

# BY-LAW NO. 117-2018

Amended by By-laws 37-2019, 77-2019, 31-2021, 11-2023

## 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) AND TO REPEAL BY-LAW NOS. 09-2015 AND 25-2018.

**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 be appointed for a period of eight (8) months. Preference for the initial Chair for the term of Council will be given to a member who served on the previous Council (if possible) and alphabetically thereafter 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.<sup>1</sup>

- 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.

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<sup>1</sup> Amended by By-law 77-2019 (replaced 4.1.3)

## **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 second and fourth Tuesday of each month commencing at 6:00 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 and Development Permit decisions as required by the Town's Development Permit By-law. 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**

### **5.6 Emergency Meetings**

- 5.6.1 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.
- 5.6.2 The only business to be dealt with at an Emergency Meeting of Council shall be with respect to that Emergency.
- 5.6.3 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.
- 5.6.4 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.

### **5.7 Committee Board Appointments<sup>3</sup>**

- 5.7.1 The Committee of the Whole shall consider appointments and provide recommendations to Council for:
  - a) Existing Committees established by Council, and
  - b) Local Boards and external organizations on which the Council

desires or is required to have representation.

5.6.2 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.

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

## **5.8 Closed Session (“In Camera”)**

**5.8.1** 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.

**5.8.2** 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.

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

**5.8.4** 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.

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

**5.8.6** 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.

**5.8.7** 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.

**5.8.8** 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.

**5.8.9** 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.

- 5.8.10** 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)*.
- 5.8.11** All electronic devices not required for conducting a Closed Session shall be surrendered to the Clerk for the duration of the Closed Session.
- 5.8.12** 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.
- 5.8.13** The Clerk shall be responsible to secure and maintain a confidential record of all original documentation distributed or presented, relating to Closed Sessions.
- 5.8.14** A separate set of Closed Session Minutes shall be kept for each Closed Session.
- 5.8.15** 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.
- 5.8.16** Minutes of Closed Sessions shall be circulated by the Clerk at the next Closed Session 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.
- 5.8.17** 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.
- 5.8.18** Where practical, Closed Sessions shall be scheduled at the end of the Meeting.
- 5.8.19** 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.
- 5.8.20** When “in camera” sessions include advice by paid Town consultants or solicitor, the “in camera” session may be held at a time suitable to conduct the “in camera” business prior to the start of the regular Council Meeting; and if required, may impact the regular start of the meeting at

## **5.9 Public Meetings (Statutory)**

**5.9.1** Public Meetings shall be scheduled as prescribed for the purpose of meeting the requirements of an Act, Regulation or By-Law.

**5.9.2** 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.

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

## **5.10 Notice of Meetings**

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

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

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

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

**5.10.5** Agendas shall be posted on the Town's website.

**5.10.6** 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.

**5.10.7** 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.

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4 Amended by By-law 37-2019 (added 5.7.20)

5 Amended by By-law 11-2023 (time changed to 6:00 p.m.)

## **5.11 Meeting Schedule**

- 5.11.1** The Meeting Schedule will outline the dates of Regular Council and Committee of the Whole Meetings and Professional Development Events.
- 5.11.2** Regular Council Meetings are held twice a month except during the month(s) which has/have been declared as “Summer Recess”.
- 5.11.3** Committee of the Whole Meetings are held twice per month except during the months that have been declared as “Summer Recess”.
- 5.11.4** Special and Emergency Meetings may be called during the “Summer Recess”.
- 5.11.5** 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.
- 5.11.6** A rescheduled meeting shall not be considered a “Special” Council or “Special” Committee of the Whole Meeting.
- 5.11.7** A proposed Meeting Schedule will be presented by the Clerk to Council for approval by December of each year, for the subsequent year.

## **5.12 Election Year**

- 5.12.1** 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.
- 5.12.2** Once training/education has been provided during Council orientation or otherwise, Members shall sign off that they have taken the training/education.
- 5.12.3** 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.

## **5.13 Electronic Meetings**

- 5.13.1** Electronic meetings may take place for any and all types of Council or Committee meetings with notice in accordance with this By-law.

## **6.0 ORDER OF BUSINESS AND GENERAL RULES**

### **6.1 Format of Agenda**

## **6.2 Council Agenda**

6.2.1.1 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) Confirmatory By-Law
- (xii) O Canada
- (xiii) Adjournment

## **6.3 Committee of the Whole Agenda**

6.3.1.1 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) Notice of Motions
  
- (xi) Closed Session
- (xii) Adjournment

### **“Special” and “Emergency” Meeting Agendas**

6.3.2.1 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

## **6.4 General**

- 6.4.1** 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.
- 6.4.2** The Clerk shall determine the appropriate Meeting at which items of business shall be considered in accordance with this By-Law.
- 6.4.3** 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.
- 6.4.4** The CAO shall attend Council and Committee of the Whole Meeting



(both open and closed session) unless otherwise excluded.

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

## **6.5 Call to Order**

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

## **6.6 Approval of Agenda**

**6.6.1** 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.

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

## **6.7 Disclosure of Pecuniary Interest and/or Conflict of Interest and General Nature Thereof**

**6.7.1** 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.

**6.7.2** 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.

**6.7.3** 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.

**6.7.4** 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.

## **6.8 Delegations and Presentations**

### **6.8.1 Delegations**

- 6.8.1.1 Delegations are to be limited to ten (10) minutes followed by a question period for Members.
- 6.8.1.2 For the purpose of Council and Committee of the Whole Meeting agendas, Delegates have until 2:00 p.m. on the Monday of the week of the Meeting to notify the Clerk that they wish to Delegate or to submit written submissions on items on the agenda.
- 6.8.1.3 Notwiths tanding 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.
- 6.8.1.4 A Delegate may only address Council or Committee with respect to an item on the agenda.
- 6.8.1.5 The Clerk shall assign Delegations to a Committee of the Whole Agenda and only assign to a Council Agenda if time sensitive.
- 6.8.1.6 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.
- 6.8.1.7 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.
- 6.8.1.8 Delegati ons 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.
- 6.8.1.9 The number of Delegations per Agenda shall be limited to three (3).
- 6.8.1.10 The role of Delegations is to provide information and not enter into debate with Members or Staff.
- 6.8.1.11 Delegati

ons shall be limited to appearing once per year on the same subject matter.

6.8.1.12 Questions directed to Staff by any delegate shall be received through the Chair.

6.8.1.13 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.

6.8.1.14 Delegations requesting to appear at a Meeting regarding operational matters may be declined in order that the matter be referred for resolution by Staff.

6.8.1.15 Delegates wishing to speak on a matter not on the agenda:

6.8.1.15.1 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.

6.8.1.15.2 The Clerk will advise the appropriate Chair and CAO of the request.

6.8.1.15.3 The Clerk will advise the requestor that the Chair and CAO have been made aware of the request.

6.8.1.15.4 The requestor will be advised of the actions taken or when the item is coming forward to Council or Committee.

## 6.9 Presentations

### Public Presentations

6.9.1.1 Public presentations are for information only.

6.9.1.2 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.

6.9.1.3 Presentations by outside organizations or individuals shall not be permitted for the sole purpose of generating publicity or promotion.

6.9.1.4 Outside organizations or individuals shall provide the Clerk with written material for inclusion on the agenda by the agenda production deadline.

### **Town Presentations**

6.9.1.5 The purpose of Town presentations shall be when Staff, an individual or group have been invited to present information to Council or Committee.

6.9.1.6 Town presentations shall be assigned to a Committee of the Whole Agenda and only assigned to a Council Agenda if time sensitive.

6.9.1.7 A Staff report will be provided only if directed by Council or Committee of the Whole.

6.9.1.8 Presentations are limited to ten (10) minutes, unless otherwise directed by the Chair, followed by a question period for Members.

6.9.1.9 The role of the presenter is to provide information and not enter into debate with Council or Staff.

6.9.1.10 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.

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

## **6.10 Committee of the Whole Consent Report**

**6.10.1** 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:

6.10.1.1 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.

- 6.10.1.2 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.
- 6.10.1.3 The balance of items on the Committee of the Whole Consent Report, which have not been extracted, shall be voted on in one Motion.
- 6.10.1.4 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.

## **6.11 Staff Reports**

### **6.11.1 Staff Reports to Committee of the Whole**

- 6.11.1.1 Staff  
Reports will be grouped together on the Agenda by Department.
- 6.11.1.2 Reports  
are due to the Chief Administrative Officer for approval by noon on the Tuesday, the week prior to the Meeting.
- 6.11.1.3 If the  
report deadline is not met, the report will be placed on the subsequent Meeting Agenda.

## **6.12 Other/New Business**

### **6.12.1 Under Other/New business Council shall consider:**

- 6.12.1.1 Items  
that are circulated on the agenda.
- 6.12.1.2 Items  
raised by a Member that, in the opinion of the Member, are of urgent concern and within the jurisdiction of Council or are of general interest.
- 6.12.1.3 Propose  
d motions for which Notice of Motion has been given.

**6.12.2** Under New Business, substantive motions may be put forward with respect to items, but to be adopted by Council without issuance of a Notice of Motion, the question shall be supported by minimum two-thirds of the Members present and voting, failing which the proposed resolution shall be placed on the Committee of the Whole agenda for consideration

at the next Regular Meeting.

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

### **6.13 Committee, Board and External Organization Updates**

**6.13.1** 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.

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

### **6.14 Information Items**

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

**6.14.2** 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.

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

**6.14.4** 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.

**6.14.5** 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 9:00 p.m., unless a Motion to proceed beyond 9:00 p.m. is approved.<sup>6</sup>
- 7.3.2** Notwithstanding Subsection 7.3.1 above, no Meetings shall proceed beyond the hour of 10:00 p.m.<sup>7</sup> 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.

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<sup>6</sup> Amended by By-law 11-2023 (times changed to 9:00 p.m.)

<sup>7</sup> Amended by By-law 11-2023 (times changed to 10:00 p.m.)

## **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**

### **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.

### **Notice of Intention**

- 8.2.1.10 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.

### **Motion to Reconsider**

- 8.2.1.11 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.
- 8.2.1.12 A Motion to reconsider shall not be amended but may be debated.
- 8.2.1.13 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.
- 8.2.1.14 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.
- 8.2.1.15 Should a Motion to reconsider be defeated, the original motion shall remain in force and effect.

### **Original Motion**

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

- 8.2.1.17** 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** Except for matters that are determined at the Committee level only (i.e. Development Permits), 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 requester of the recorded vote, followed by each Member in subsequent alphabetical order thereafter, 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 with the exception of Part Lot Control By-laws which shall be dispensed with in a single motion;<sup>8</sup>

**9.1.3** .

**9.1.4** 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.

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

**9.1.6** 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.

**9.1.7** 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.

**10.2** The waiving of this notice by Council is prohibited.

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

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<sup>8</sup> Amended by By-law 31-2021 (replaced)

## **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 1<sup>st</sup>, 2018.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 27<sup>th</sup> DAY OF NOVEMBER, 2018.

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Louis Antonakos, Mayor

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D.H. Rogers, Clerk

## SCHEDULE "A"

### Inaugural Meeting

	<b>Agenda Item:</b>	<b>Rules:</b>	<b>Conducted By:</b>
i	Call to Order	<p>The first meeting of Council in the year of a Municipal Election shall be on the first Tuesday of the new term at 6:009 p.m. or at such hour as may be fixed by by-law.</p> <p>The Clerk shall notify all Members at least one (1) week in advance of the meeting as to time and date.</p>	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, Deputy Mayor and the Member of Council who received the most votes in the Municipal Election for that term.	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"> <li>shall be resolved prior to any other motion being moved</li> </ul>	<ul style="list-style-type: none"> <li>Council shall immediately rise and no further proceedings shall take place</li> <li>all unfinished business on the agenda shall be included on the agenda of the next meeting</li> </ul>	<ul style="list-style-type: none"> <li>the meeting shall resume at the point immediately prior to the point at which the motion to adjourn was moved</li> <li>a subsequent motion to adjourn at the same meeting may not be introduced prior to further business being conducted</li> </ul>	NO	<ul style="list-style-type: none"> <li>shall not include qualifications or additional statements</li> <li>shall always be in order except when a Member is speaking or the Members are voting</li> </ul>
Extend Curfew	YES	NO	<ul style="list-style-type: none"> <li>shall be resolved prior to any other motion being moved</li> </ul>	<ul style="list-style-type: none"> <li>no meetings shall proceed beyond the hour of 9:00 p.m.10</li> </ul>	<ul style="list-style-type: none"> <li>the Chair shall immediately declare the meeting adjourned</li> </ul>	NO	<ul style="list-style-type: none"> <li>shall always be in order except when a Member is speaking or the Members are voting</li> <li>shall require a Two-Thirds' vote of the Members present</li> </ul>
Recess	YES EXCEPT AT COMMITTEE	NO	<ul style="list-style-type: none"> <li>shall be resolved prior to any other motion being moved</li> </ul>	<ul style="list-style-type: none"> <li>the meeting shall recess</li> </ul>	<ul style="list-style-type: none"> <li>the meeting shall not recess</li> </ul>	TIME ONLY	<ul style="list-style-type: none"> <li>shall be in order if no question is pending</li> </ul>

<b>Motion Ranking</b>	<b>Moved &amp; Seconded</b>	<b>Debatable</b>	<b>Disposition Priority</b>	<b>If Affirmative</b>	<b>If Negative</b>	<b>Amendable</b>	<b>Conditions</b>
<b>Withdraw</b>	<b>YES</b> Mover & Secunder of the main motion	<b>NO</b>	<ul style="list-style-type: none"> <li>shall receive disposition prior to any other motion being presented</li> </ul>	<ul style="list-style-type: none"> <li>the motion is withdrawn</li> </ul>	<ul style="list-style-type: none"> <li>vote on the main motion</li> </ul>	<b>NO</b>	<ul style="list-style-type: none"> <li>majority vote</li> <li>shall be in order if decision has not been made</li> </ul>
<b>Close Debate (Call the Question)</b>	<b>YES</b>	<b>NO</b>	<ul style="list-style-type: none"> <li>shall apply to the motion or amendment under debate</li> </ul>	<ul style="list-style-type: none"> <li>Council shall immediately vote on the question without further debate or comment</li> </ul>	<ul style="list-style-type: none"> <li>debate shall continue</li> </ul>	<b>NO</b>	<ul style="list-style-type: none"> <li>shall not be permitted in any committee</li> <li>shall require a Two-Thirds' vote of the Members present</li> </ul>
<b>Defer (Postpone/ Table)</b>	<b>YES</b>	<b>YES</b> <b>DATE AND TIME ONLY</b>	<ul style="list-style-type: none"> <li>shall be resolved prior to the main motion</li> <li>shall be resolved prior to the preceding motion</li> </ul>	<ul style="list-style-type: none"> <li>no further debate until motion returns to the agenda</li> </ul>	<ul style="list-style-type: none"> <li>vote on the main motion</li> </ul>	<b>YES</b> <b>DATE AND TIME ONLY</b>	<ul style="list-style-type: none"> <li>shall not include qualifications or additional statements</li> <li>shall preclude amendment, but not debate, to the preceding motion until the motion to defer to a certain date and/or time is resolved</li> </ul>
<b>Refer (Commit)</b>	<b>YES</b>	<b>YES</b>	<ul style="list-style-type: none"> <li>shall preclude any amendment or debate to any previous motion unless resolved in the</li> </ul>	<ul style="list-style-type: none"> <li>there shall be no further debate</li> </ul>	<ul style="list-style-type: none"> <li>vote on the main motion</li> </ul>	<b>YES</b>	<ul style="list-style-type: none"> <li>shall state the committee, employee or solicitor of the Municipality to which the matter shall be referred</li> </ul>

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
			negative				
<b>Amend Main Motion (Primary Amendment)</b>	<b>YES</b>	<b>YES</b>	<ul style="list-style-type: none"> <li>shall receive disposition prior to the main motion</li> </ul>	<ul style="list-style-type: none"> <li>Council shall vote on the main motion as amended</li> </ul>	<ul style="list-style-type: none"> <li>vote on the main motion or</li> <li>secondary amendment may be proposed</li> </ul>	<b>YES</b>	<ul style="list-style-type: none"> <li>shall not propose a negative to the main motion</li> <li>shall not propose two distinct proposals of amendment to the main motion</li> <li>shall not change the intent of the main motion</li> <li>shall have only one motion to amend the main motion at one time</li> </ul>
<b>“Friendly” Amendment</b>	<b>YES</b>	<b>YES</b>	<ul style="list-style-type: none"> <li>shall receive disposition prior to the main motion</li> </ul>	<ul style="list-style-type: none"> <li>Council shall vote on the main motion as amended</li> </ul>	<ul style="list-style-type: none"> <li>vote on the main motion or</li> <li>secondary “friendly” amendment may be proposed</li> </ul>	<b>NO</b>	<ul style="list-style-type: none"> <li>shall not propose a direct negative to the main motion</li> <li>shall not propose two distinct proposals of amendment to the main motion</li> <li>shall not change the intent of the main motion</li> <li>shall have only one</li> </ul>

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

<b>Motion Ranking</b>	<b>Moved &amp; Seconded</b>	<b>Debatable</b>	<b>Disposition Priority</b>	<b>If Affirmative</b>	<b>If Negative</b>	<b>Amendable</b>	<b>Conditions</b>
<b>Indefinitely (Postpone/ Table Indefinitely)</b>			<p>resolved prior to the main motion</p> <ul style="list-style-type: none"> <li>shall be resolved prior to any preceding motion</li> </ul>	<p>and any amendments thereto shall be removed from Council's consideration indefinitely</p> <ul style="list-style-type: none"> <li>the motion to defer indefinitely may be reconsidered</li> </ul>	<p>motion</p> <ul style="list-style-type: none"> <li>cannot put forward another motion to defer indefinitely regarding the main motion</li> </ul>		<p>qualifications or additional statements</p> <ul style="list-style-type: none"> <li>shall preclude amendment, but not debate, to the preceding motion until the motion to defer indefinitely is resolved</li> </ul>
<b>Divide</b>	<b>YES</b>	<b>YES</b>	<ul style="list-style-type: none"> <li>shall receive disposition prior to the main motion</li> </ul>	<ul style="list-style-type: none"> <li>the debate and vote shall be on separate and distinct proposals from the main motion</li> </ul>	<ul style="list-style-type: none"> <li>disposition of the main motion in its entirety</li> </ul>	<b>YES</b>	<ul style="list-style-type: none"> <li>shall only be in order when the main motion to be divided contains two or more separate and distinct proposals</li> <li>divide when pecuniary interest declared</li> </ul>
<b>Main</b>	<b>YES</b>	<b>YES</b>	N/A	<ul style="list-style-type: none"> <li>the motion is carried</li> </ul>	<ul style="list-style-type: none"> <li>the motion is defeated</li> </ul>	<b>YES</b>	<ul style="list-style-type: none"> <li>majority vote unless otherwise provided</li> </ul>

## 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.