To: Policy Review Committee
Date: November 13, 2018
Topic: Procedural By-law

SUMMARY

At the Policy Review Meeting of September 11th, 2018, the Committee passed the following motion:

***THAT** Council provide direction to staff to prepare a revised Procedural By-law based on a Committee of the Whole system; and
THAT the Committee of the Whole system commence with the new term of Council; and
THAT the Striking Committee Report be amended to remove any procedural By-law type elements.*

DISCUSSION

Attached is the Draft Procedural By-law for Council's consideration. It encompasses a number of new elements, not only to support the change to a Committee of the Whole (CoW) system, but also to provide for efficient meetings without impacting transparency or availability of information.

Some of the changes included in the new By-law are:

- A more comprehensive definitions section;
- Recognizing Roberts Rules of Order as a resource to be used in the event a procedure is not included in the By-law
- Inclusion of an Information Listing
- A process for rotating the CoW Chair
- Increased clarification regarding the role of Chair
- Clarification between Presentations and Delegations
- Inclusion of Notice of Motion for Councillors wishing matters to be considered by Council and/or staff
- An earlier agenda release (Thursdays)

The draft By-law is a very comprehensive document which is meant to replace not only the old Procedural By-law, but also the better part of the former Striking Committee Report. The new Striking Committee Report, which will be created after the new term of Council commences, will be limited to Committee/Board appointments and will no longer contain procedural elements. The attached draft By-law is meant to provide greater clarity to Council, Staff and the public with respect to the proceedings of both Council and Committee of the Whole meetings.

STAFF RECOMMENDATION

THAT the draft Procedural By-law be forwarded to Council for approval; and

THAT the Clerk be directed to post the required public notice for the adoption of the By-law on the Town's website and in Municipal Matters in addition to being previously published on the September 11, 2018 Policy Review agenda.

BY-LAW NO. 2018- XX

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO ESTABLISH THE RULES GOVERNING THE ORDER AND PROCEEDINGS OF COUNCIL AND COMMITTEES OF THE CORPORATION OF THE TOWN OF CARLETON PLACE (PROCEDURAL BY-LAW)

WHEREAS, Section 238 (2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS, Section 238 (2.1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires that the procedure by-law shall provide for public notice of meetings;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of The Town of Carleton Place enacts as follows:

1.0 DEFINITIONS

For the purpose of this By-Law:

“**Abstain**” means to refrain from voting. Members who abstain for reasons other than a declared conflict of interest shall be deemed to vote in opposition of the question or matter.

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

“**Acting Chair**” – shall mean the Member who is temporarily appointed to serve in the Chair’s place.

“**Agenda**” – shall mean the written Order of Business.

“**Attendee**” – shall mean a person, other than a Member or Staff, who is present at a meeting.

“**By-Law**” – shall mean a local law that has been enacted by Council in order to exercise a power provided in an Act.

“**Chair (Presiding Officer)**” – shall mean the Member who presides at a Council or Committee Meeting.

“**Chief Administrative Officer**” – shall mean the Chief Administrative Officer (CAO) or designate duly appointed by the Municipality as prescribed in Section 229 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

“**Clerk**” – shall mean the person or designate duly appointed by the Municipality as prescribed in Section 228 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

“Close Debate (Call the Question)” – shall mean a motion requiring that debate be closed and the vote on the motion be taken immediately.

“Closed Session (In-Camera)” – shall mean a meeting or part of a meeting closed to the public as prescribed in Section 239 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

“Code of Conduct” – shall mean the Code of Conduct for Members of Council and Local Boards as prescribed in Section 223.2 (1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

“Committee” shall mean Committee of the Whole.

“Committee of the Whole Meeting (COW)” – means a Standing Committee Meeting of Council in which the entire Council becomes a committee for the purpose of conducting business and providing recommendations to Council.

“Confirmatory By-Law” – shall mean a By-Law passed prior to adjournment of every Council Meeting to confirm by By-Law the resolutions and actions of Council taken at that meeting.

“Council” – shall mean the Council of the Town of Carleton Place.

“Council Meeting(s)” - includes Regular, Special and Emergency Meetings of the Council of the Municipality.

“Councillor” – shall mean a person elected or lawfully appointed to the Council of the Municipality.

“Delegation” – shall mean a person or group of persons who are not Members of Council or municipal Staff who have requested and are permitted to address Council or Committee, individually or on behalf of a group, with respect to a topic listed on the Agenda for that Meeting in accordance with the provisions of this By-Law.

“Deputy Mayor” - shall mean the Member of Council elected by general vote as the Deputy Mayor.

“Information Listing” means a section of the regular Committee of the Whole Agenda that lists communications to Council and recommendations from the Clerk as to their disposition.

“Local Board” – shall mean a local board of the Town as defined by the Municipal Act.

“Main Motion” – shall mean a Motion whose introduction brings business before the Meeting.

“Majority Vote”– shall mean a vote where over half of the Members present, and

eligible to vote, vote in the same manner.

“Mayor” - shall mean the Member of Council elected by general vote as the Mayor and is the Head of Council, and who normally presides at all Council Meetings.

“Meeting” – means any regular, special or other Meeting of a Council, of a Local Board or of a Committee of either of them, where,

- a) a Quorum of Members is present; and
- b) Members discuss or otherwise deal with any matter in a way that materially advances or is intended to advance the business or decision-making of the Council, Local Board or Committee.

“Member” – shall mean a Member of Council (including the Mayor) or a Member of a Committee or Local Board.

“Minutes” – shall mean a record of the proceedings of a meeting and shall be made by the Clerk without note or comment.

“Motion” – shall mean a recommendation, moved by a Member and seconded by another Member, for the consideration of Council or a Committee. Also see Schedule “C”.

“Municipality” – shall mean the Corporation of The Town of Carleton Place.

“Notice” – shall mean an announcement by the Clerk under this by-law or the Public Notice Policy.

“Notice of Motion” – shall mean a written notice, given by a Member, advising Council that the Motion described therein will be brought forward at a subsequent Meeting.

“Pecuniary Interest” – shall mean a direct or indirect pecuniary (monetary) interest within the meaning of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended.

“Point of Order” - shall mean any alleged breach of the rules or irregularity in the Proceedings of a Meeting.

“Point of Privilege” – shall mean a statement by a Member calling attention to a matter where the integrity of an individual (personal) or the entire Council or Committee is perceived to be in question.

“Presentation” – shall mean the occurrence when, Staff, an individual or group have been invited to present information to Council or Committee.

“Professional Development Event” – shall mean any conference, convention, seminar, training session and workshop.

“Public Meeting (Statutory)” – shall be deemed a meeting held for the purpose required under an Act or Regulation.

“Quorum” - shall mean the number of Members required to be present in the Meeting room, in order that business may be conducted. A quorum shall mean a majority of the Members.

“Recorded Vote” – shall mean documenting in the Minutes of a Council Meeting the name of each Member and the Members’ vote on a matter or question.

“Registered Delegate” means an individual who has submitted a request for delegation to the Clerk within the prescribed timelines to address Council or Committee in relation to a matter appearing on the agenda.

“Resolution” – shall mean a Motion that has been passed by Council.

“Regular Meeting” – shall mean a Meeting of Council or Committee held at the times and dates specified in this By-law and approved by Council or Committee as part of an annual calendar.

“Special Meeting” – shall be deemed a Council or Committee Meeting which is in addition to the Meeting Schedule and which is focused on one or more particular and specific items or subjects.

“Standing Committee” – shall be deemed a Committee of Council constituted to perform a continuing function and which has a continuous existence. For the purpose of this by-law the Committee of the Whole is deemed to be a Standing Committee.

“Striking Committee” – shall be deemed a Committee of Council for the purpose of preparing recommendations for appointments to various Committees, Local Boards and external organizations, and other duties as approved by Council.

“Summer Recess” - shall be deemed to be the month of July of each year where no Council or Committee meetings are held unless a Special or Emergency Meeting is called by the Mayor or a petition of Council is received.

“Two-Thirds’ Vote” – shall mean a vote where at least two-thirds’ of the Members present, and eligible to vote, vote in the same manner.

2.0 INTERPRETATION

2.1 The rules and regulations contained in this By-Law shall be observed in all Proceedings of Council to which they apply and shall be the rules and regulations for the order and dispatch of business at Meetings of Council and its Committees.

2.2 Subject to the requirements of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, the rules and regulations contained herein may be suspended by

Resolution for a single occasion by an affirmative vote of at least Two-Thirds of the Members present and voting, unless otherwise provided by law.

- 2.3 Subject to the right of appeal by a Member, the Chair shall be responsible to interpret the rules of procedure under this By-Law with the advice and assistance of the Clerk.
- 2.4 The Clerk or the Clerks' designate shall be secretary of Council and Committees of the Whole Meetings and shall be in attendance at all Meetings.
- 2.5 Where procedural matters of Council or Committee of the Whole are not provided for in this by-law and are not governed by the *Municipal Act, 2001* and the *Municipal Conflict of Interest Act*, Robert's Rules of Order shall apply.

3.0 ROLE OF THE CHAIR

3.1 A Chair shall:

- 3.1.1 preside over Council or Committee of the Whole Meetings;
- 3.1.2 provide order and decorum;
- 3.1.3 be the political liaison with other Council and Committee Members;
- 3.1.4 review and understand the Agenda in consultation with the Clerk;
- 3.1.5 provide Council or the Committee direction when required regarding Meeting conduct and procedures with assistance from the Clerk, when required;
- 3.1.6 represent Council initiatives and decisions to the public, where appropriate;

4.0 RULES OF CONDUCT FOR MEMBERS, STAFF AND ATTENDEES

4.1 **Chair at Meetings**

- 4.1.1 The Mayor shall chair Council Meetings unless by reason of absence, due to illness or otherwise, unable or refuses to do so.
- 4.1.2 In the absence of the Chair for Council, or when the Chair steps down, the Deputy Mayor shall be the Acting Chair. In the absence of the Deputy Mayor, Council shall appoint by motion an Acting Chair for that meeting or a portion thereof.
- 4.1.3 The Chair of the Committee of the Whole shall rotate every six months commencing with a member who served on the previous Council (if possible) and alphabetically from there forward unless a member

declines. The Striking Committee shall determine the first Chair. Should the assigned Member not be in attendance, the next Member on the list shall be called upon to Chair the meeting.

- 4.1.4** All members of Council, with the exception of the Mayor, are eligible to Chair the Committee of the Whole.
- 4.1.5** Once a year, Council seats shall be assigned by drawing names from a hat.
- 4.1.6** It shall be the duty of the Chair of a Meeting to:
- a) open the Meeting by calling the Meeting to order;
 - b) ensure that a Quorum is established and is maintained throughout the course of the Meeting;
 - c) announce the business in the order in which it is to be considered;
 - d) direct discussion in such a manner that all questions and comments shall be presented through the Chair;
 - e) receive and submit, in the proper manner, all Motions as read aloud by the Clerk;
 - f) put to vote all Motions which are moved, and seconded when necessary, or all motions that arise in the course of the proceedings, and to announce the result of each vote;
 - g) decline to put to vote Motions which infringe upon the rules under this By-Law or the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;
 - h) ensure the Members, Staff and Attendees, conform to the rules of order under this By-Law;
 - i) maintain an appearance of impartiality on all matters;
 - j) undertake all matters required to ensure the Meeting proceeds in an orderly and efficient manner;
 - k) expel any person for improper conduct at a Meeting;
 - l) authenticate by signature, when necessary, all applicable by-laws and resolutions;
 - m) Adjourn the Meeting when the business is concluded, or at the designated time.
- 4.1.7** The Chair shall vote on all Motions.
- 4.1.8** The Chair may answer questions and comment in a general way, but if the Chair wishes to participate in debate, make a Motion, speak to a Motion under consideration or leave the chair for any other reason, the Chair shall first delegate the duties of the Chair to a Member of Council or Member of the Committee in accordance with the provisions of this By-Law, until the Member resumes the position of the Chair.
- 4.1.9** The Chair shall not resume the position of the Chair until the Chair has finished debating the issue, Motion, etc., at which time the Acting Chair shall relinquish the position of the Chair.

4.2 Questions

4.2.1 All Members, Staff and Delegations shall address their questions and comments through the Chair.

4.2.2 A Member or Delegation, while asking questions through the Chair, shall at no time put into question the personal or professional integrity of a Staff member or Member of Council of the Municipality.

4.3 Speaking at Meetings

4.3.1 When two or more Members wish to speak, the Chair shall name the Member who is to speak first.

4.3.2 When a Member is recognized by the Chair, the Member shall confine his/her remarks to the Motion under consideration.

4.3.3 When a Motion is under debate, a Member may ask a question through the Chair of another Member, CAO, Manager or other employee of the Municipality.

4.3.4 Any Member may require the Motion under debate to be read at any time during the debate, but in doing so shall not interrupt a Member while speaking.

4.4 Materials

4.4.1 All materials shall be distributed through and by the Clerk.

4.5 Rules of Order

4.5.1 No person shall:

- a) disturb a Meeting by any disruptive or distracting conduct, including private conversations among Members, Staff or Attendees at a meeting;
- b) use profane or offensive words or insulting expressions;
- c) disobey the rules of procedure;
- d) rise from their seat or make any noise or disturbance while a vote is being taken;
- e) speak until they have been recognized by the Chair;
- f) speak on any matter other than the matter under debate;
- g) consume food in the Council Chambers during Meetings;
- g) display signs, place cards, applaud, heckle or engage in telephone or other conversation or any behaviour which may be considered disruptive.

- 4.5.2** An Attendee shall not participate in a Meeting, unless listed on the Agenda as a Delegation, Presentation or submitted a request as a Registered Delegate, and shall be subject to the rules and procedures of this By-Law.
- 4.5.3** No Member shall interrupt a Member who is speaking, except to raise a Point of Order or a Point of Privilege.
- 4.5.4** No Member shall permanently leave the Meeting without advising the Chair or the Clerk.
- 4.5.5** In the event that a Member or Attendee persists in a breach of Subsection 4.5.1 above, after having been called to order by the Chair, the Chair shall without debate call the question "Shall the Member or Attendee be ordered to leave their seat for the duration of the Meeting?", and this question shall not be debatable.
- 4.5.6** If Council or a Committee decides the question set out in Subsection 4.5.5 above in the affirmative by a majority vote of the Members present, the Chair shall order the Member or Attendee to leave their seat, and the Meeting room, for the duration of the Meeting.
- 4.5.7** If the Member or Attendee apologizes, the Chair, with the approval of Council or the Committee, may permit them to resume their seat.
- 4.5.8** If a Member or Attendee does not leave their seat after being ordered to do so by the Chair, and if the Member or Attendee does not apologize, then the Chair shall for a second time without debate call the question "Shall the Member or Attendee be ordered to leave their seat for the duration of the Meeting?", and this question shall not be debatable.
- 4.5.9** If Council decides the question set out in Subsection 4.5.8 above in the affirmative by a majority vote of the Members present, the Chair shall again ask the Member or Attendee to leave their seat for the duration of the Meeting and if the person still refuses to leave, the Chair shall direct the Clerk to seek the appropriate assistance from the Lanark County Ontario Provincial Police (OPP) to have the Member removed from the Council Chambers.
- 4.5.10** No Member shall use cell phones and electronic devices not required for conducting a Meeting. The device shall be either turned off or otherwise set so as not to emit any audible sound during a Meeting.
- 4.5.11** During a Council or Committee meeting, Councillor laptops (or equivalent) shall be used exclusively for Municipal business.
- 4.5.12** Concealed recording devices shall not be permitted.

4.5.13 Videotaping and/or audio recording by Attendees may be permitted at Council and/or Committee of the Whole meetings that are open to the public provided that it is not disruptive to the proceedings and does not interfere with municipal computer and audio-visual systems. If Attendees wish to record a Meeting, they shall notify the Clerk in advance of the Meeting. If the Clerk has been notified that a recording will occur, the Clerk shall notify the Chair who shall make the following announcement at the start of the Meeting, "Please be advised that this Meeting may be recorded".

5.0 COUNCIL AND COMMITTEE MEETINGS

5.1 Inaugural Meeting

5.1.1 The Inaugural Meeting shall be conducted in accordance with Schedule "A".

5.2 Council Meetings

5.2.1 Council Meetings shall generally be held in the Council Chambers at the Town Hall, 175 Bridge Street, Carleton Place, on the first and third Tuesday of each month commencing at 7:00 p.m., as outlined in the Meeting Schedule.

5.3 Committee of the Whole

5.3.1 Council shall conduct its business using a Committee of the Whole System. Committee of the Whole Meetings shall generally be held in the Council Chambers at the Town Hall, 175 Bridge Street, Carleton Place, on the first and third Tuesday of each month, immediately following the regular Council meeting, as outlined in the Meeting Schedule.

5.3.2 The authority of the Committee of the Whole is limited to the making of recommendations to Council. No decision to take any action or do anything other than matters administrative in nature shall be recognized as emanating from the Committee of the Whole, and all affirmative Committee of the Whole recommendations shall be referred to the next regularly scheduled Council Meeting.

5.4 Special Meetings

5.4.1 The Mayor or Chair of the Committee of the Whole, at any time may call a Special Meeting of Council or Committee that is in addition to the published Meeting Schedule approved annually by Council.

5.4.2 The Mayor at any time may call a Special Meeting of the Committee of the Whole that is in addition to the published Meeting Schedule approved annually by Council.

- 5.4.3 A Special Council or Committee of the Whole meeting may be called by the Clerk once a resolution to do so has been adopted by Council or upon receiving a petition from a majority of Council or Committee of the Whole Members.
- 5.4.4 The resolution or petition shall clearly state the purpose, date and time of the Special Meeting. The petition shall be signed, by those Members calling the Special Meeting, and delivered to the Clerk.
- 5.4.5 The only business to be dealt with at a Special Meeting shall be that stated on the Agenda of the Meeting.
- 5.4.6 A minimum of forty-eight (48) hours' notice of all Special Meetings shall be given to the Members and the public by posting the notice of the Meeting on the website and distributed via the newsfeed feature on the Town's website.

5.5 Emergency Meetings

- 5.5.1 The Mayor at any time may, in the event of an Emergency, call an Emergency Meeting of Council without giving forty-eight (48) hours' notice of the Meeting, provided that the Clerk has diligently attempted to advise all Members immediately upon being advised of the intention of the Mayor to hold an Emergency Meeting.
- 5.5.2 The only business to be dealt with at an Emergency Meeting of Council shall be with respect to that Emergency.
- 5.5.3 In the case of an Emergency Meeting, Council may hold its Meeting(s) and keep its public office at any convenient location within or outside of the Municipality.
- 5.5.4 Notice of all Emergency Meetings of Council shall be given to the Members and the public by posting the Meeting on the website and distributed via the newsfeed feature on the Town's website. Notice may be given after the Meeting.

5.6 Striking Committee

- 5.6.1 At the Inaugural Meeting the Mayor shall appoint a Striking Committee composed of the Mayor, Deputy Mayor and the Member of Council who received the most votes in the Municipal Election for that term.
- 5.6.2 The Striking Committee shall meet and prepare a report recommending appointments to:
 - a) Existing Committees established by Council; and
 - b) Local Boards and external organizations on which the Council

desires or is required to have representation.

5.6.3 Members shall be appointed to the various Committees, Local Boards and external organizations by resolution, unless a by-law is required by an Act or Regulation.

5.6.4 Members of Committees or Local Boards shall be appointed for the term of Council unless otherwise determined by an Act or regulation.

5.7 Closed Session (“In Camera”)

5.7.1 Except as provided in this By-Law, all Meetings of Council, Committee of the Whole and Committees or Local Boards shall be open to the public.

5.7.2 No person shall be excluded from a Meeting except for:
a) improper conduct determined by the Mayor/Chair or;
b) where a Meeting or portion of a Meeting is closed to all persons other than the Members of that body and those identified to remain in the room.

5.7.3 The Clerk or designate shall remain in the room for all Closed Sessions.

5.7.4 In accordance with the requirements of the Municipal Act or other Act, a Meeting or part of a Meeting may be closed to the public.

5.7.5 Prior to moving into Closed Session, any Declarations of Pecuniary Interest, shall be made by Members.

5.7.6 Council or Committee shall move into Closed Session by resolution/motion passed in open session and listing the reason(s) for the Closed Session under the applicable Section of the Municipal Act.

5.7.7 Closed Meetings are to be listed on the Agenda in such a way as to provide the most information possible without compromising confidentiality or adversely affecting the Municipal position.

5.7.8 A Meeting shall not be closed to the public during the taking of a vote except where:
a) the vote is for a procedural matter or giving directions or instructions to officers, employees or agents of the Municipality or persons retained by or under contract with the Municipality.

5.7.9 Confidential discussion during a Closed Session shall be limited to the issue described in the authorizing public resolution/motion and nothing in this By-law confers the power of any Member or Members of Council to make any decision or take any action unless, or until such action is presented and decided upon at a duly called and constituted open Meeting of Council.

- 5.7.10** No Member, Staff or other person present during a Closed Session shall in any way, notify, distribute or make available to any person or other body, by any means, any reports or items, or disclose the nature or content of any documents or of discussions regarding any matters that are confidential or that have been obtained or considered in a closed session without approval of such release by Council or unless authorized under *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.
- 5.7.11** All electronic devices not required for conducting a Closed Session shall be surrendered to the Clerk for the duration of the Closed Session.
- 5.7.12** Upon returning to open session, the Chair shall rise and provide:
- a) a statement resulting from the Closed Session;
 - b) any declarations of pecuniary interest during the Closed Session.
- 5.7.13** The Clerk shall be responsible to secure and maintain a confidential record of all original documentation distributed or presented, relating to Closed Sessions.
- 5.7.14** A separate set of Closed Session Minutes shall be kept for each Closed Session.
- 5.7.15** Copies of any confidential documents, including Minutes, circulated during the Meeting shall be returned to the Clerk at the end of the Closed Session and destroyed.
- 5.7.16** Minutes of Closed Sessions shall be circulated by the Clerk at the next Council Meeting for adoption. The adoption of the Minutes is a procedural matter and does not affect the validity or affect the resolutions/motions recorded in the Minutes.
- 5.7.17** The Minutes and Closed Session materials shall be kept in a secure and confidential location under the control of the Clerk and shall only be open to those in attendance at the Meeting, to others approved by the Council or as legislated.
- 5.7.18** Where practical, Closed Sessions shall be scheduled at the end of the Meeting.
- 5.7.19** The obligation to keep information confidential shall continue after the Member ceases to be a Member of Council or a Committee or Staff ceases to be employed by the Municipality.

5.8 Public Meetings (Statutory)

- 5.8.1** Public Meetings shall be scheduled as prescribed for the purpose of

meeting the requirements of an Act, Regulation or By-Law.

5.8.2 A Public Meeting shall be called by the Clerk as required under the Public Notice Policy or as required under an Act or Regulation. The notice shall clearly state the purpose, date, time and location of the meeting, and will provide a brief description of the purpose of the meeting.

5.8.3 The Clerk shall prepare an Agenda for the Meeting and keep a record of the proceedings.

5.9 Notice of Meetings

5.9.1 The Clerk shall give notice of each Meeting to the Members and the public.

5.9.2 The Meeting Agenda shall constitute notice, except for Public Meetings (Statutory).

5.9.3 Notice for Public Meetings shall be as prescribed by an Act, Regulation or By-Law.

5.9.4 Council and Committee Agendas shall be made available by 4:00 p.m. on the Thursday prior to the Meeting.

5.9.5 Agendas shall be posted on the Town's website.

5.9.6 Council and Committee of the Whole Meetings may be cancelled in consultation with the Mayor or Chair, Chief Administrative Officer and Clerk if insufficient business will be before Council or the Committee of the Whole. Notice of cancellation should be provided as soon as possible via the Town's website.

5.9.7 For Council and Committee of the Whole Meetings, if it appears that inclement weather, or like occurrence, or an Emergency situation may prevent the Members from attending a Meeting, the Mayor or Chair may direct the Clerk to postpone that Meeting by contacting as many Members as can be reached. Generally, Meetings will be postponed by 4:00 p.m. on the day of a Meeting and shall be posted on the Town's website.

5.10 Meeting Schedule

5.10.1 The Meeting Schedule will outline the dates of Regular Council and Committee of the Whole Meetings and Professional Development Events.

5.10.2 Regular Council Meetings are held twice a month except during the

month(s) which has/have been declared as “Summer Recess”.

5.10.3 Committee of the Whole Meetings are held twice per month except during the months that have been declared as “Summer Recess”.

5.10.4 Special and Emergency Meetings may be called during the “Summer Recess”.

5.10.5 Any Council or Committee of the Whole Meeting that is not on the Meeting Schedule shall be deemed to be a “Special” Council or “Special” Committee of the Whole Meeting.

5.10.6 A rescheduled meeting shall not be considered a “Special” Council or “Special” Committee of the Whole Meeting.

5.10.7 A proposed Meeting Schedule will be presented by the Clerk to Council for approval by December of each year, for the subsequent year.

5.11 Election Year

5.11.1 In the year of a municipal election, after the election an orientation shall be held for all Members of Council to provide an overview of the expectations of elected office and administrative matters.

5.11.2 Once training/education has been provided during Council orientation or otherwise, Members shall sign off that they have taken the training/education.

5.11.3 The orientation shall be conducted by the Chief Administrative Officer, the Clerk, Managers and/or external subject matter experts of the Municipality i.e. Integrity Commissioner, Ministry Staff, etc.

6.0 ORDER OF BUSINESS AND GENERAL RULES

6.1 Format of Agenda

6.1.1 Council Agenda

6.1.1.1 The Clerk shall have prepared for the use of the Members at Council Meetings, an Agenda as follows:

- (i) Call to Order
- (ii) Approval of Agenda
- (iii) Disclosure of Pecuniary Interest and/or Conflict of Interest and General Nature Thereof

- (iv) Approval of Minutes
- (v) Presentations
- (vi) Consent Report
- (vii) Motions
- (viii) By-Laws
- (ix) Announcements
- (x) Closed Session
- (xi) Notice of Motions
- (xii) Confirmatory By-Law
- (xiii) O Canada
- (xiv) Adjournment

6.1.2 Committee of the Whole Agenda

6.1.2.1 The Clerk shall have prepared for the use of the Members at all Meetings, an Agenda as follows:

- (i) Call to Order
- (ii) Approval of Agenda
- (iii) Disclosure of Pecuniary Interest and/or Conflict of Interest and General Nature Thereof
- (iv) Minutes to be Approved and Received
- (v) Delegations/Presentations
- (vi) Reports
- (vii) New/Other Business
- (viii) Committee, Board and External Organization Updates
- (ix) Information Listing
- (x) Closed Session

- (xi) Adjournment

6.1.3 “Special” and “Emergency” Meeting Agendas

6.1.3.1 The Clerk shall have prepared for the use of the Members at Special and Emergency Meetings, an Agenda as follows:

- (i) Call to Order
- (ii) Disclosure of Pecuniary Interest and/or Conflict of Interest and General Nature Thereof
- (iii) “Business”
- (iv) Confirmatory By-law
- (v) Adjournment

6.2 General

6.2.1 The business of each Meeting will generally proceed in the order in which it appears on the Agenda unless the Chair, in consultation with the Members, determines otherwise.

6.2.2 The Clerk shall determine the appropriate Meeting at which items of business shall be considered in accordance with this By-Law.

6.2.3 Where further information or reports are necessary for Council or Committees to review an item of business, the Clerk or CAO may postpone the placement of an item on the Agenda.

6.2.4 The CAO shall attend Council and Committee of the Whole Meeting (both open and closed session) unless otherwise excluded.

6.2.5 Managers shall attend Council and Committee of the Whole Meetings as required.

6.3 Call to Order

6.3.1 Upon being called to order, all Members, Staff and Attendees shall immediately take their seats.

6.4 Approval of Agenda

6.4.1 After the Agenda has been posted, additions, excluding Delegations, shall only be made to the Agenda at the Meeting by a vote of at least Two-Thirds’ of the Members present and voting.

6.4.2 Additions to the Agenda shall only be made during the Amendments/Approval of Agenda portion of the Meeting.

6.5 Disclosure of Pecuniary Interest and/or Conflict of Interest and General Nature Thereof

6.5.1 Prior to a particular matter being addressed, Members shall declare any pecuniary interests they may have, and the general nature thereof, in connection with that matter pursuant to the *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50*, as amended. Such Members shall then be precluded from participating in any way regarding the matter in question.

6.5.2 A Member shall declare a direct or indirect pecuniary interest or a conflict of interest by using the form in Schedule "B" prior to any consideration of a matter where the Member has a pecuniary interest or conflict of interest and shall file it with the Clerk.

6.5.3 If the declared pecuniary interest or conflict of interest is with respect to an item on a Closed Session Agenda, in addition to complying with the requirements of this subsection, the Member shall forthwith leave the Closed Session, or that part of the Closed Session during which the matter is under consideration.

6.5.4 Where the interest of a Member has not been disclosed as required by Section 6.5.1, or 6.5.2 above, by reason of the Member's absence from the Meeting, the Member shall disclose the interest at the first subsequent Meeting thereafter.

6.6 Delegations and Presentations

6.6.1 Delegations

6.6.1.1 Delegations are to be limited to ten (10) minutes followed by a question period for Members.

6.6.1.2 For the purpose of Council and Committee of the Whole Meeting agendas, Delegates have until 10:00 a.m. on the Friday of the week prior to the Meeting to notify the Clerk that they wish to Delegate or to submit written submissions on items on the agenda.

6.6.1.3 Notwithstanding Section 6.6.1.1, designated representatives of senior levels of government or the County of Lanark appearing before Council or Committee shall have no time limitations placed on their delegation.

- 6.6.1.4** A Delegate may only address Council or Committee with respect to an item on the agenda.
- 6.6.1.5** The Clerk shall assign Delegations to a Committee of the Whole Agenda and only assign to a Council Agenda if time sensitive.
- 6.6.1.6** No Delegate shall speak on a matter that is not within the jurisdiction of the Council or Committee. The Mayor and Committee Chair in consultation with the Clerk will determine if a matter is within the jurisdiction of the Council or Committee.
- 6.6.1.7** Delegations with time sensitive issues or in regard to items on the Agenda that have not submitted a request within the specified time may be heard by the Committee of the Whole as an addition to the Agenda by a Two-Thirds' Vote.
- 6.6.1.8** Delegations shall either be received as information or a motion shall be passed requesting that a Staff report be provided at a subsequent Meeting that outlines both the financial and staffing resources required, if applicable.
- 6.6.1.9** The number of Delegations per Agenda shall be limited to three (3).
- 6.6.1.10** The role of Delegations is to provide information and not enter into debate with Members or Staff.
- 6.6.1.11** Delegations shall be limited to appearing once per year on the same subject matter.
- 6.6.1.12** Questions directed to Staff by any delegate shall be received through the Chair.
- 6.6.1.13** Delegations requesting to appear at a Meeting may be declined if they have failed to follow established by-laws, policies, procedures or protocols or as prescribed in an applicable governing statute or regulation.
- 6.6.1.14** Delegations requesting to appear at a Meeting regarding operational matters may be declined in order that the matter be referred for resolution by Staff.
- 6.6.1.15** Delegates wishing to speak on a matter not on the agenda:
 - a)** Shall provide the Clerk in writing a request outlining the subject matter of the delegation and the action being requested to be taken by Council.
 - b)** The Clerk will advise the appropriate Chair and CAO of the

- request.
- c) The Clerk will advise the requestor that the Chair and CAO have been made aware of the request.
 - d) The requestor will be advised of the actions taken or when the item is coming forward to Council or Committee.

6.6.2 Presentations

Public Presentations

- 6.6.2.1** Public presentations are for information only.
- 6.6.2.2** Public presentations at a Meeting shall be limited to a maximum of 10 minutes and shall be heard at the beginning of a Council or Committee Meeting.
- 6.6.2.3** Presentations by outside organizations or individuals shall not be permitted for the sole purpose of generating publicity or promotion.
- 6.6.2.4** Outside organizations or individuals shall provide the Clerk with written material for inclusion on the agenda by the agenda production deadline.

Town Presentations

- 6.6.2.5** The purpose of Town presentations shall be when Staff, an individual or group have been invited to present information to Council or Committee.
- 6.6.2.6** Town presentations shall be assigned to a Committee of the Whole Agenda and only assigned to a Council Agenda if time sensitive.
- 6.6.2.7** A Staff report will be provided only if directed by Council or Committee of the Whole.
- 6.6.2.8** Presentations are limited to ten (10) minutes, unless otherwise directed by the Chair, followed by a question period for Members.
- 6.6.2.9** The role of the presenter is to provide information and not enter into debate with Council or Staff.
- 6.6.2.10** Presentations consisting of more than one person shall be limited to two speakers, being limited to no more than five (5) minutes each, unless otherwise directed by Council or Committee. The second speaker shall not repeat information provided by the previous speaker from that presentation and

will be confined by the Chair to presenting new and/or additional information.

6.6.2.11 Questions directed to Staff by any presenter shall be received through the Chair.

6.7 Committee of the Whole Consent Report

6.7.1 The report from Committee of the Whole to Council shall be submitted to Council in the form of a Consent Report, and shall be dealt with by Council as follows:

6.7.1.1 The Committee of the Whole Consent Report shall be presented by the respective Chair or, in his or her absence, by the Deputy Mayor who shall move the adoption of their report.

6.7.1.2 Council Members shall identify any items contained on the Committee of the Whole Consent Report which they wish to speak to and the matter shall be extracted from the Consent Report to be dealt with separately under Items for Discussion.

6.7.1.3 The balance of items on the Committee of the Whole Consent Report, which have not been extracted, shall be voted on in one Motion.

6.7.1.4 In the event that Council adopts a Motion referring an item back to Staff, Staff shall report back to a Regular Council Meeting and not back to a Committee of the Whole Meeting.

6.8 Staff Reports

6.8.1 Staff Reports to Committee of the Whole

6.8.1.1 Staff Reports will be grouped together on the Agenda by Department.

6.8.1.2 Reports are due to the Chief Administrative Officer for approval by noon on the Tuesday, the week prior to the Meeting.

6.8.1.3 If the report deadline is not met, the report will be placed on the subsequent Meeting Agenda.

6.9 New/Other Business

6.9.1 New Business shall not be considered unless it is of an Emergency, time sensitive, congratulatory or condolence nature.

6.9.2 Other Business shall not be considered unless it is of an urgent nature or time sensitive and should otherwise be referred to the next Meeting of the Committee.

6.9.3 New/Other Business may be heard by a Two-Thirds' Vote.

6.9.4 The request to hear New/Other Business shall not be debatable.

6.10 Committee, Board and External Organization Updates

6.10.1 Reports from Local Boards and Advisory Committees shall be submitted in writing by the Chair or Secretary. When such reports are requesting Council action, they shall include appropriate Motions for consideration.

6.10.2 Verbal updates may be provided to the Committee by respective Council representatives who are members on Advisory Committees, Boards or External Organizations.

6.11 Information Items

6.11.1 Information Items are matters that are principally for the information of Council and may not require action or response from Council.

6.11.2 Communications intended to be presented to Council or a Committee must be legible, signed by the author(s), include their address and must not contain any defamatory allegations, or impertinent or improper information. The Clerk may return Communications that do not comply with this Section.

6.11.3 Communications are generally considered public documents and are therefore subject to the MFIPPA.

6.11.4 The Clerk shall produce an Information List for each Committee meeting. It shall contain Communications addressed to Council or of a general nature applicable to Council business.

6.11.5 Any Member of the Committee may request that an item of Information may be pulled for discussion at the next Committee meeting.

7.0 COMMENCEMENT AND ADJOURNMENT OF MEETINGS

7.1 Quorum

7.1.1 If no quorum is present fifteen (15) minutes after the time appointed for a Meeting of Council or Committee, the Clerk shall record the names of the Members present and the Meeting shall stand adjourned until the date of

the next Meeting; regular, special or emergency.

- 7.1.2** When quorum is lost as a result of declarations of pecuniary interest by one or more Members, the remaining Members shall be deemed to constitute Quorum, provided the number of Members is not fewer than two (2).
- 7.1.3** The Chair shall call the Meeting to order as soon after the hour fixed for the holding of the Meeting that a Quorum is present.
- 7.1.4** If the Chair is not available at the time appointed for a Meeting of Council, the Deputy Mayor will conduct the Meeting until the arrival of the Mayor.
- 7.1.5** If the Chair is not available at the time appointed for a Meeting of Committee, the meeting shall be called to order by the Clerk and the Committee shall appoint an Acting Chair, by motion, to conduct the meeting until the arrival of the Committee Chair.
- 7.1.6** Members shall notify the Clerk when intending to be absent from a Council, Committee, Special or Emergency Meeting for the purpose of ensuring Quorum at the meeting.
- 7.1.7** When a Quorum is lost, the Meeting shall stand recessed and no further action shall be taken. If a Quorum is regained within ten (10) minutes the Meeting shall proceed. However, if Quorum is not regained within ten (10) minutes, the Meeting shall stand adjourned.

7.2 Recess

- 7.2.1** At a Council Meeting, a Motion to recess shall be brought forward and shall set a time (ex. recess for 5 minutes) or state “until called to order by the Chair”.
- 7.2.2** At a Committee Meeting, the Committee may recess by majority consent and shall set a time (ex. recess for 5 minutes) or state “until called to order by the Chair”.

7.3 Adjournment

- 7.3.1** All Meetings shall adjourn no later than 10:00 p.m., unless a Motion to proceed beyond 10:00 p.m. is approved.
- 7.3.2** Notwithstanding Subsection 7.3.1 above, no Meetings shall proceed beyond the hour of 11:00 p.m. All items on an agenda adjourned by the deadline, shall be moved to the next regularly scheduled Meeting.
- 7.3.3** There shall be no updates, questions or discussions once a Meeting has

been adjourned.

8.0 MOTIONS

8.1 Motion Process

(Refer to the Motion Table in Schedule "C")

- 8.1.1** Shall be read aloud by the Clerk after which the Chair shall call for a mover and seconder.
- 8.1.2** Only motions that have been moved and seconded shall be recorded in the Minutes.
- 8.1.3** After a Motion has been moved and seconded, it shall be deemed to be in the possession of Council or Committee and open for debate. Council or Committee may consent to the withdrawal of the Motion at any time before amendment or decision.
- 8.1.4** Where members of the public are to be heard on a matter, no Motion shall be received until they have been heard, and no further public participation shall be allowed at that Meeting after the Motion has been duly moved and seconded.
- 8.1.5** Whenever the Mayor or Chair is of the opinion that an amending Motion is contrary to the main Motion, the Mayor or Chair shall apprise the Members thereof immediately. A Member of Council or Committee may appeal the ruling of the Mayor or Chair to Council or Committee. If there is no appeal, the decision of the Mayor or Chair shall be final. The Council or Committee, if appealed to, shall vote on the motion without debate and its decision shall be final.
- 8.1.6** Council Motions shall be provided in writing and shall contain the signatures of the mover and seconder.
- 8.1.7** All Members present, including the Chair, are entitled to vote on every Motion, unless the Member has declared a pecuniary interest or conflict of interest.
- 8.1.8** Every Member present, shall be deemed to vote against the Motion if they decline or abstain from voting, unless disqualified from voting by reason of a declared pecuniary or conflict of interest.
- 8.1.9** No Member shall speak more than once until every Member has had an opportunity to speak towards the Motion.
- 8.1.10** A Motion on which the voting results in a tie shall be considered defeated.

- 8.1.11** When the Motion under consideration contains distinct recommendations, a Member may request that the vote be taken separately on each proposal. (See the motion to “Divide” in the Motion Table)
- 8.1.12** The Chair shall call the vote immediately after all Members desiring to speak to the Motion have spoken.
- 8.1.13** Upon the Chair calling for a vote, no further speakers shall be permitted.
- 8.1.14** The manner of determining the vote on a Motion shall be by show of hands.
- 8.1.15** No vote shall be taken at any Meeting by any method of secret voting, except where permitted or required by law.
- 8.1.16** The Chair shall announce the result of every vote.
- 8.1.17** If a Member disagrees with the announcement of the result of any vote, the Member may object immediately to the announcement and require that a recorded vote be called.

8.2 Reconsideration of a Motion

8.2.1 General Provisions

- 8.2.1.1** Reconsideration of a Motion shall only be permitted at Council Meetings.
- 8.2.1.2** Any proposal to reconsider a decision of Council made within its current term shall require a motion of reconsideration.
- 8.2.1.3** A motion to reconsider may only be introduced by a Member who voted on the prevailing side and shall require a Two-Thirds’ vote of Members present.
- 8.2.1.4** A motion to reconsider shall be introduced by way of a Notice of Motion to Council.
- 8.2.1.5** Debate on a motion for reconsideration shall be confined to reasons for or against reconsideration.
- 8.2.1.6** No delegations shall be permitted to speak on a Notice of Motion to reconsider.
- 8.2.1.7** If a motion to reconsider is decided in the affirmative,

reconsideration of the original motion shall become the next order of business.

8.2.1.8 During the term of Council, a motion to reconsider on a particular item shall not be permitted more than once nor shall a vote to reconsider be reconsidered.

8.2.1.9 A Motion to reconsider shall not be in order if Council is made aware the question or By-law has been implemented, resulting in legally binding commitments as of the date the Motion to reconsider is moved.

8.2.2 Notice of Intention

8.2.2.1 A notice of the intention to reconsider a Motion shall be placed on the next Council Agenda. At the next Meeting after Notice is given a Motion to reconsider may be brought forward.

8.2.3 Motion to Reconsider

8.2.3.1 When a Motion for reconsideration is introduced, no discussion of the original Motion shall be allowed unless the Motion for reconsideration is approved by at least Two-Thirds' of the Members present and voting.

8.2.3.2 A Motion to reconsider shall not be amended but may be debated.

8.2.3.3 Debate on a Motion for reconsideration shall be confined to reasons for or against reconsideration or to such matters as new information which has come forward, an error in documentation presented or incorrect statements made during the original debate.

8.2.3.4 A Motion to reconsider shall include the date of when the original Motion was passed. The original motion may be reconsidered as the next order of business.

8.2.3.5 Should a Motion to reconsider be defeated, the original motion shall remain in force and effect.

8.2.4 Original Motion

8.2.4.1 The original Motion being reconsidered shall be stated in the exact manner in which it was first presented and voted on.

- 8.2.4.2** The debate on the original Motion being considered as a result of an affirmative Motion of reconsideration shall proceed as though it had never previously been voted on.

8.3 Recorded Votes

- 8.3.1** Recorded votes shall only be permitted at Council Meetings.
- 8.3.2** A recorded vote shall be taken when called for by any Member or when required by law. A Member may call for a recorded vote prior or immediately subsequent to the taking of the vote.
- 8.3.3** All Members, including the Mayor, shall be required to vote when a recorded vote is called for, except when absent from the meeting or disqualified by a declared pecuniary or conflict of interest.
- 8.3.4** When a recorded vote is permitted and required, the Chair will pose the question and the Clerk will call upon each Member, beginning with the Mayor, followed by the Deputy Mayor, then Members in alphabetical order, at which time the Clerk shall record the Members' votes. The Clerk will also record the number of Members absent.
- 8.3.5** On a recorded vote, 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 a negative vote.
- 8.3.6** When a recorded vote is taken, the names of those who voted for and those who voted against the Motion and those absent shall be entered in the Council minutes.
- 8.3.7** The Clerk shall tabulate and announce the results of the vote.

8.4 Point of Privilege

- 8.4.1** A Member may raise a point of privilege directing attention to a matter that affects the rights of the Member or Members.
- 8.4.2** A point of privilege shall take precedence over any other matter except during verification of a vote.
- 8.4.3** A Member shall state the point of privilege to the Chair at the time of occurrence.
- 8.4.4** A Member shall not be permitted to enter into any argument or introduce any Motion not related to the point of privilege.
- 8.4.5** The Chair shall decide upon the point of privilege and advise the Members of the decision.

- 8.4.6 Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.
- 8.4.7 If the decision of the Chair is appealed, the question to be answered is "Shall the ruling of the Chair be upheld?" a vote shall be called without debate, and its results shall be final.
- 8.4.8 When the matter has been determined to be a point of privilege, the Member shall be afforded an opportunity to propose a Motion in relation to that point of privilege.
- 8.4.9 When the integrity of the CAO or other employee of the Corporation has been questioned, the CAO shall be permitted to make a statement to the Members.

8.5 Point of Order

- 8.5.1 A Member may raise a point of order to a perceived violation of the rules of procedure, except during verification of a vote.
- 8.5.2 A Member shall state the point of order to the Chair at the time of the occurrence and shall quote the appropriate section of this By-Law.
- 8.5.3 The Chair shall decide upon the point of order and advise the Members of the decision.
- 8.5.4 Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.
- 8.5.5 If the decision of the Chair is appealed, the question to be answered is "Shall the ruling of the Chair be upheld?" a vote shall be called without debate, and its results shall be final.

9.0 BY-LAWS

9.1 By-Law Approval Process

- 9.1.1 Every By-Law shall be listed on the Agenda by an identifying number, followed by a brief description of the intent of the By-Law.
- 9.1.2 Every By-law shall be adopted in a single motion having been given three readings simultaneously.
- 9.1.3 After third reading, every By-law may be debated, subject to amendment, and may be deferred or referred to a Committee or Staff for further consideration before being voted on.

9.1.4 Upon a Two-Thirds' Vote of the Members present and voting, third reading of any by-law may be postponed until the next Meeting.

9.1.5 Every By-Law passed by Council shall be signed by the Mayor, or the Deputy Mayor in the absence of the Mayor, and the Clerk, sealed with the seal of the Corporation, show the date of all readings, be kept in a volume for the year in which it was passed and shall be recorded in the electronic By-law index.

9.1.6 The Clerk shall be authorized to make minor corrections to any By-law resulting from technical, or typographical errors prior to the By-law being signed.

9.2 Confirming By-Law

9.2.1 The proceedings at every regular and special Meeting of Council shall be confirmed by By-law, so that every decision, unless required by an Act, Regulation or By-Law, of Council at that Meeting and every resolution passed thereat shall have the same force and effect as if each and every one of them had been the subject matter of a separate By-law duly enacted.

10.0 AMENDMENT OF PROCEDURAL BY-LAW

10.1 No amendment or repeal of this By-law or any part thereof shall be considered at any Meeting of Council unless:

- a) Notice of intention of proposed amendment or repeal has been given at a previous regular Meeting of Council; and
- b) One notice in a local paper, a minimum of ten (10) days prior to passing the By-law is given.

13.2 The waiving of this notice by Council is prohibited.

13.3 The Clerk shall be responsible for reviewing this By-law at least once every term of Council.

11.0 ULTRA VIRES

Should any sections of this By-law, including any section or part of any schedules attached hereto, be declared by a court competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

12.0 BY-LAWS TO BE REPEALED

12.1 THAT, By-Laws No. 09-2015 and 25-2018 be repealed.

12.2 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

13.0 EFFECTIVE DATE

This By-Law shall come into effect on December 1st, 2018.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS DAY OF NOVEMBER, 2018.

Louis Antonakos, Mayor

Stacey Blair, Deputy Clerk

SCHEDULE “A”
Inaugural Meeting

	Agenda Item:	Rules:	Conducted By:
i	Call to Order	The first meeting of Council in the year of a Municipal Election shall be on the first Tuesday of the new term at 7:00 p.m. or at such hour as may be fixed by by-law. The Clerk shall notify all Members at least one (1) week in advance of the meeting as to time and date.	Clerk
ii	Roll Call	The Clerk shall ensure that a majority of the members are present.	Clerk
iii	Declaration of Office for All Members of Council	Conducted as per Section 232 (1), the <i>Municipal Act, 2001</i> , S.O. 2001, c. 25, as amended.	Clerk
iv	Mayor Assumes the Chair	The Clerk introduces the newly elected Mayor and the Mayor takes the Chair.	Clerk
v	Councillor Remarks	Each Councillor may give opening remarks.	Mayor
vi	Deputy Mayor’s Inaugural Remarks	The Deputy Mayor may give opening remarks	Mayor
vii	Mayor’s Inaugural Remarks	The Mayor shall give his inaugural remarks.	Mayor
viii	Appointments to Striking Committee	The Mayor shall appoint a Striking Committee composed of the Mayor and two members of Council, one from each ward, other than the ward in which the Mayor resides.	Mayor
ix	Adjournment	Verbal Motion	Mayor

SCHEDULE "B"

Declaration of Pecuniary Interest or Conflict of Interest Form

PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST FORM

Date: _____

Name of Member: _____

Committee:

Town Council Committee of the Whole Other _____

I _____ declare a pecuniary interest and/or conflict of interest on item

because (general nature)

Signature of Member

SCHEDULE "C"
Motions

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
Adjourn	YES	NO	<ul style="list-style-type: none"> shall be resolved prior to any other motion being moved 	<ul style="list-style-type: none"> Council shall immediately rise and no further proceedings shall take place all unfinished business on the agenda shall be included on the agenda of the next meeting 	<ul style="list-style-type: none"> the meeting shall resume at the point immediately prior to the point at which the motion to adjourn was moved a subsequent motion to adjourn at the same meeting may not be introduced prior to further business being conducted 	NO	<ul style="list-style-type: none"> shall not include qualifications or additional statements shall always be in order except when a Member is speaking or the Members are voting
Extend Curfew	YES	NO	<ul style="list-style-type: none"> shall be resolved prior to any other motion being moved 	<ul style="list-style-type: none"> no meetings shall proceed beyond the hour of 10:00 p.m. 	<ul style="list-style-type: none"> the Chair shall immediately declare the meeting adjourned 	NO	<ul style="list-style-type: none"> shall always be in order except when a Member is speaking or the Members are voting shall require a Two-Thirds' vote of the Members present
Recess	YES EXCEPT AT COMMITTEE	NO	<ul style="list-style-type: none"> shall be resolved prior to any other motion being moved 	<ul style="list-style-type: none"> the meeting shall recess 	<ul style="list-style-type: none"> the meeting shall not recess 	TIME ONLY	<ul style="list-style-type: none"> shall be in order if no question is pending
Withdraw	YES Mover & Seconder of the main motion	NO	<ul style="list-style-type: none"> shall receive disposition prior to any other motion being presented 	<ul style="list-style-type: none"> the motion is withdrawn 	<ul style="list-style-type: none"> vote on the main motion 	NO	<ul style="list-style-type: none"> majority vote shall be in order if decision has not been made

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
Close Debate (Call the Question)	YES	NO	<ul style="list-style-type: none"> • shall apply to the motion or amendment under debate 	<ul style="list-style-type: none"> • Council shall immediately vote on the question without further debate or comment 	<ul style="list-style-type: none"> • debate shall continue 	NO	<ul style="list-style-type: none"> • shall not be permitted in any committee • shall require a Two-Thirds' vote of the Members present
Defer (Postpone/ Table)	YES	YES DATE AND TIME ONLY	<ul style="list-style-type: none"> • shall be resolved prior to the main motion • shall be resolved prior to the preceding motion 	<ul style="list-style-type: none"> • no further debate until motion returns to the agenda 	<ul style="list-style-type: none"> • vote on the main motion 	YES DATE AND TIME ONLY	<ul style="list-style-type: none"> • shall not include qualifications or additional statements • shall preclude amendment, but not debate, to the preceding motion until the motion to defer to a certain date and/or time is resolved
Refer (Commit)	YES	YES	<ul style="list-style-type: none"> • shall preclude any amendment or debate to any previous motion unless resolved in the negative 	<ul style="list-style-type: none"> • there shall be no further debate 	<ul style="list-style-type: none"> • vote on the main motion 	YES	<ul style="list-style-type: none"> • shall state the committee, employee or solicitor of the Municipality to which the matter shall be referred
Amend Main Motion (Primary Amendment)	YES	YES	<ul style="list-style-type: none"> • shall receive disposition prior to the main motion 	<ul style="list-style-type: none"> • Council shall vote on the main motion as amended 	<ul style="list-style-type: none"> • vote on the main motion or • secondary amendment may be proposed 	YES	<ul style="list-style-type: none"> • shall not propose a negative to the main motion • shall not propose two distinct proposals of amendment to the main motion • shall not change the intent of the main motion • shall have only one motion to amend the main motion at one time

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
“Friendly” Amendment	YES	YES	<ul style="list-style-type: none"> shall receive disposition prior to the main motion 	<ul style="list-style-type: none"> Council shall vote on the main motion as amended 	<ul style="list-style-type: none"> vote on the main motion or secondary “friendly” amendment may be proposed 	NO	<ul style="list-style-type: none"> shall not propose a direct negative to the main motion shall not propose two distinct proposals of amendment to the main motion shall not change the intent of the main motion shall have only one motion to amend the main motion at one time voted on formally unless adopted by unanimous consent
Amend Amendment (Secondary Amendment)	YES	YES	<ul style="list-style-type: none"> shall receive disposition prior to the primary amending motion 	<ul style="list-style-type: none"> Council shall vote on the primary amending motion as amended 	<ul style="list-style-type: none"> vote on the primary amending motion propose a secondary amendment 	NO	<ul style="list-style-type: none"> shall not propose a direct negative to the primary amending motion shall not propose two distinct proposals of amendment to the primary amending motion shall not change the intent of the primary amending motion shall have only one motion to amend the primary amending motion at one time an amendment of the third degree is not permitted

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
Defer Indefinitely (Postpone/ Table Indefinitely)	YES	YES	<ul style="list-style-type: none"> • shall be resolved prior to the main motion • shall be resolved prior to any preceding motion 	<ul style="list-style-type: none"> • the preceding motion and any amendments thereto shall be removed from Council's consideration indefinitely • the motion to defer indefinitely may be reconsidered 	<ul style="list-style-type: none"> • disposition of the main motion • cannot put forward another motion to defer indefinitely regarding the main motion 	NO	<ul style="list-style-type: none"> • shall not include qualifications or additional statements • shall preclude amendment, but not debate, to the preceding motion until the motion to defer indefinitely is resolved
Divide	YES	YES	<ul style="list-style-type: none"> • shall receive disposition prior to the main motion 	<ul style="list-style-type: none"> • the debate and vote shall be on separate and distinct proposals from the main motion 	<ul style="list-style-type: none"> • disposition of the main motion in its entirety 	YES	<ul style="list-style-type: none"> • shall only be in order when the main motion to be divided contains two or more separate and distinct proposals • divide when pecuniary interest declared
Main	YES	YES	N/A	<ul style="list-style-type: none"> • the motion is carried 	<ul style="list-style-type: none"> • the motion is defeated 	YES	<ul style="list-style-type: none"> • majority vote unless otherwise provided

Ranking Motions

The following list ranks motions in descending order, such that each takes precedence and shall be decided before others ranking below it in the list:

- a) adjourn;
- b) extend curfew;
- c) recess;
- d) withdraw;
- e) close debate (call the question);
- f) defer (postpone/table);
- g) refer (commit);
- h) amend amendment;
- i) amend main motion;
- j) defer indefinitely (postpone/table indefinitely);
- k) divide;
- l) main motion.