

**THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT**

**BY-LAW NO. 37-11**

**BEING A BY-LAW GOVERNING THE CALLING, PLACE AND PROCEEDINGS  
OF MEETINGS OF COUNCIL AND COUNCIL-APPOINTED BOARDS,  
COMMITTEES AND COMMISSIONS**

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

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT ENACTS AS FOLLOWS:

**1. DEFINITIONS**

In this by-law:

- 1.1 "Chief Administrative Officer" or "CAO" means the Chief Administrative Officer of The Corporation of the Municipality of Sioux Lookout or an Acting Chief Administrative Officer duly appointed by the Chief Administrative Officer to act in the CAO's absence.
- 1.2 "Clerk" means the Clerk of The Corporation of the Municipality of Sioux Lookout or Deputy Clerk in the absence of the Clerk.
- 1.3 "Committee" means any advisory or other board, committee, commission, or similar entity as created and appointed by Council, or a subcommittee of any of them.
- 1.4 "Council" means the Council of The Corporation of the Municipality of Sioux Lookout.
- 1.5 "Delegation" means a presentation to Council by an individual or group.
- 1.6 "Head of Council" or "Mayor" means the Mayor of the Council of The Corporation of the Municipality of Sioux Lookout.
- 1.7 "Local newspaper" means a newspaper having general circulation in the Municipality, and includes the "on-line" version posted on the Internet.
- 1.8 "Local radio station" means a radio station which can be locally received using AM or FM frequencies.
- 1.9 "Meeting" means any meeting duly convened at the proper time and place with adequate notice and includes meetings designated as "Regular", "Special", "Statutory Public", "Committee" or other meetings of Council or a committee or a subcommittee of any of them, that has the authority to and furthers the business of Council or the committee.
- 1.10 "Member" means a Member of Council, including the Mayor, or of a committee.
- 1.11 "Municipality" means The Corporation of the Municipality of Sioux Lookout.
- 1.12 "Presiding Officer" means, in the case of Council, the Mayor, Deputy Mayor, or Acting Mayor, as the case may be, or in the absence of all three, the Member appointed by a majority of the Members present to preside over the meeting and in the case of a committee, the Chair of the committee, or, in the absence of the Chair, the member appointed by a majority of the members present to preside over the meeting.

1.13 "Publish" means published in a daily or weekly newspaper that, in the opinion of the Clerk, has such circulation within the Municipality as to provide reasonable notice to those affected thereby, and includes posting on the Municipal website or broadcasting on a local radio station. "Publishing, published and publication" have corresponding meanings.

1.14 "Quorum" means a majority of the Members of the Municipal Council, or a committee, subject to the provisions of the *Municipal Conflict of Interest Act, 1990*, as amended.

## **2. APPLICABILITY**

2.1 The rules and regulations contained in this By-Law shall be observed in all proceedings of the Council of The Corporation of the Municipality of Sioux Lookout and committees as set out herein, and shall be the rules and regulations for the order and conduct of business therein.

2.2 Any procedure not specified in this By-Law, or in any Act, shall have reference to the rules of order set out in "Procedures for Meetings and Organizations" third edition, Kerr and King, 1996.

2.3 This By-Law does not apply to the following bodies:

- (a) Sioux Lookout Airport Commission Transition Committee
- (b) Sioux Lookout Hydro Inc. Board of Directors
- (c) Sioux Lookout Public Library Board
- (d) Sioux Lookout Non-Profit Housing Corporation Board of Directors

## **3. SCHEDULING/CALLING/NOTICE OF COUNCIL MEETINGS**

### **3.1 First (Inaugural) Meeting**

The First (Inaugural) Meeting of the new Council of the Municipality after a regular election shall be held within the first two weeks of December; however, under extenuating circumstances, no later than 31 days after its term commences.

### **3.2 Regular Council Meetings**

3.2.1 Public notice of Regular Meetings shall be provided on the website and on the local Sioux Lookout radio station. Staff shall also make every effort to provide notice by advertisement in the local newspaper.

3.2.2 A meeting of Council in respect to matters requiring a Statutory Public Meeting shall normally be held at 5:30 p.m. on the third Wednesday of the month.

3.2.3 Regular Meetings of Council shall be held in the Council Chambers on the third Wednesday of every month, at least one of which shall be held in Hudson in September (partly in order to get input on the budget), unless an alternate date, time or location has been determined by Council resolution.

3.2.4 Council may, by resolution, alter the date, time or location of a Regular Meeting provided that adequate notice of the change is published.

3.2.5 In the event Municipal business dictates the requirements for additional meetings in any month, such meetings shall be Special Meetings of Council in accordance with the provisions within this By-Law.

### **3.3 Special Council Meetings**

3.3.1 Subject to the provisions of this By-Law, the Head of Council or the CAO may call a Special Meeting at any time.

- 3.3.2 In accordance with legislation, the Clerk shall call a Special Meeting upon receipt of a petition of the majority of the Members of Council for the purpose and at the time mentioned in the petition.
- 3.3.3 Public notice of Special Meetings shall be provided on the website and on the local Sioux Lookout radio station. Staff shall also make every effort to provide notice by advertisement in the local newspaper.
- 3.3.4 In either case of 3.3.1 or 3.3.2 above, the Special Meeting shall be held no sooner than 48 hours following the Mayor's summons or receipt of the petition, as the case may be, and the Clerk shall provide public notice and provide the Members with written or verbal notice of the Special Meeting immediately following receipt of the summons or petition.
- 3.3.5 Notwithstanding the notice requirements set out above, in the event of a bona fide emergency, the meeting may be held as soon as practicable and notice to Members may be given by telephone or personal contact as determined by the Clerk. The Clerk shall endeavour to provide public notice as much as possible in advance of the meeting.
- 3.3.6 Unless otherwise specified in the notice described in 3.3.3 above, a Special Meeting shall be held in the Council Chambers.
- 3.3.7 The notice of a Special Meeting shall specify the purpose of the meeting and the only business to be dealt with at a Special Meeting is that which is listed in the notice of the meeting.

#### 3.4 Statutory Public Meetings

Unless notice is provided otherwise, Statutory Public Meetings shall generally be held at 5:30 p.m. the third Wednesday of the month, prior to the Council Meeting, as required. Planning matters heard at a Public Meeting shall only be placed on the immediately following Council Agenda with a majority plus one vote; otherwise the item shall proceed through the normal process, that is being reintroduction of the item at a subsequent Council Meeting.

#### 3.5 Staff at Council Meetings

- 3.5.1 Department Heads and Managers who have Agenda items to present are expected to attend the Council Meeting.
- 3.5.2 If a Member wishes a Department Head or Manager who does not have an Agenda item to present to attend a Council Meeting, the Member shall so notify the CAO by 12:00 noon on the working day prior to the meeting.

### 4. OPEN AND CLOSED MEETINGS

- 4.1 Except as provided in Section 239 of the *Municipal Act, 2001*, all meetings shall be open to the public.
- 4.2 A meeting or part of a meeting may be closed to the public if the subject matter being considered is:
- 4.2.1 the security of the property of the municipality or local board;
- 4.2.2 personal matters about an identifiable individual, including municipal or local board employees;
- 4.2.3 a proposed or pending acquisition or disposition of land by the municipality or local board;
- 4.2.4 labour relations or employee negotiations;
- 4.2.5 litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

- 4.2.6 advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- 4.2.7 a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act, such as the *Statutory Power Procedures Act*, and the *Emergency Measures Act*;
- 4.2.8 for the purposes of educating or training the members and, at the meeting, no member shall discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
- 4.3 A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the Council is the head of an institution for the purposes of that Act.
- 4.4 Before holding a meeting or part of a meeting that is to be closed to the public, the Council or committee shall state by resolution:
- 4.4.1 in the case of a meeting under Subsections 4.2.1 to 4.2.7 of this By-Law, the fact of the holding of the closed meeting and the general nature of the matter(s) to be considered at the closed meeting, and that the meeting is to be closed under Subsection 239 (2) of the *Municipal Act, 2001, as amended*; or
- 4.4.2 in the case of a meeting under Subsection 4.2.8 of this By-Law, the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under Subsection 239 (3.1) of the *Municipal Act, 2001, as amended*; or
- 4.4.3 in the case of a meeting under Subsection 4.3 of this By-Law, the fact of the holding of the closed meeting, the general nature of its subject matter and that it is to be closed under Subsection 239 (3) of the *Municipal Act 2001, as amended*.
- 4.5 A meeting shall not be closed to the public during the taking of a vote except as follows:
- 4.5.1 when Subsection 4.2 above permits or requires a meeting to be closed to the public, and
- 4.5.2 the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality or persons retained by or under contract with the Municipality or a committee.
- 4.6 Meetings or sessions which are closed to the public shall be referred to as "closed" meetings or sessions.

## **5. PREPARATION OF AGENDA**

- 5.1 Prior to each Regular Meeting, the Clerk, or designate, under the supervision of the CAO, shall prepare an Agenda of all the business to be brought before such meeting. No new agenda items shall be added unless 24 hour notice and an information package is provided. In emergency circumstances, additional items must be authorized by the Mayor or Presiding Officer, or the CAO, prior to the start of the meeting.
- 5.2 The Agenda shall be distributed to Members of Council on the Friday 1½ weeks prior to the meeting in the case of Regular Council Meetings and made available to the media and public on the following Monday with the exception of any Closed Session Agendas or items.

### 5.3 Order of Business:

#### Council Agendas:

1. Call Meeting to Order/Mayor's Introductory Remarks
2. Introduction of Amendments to the Agenda
3. Confirmation of Agenda
4. Declaration of Pecuniary Interest
5. Adoption of Minutes
6. Determination of Items Requiring Separate Discussion
7. Adoption of Items Not Requiring Separate Discussion
8. Delegations/Presentations/Committee Presentations (if applicable)
9. Consideration of Items Requiring Separate Discussion
10. By-Laws
11. Notices of Motion/Motions to Reconsider
12. Outside Resolutions – Requests for Endorsement
13. Questions/Comments from Members of Council and Mayor's Report
14. Closed Session (as required)
15. Ratification/Passing of Resolutions/By-Laws Arising from the Closed Session
16. Confirmatory By-Law
17. Motion to Adjourn
18. Media Question Period

5.5 Agendas for committees shall be the same format as for Council.

5.6 Additions to the Regular Council Agenda prior to its approval must be authorized by a motion of Council, such motion requiring a majority plus one vote to pass.

5.7 The business of the Council shall be taken up in the order and as listed on the approved Agenda unless changed as authorized by a motion of Council, such motion requiring a majority plus one vote to pass.

5.8 The Clerk, or designate, shall be responsible for the preparation of Agendas of Council.

5.9 Written reports are required in order for an item to be on an Agenda and considered by Council. Generally, all written reports for inclusion on the Council Agenda must be approved by the CAO and reviewed and/or revised at the monthly Management Meeting, held two weeks prior to the Council Meeting. Written reports shall be forwarded to the CAO for approval on an ongoing basis and in sufficient time for the CAO to review and for revisions to be made by the writer, prior to the approved reports being forwarded to the Deputy Clerk no later than 12:00 noon on the Thursday, one week prior to the Management Meeting for inclusion on the Management Meeting Agenda.

Similarly, reports going forward from a Management Meeting, either as is or approved by the CAO if revised, shall be forwarded to the Deputy Clerk no later than 12:00 noon on the Thursday two weeks prior to the Council Meeting for inclusion on the Council Agenda.

### **6. CALL TO ORDER AND QUORUM**

6.1 As soon after the time fixed for the holding of the meeting, as a quorum is present, the meeting shall be called to order.

6.2 Where a quorum is not present 15 minutes after the time fixed for the holding of the meeting, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next Regular Meeting or until rescheduled.

## **7. DECLARATION OF DISCLOSURE OF PECUNIARY INTEREST**

- 7.1 Where a Member, either on their own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a Meeting of Council at which the matter is the subject of consideration, the Member shall:
- 7.1.1 prior to any consideration of the matter at the meeting, orally disclose the interest and its general nature and subsequently provide a disclosure declaration form to the Clerk;
  - 7.1.2 immediately leave the meeting or the part of the meeting during which the matter is under consideration and remain absent from it at any time during consideration of or voting on the matter;
  - 7.1.3 not, at any time, take part in the discussion of, or vote on, any question in respect of the matter;
  - 7.1.4 not, at any time, attempt, either on their own behalf or while acting for, by or through another person, in any way whether before, during or after the meeting to influence the voting on any such question;
- 7.2 Where a Member has declared a pecuniary interest on an item appearing on an Agenda, said item shall be selected as an "Item Requiring Separate Discussion".
- 7.3 No Member, after having declared a pecuniary interest on any matter, may move, second or vote on the Confirmatory By-Law; however, the member is not required to leave the meeting during the vote on the By-Law.
- 7.4 Where the interest of a Member has not been disclosed by reason of the Member's absence from the meeting wherein the matter was discussed, the Member shall disclose the interest and otherwise comply with Section 7 of this By-Law at the first meeting of Council attended by the Member after the meeting referred to in Section 7 of this By-Law.

## **8. DELEGATIONS**

- 8.1 Subject to Section 8.5, individuals or groups wishing to appear before Council as a Delegation shall be allowed to appear at a Council Meeting and shall advise the Clerk's Department at any time prior to, but no later than 12:00 noon, the Thursday two weeks prior to the Council Meeting. Requests for Delegations to Council shall be in writing and should generally describe the topic or issue to be discussed. Presentations of certificates, awards by Council and committee presentations shall also be dealt with as Delegations at Council Meetings.
- 8.2 Notwithstanding the above, any person wishing to speak to a matter on the Agenda may do so at that meeting without a formal request to be a Delegation.
- 8.3.1 Individuals or groups who are listed on the Agenda as a Delegation shall be limited to not more than 10 minutes to make their presentation, regardless of the number of speakers in the group.
- 8.3.2 Individuals or groups who are speaking to a matter on the Agenda shall be limited to not more than 10 minutes each to make their remarks
- 8.3.3 The time limits referred to in this Section may be extended subject to approval by the Presiding Officer.
- 8.4 In consideration of time restraints, the number of Statutory Public Meetings or Delegations may be limited and rescheduled at the discretion of the CAO or Clerk.

- 8.5 The submission of a written request to be a Delegation does not guarantee the request will be approved. The Municipality reserves the right to schedule or deny a request for a Delegation.

## **9. PRESIDING OFFICER**

- 9.1 The Mayor, except where otherwise provided, shall preside at all meetings of Council.
- 9.2 With regard to committee meetings, the Chair of the committee shall be the Presiding Officer, or, in the absence of the Chair, the member appointed by a majority of the members present to preside over the meeting.
- 9.3 When the Mayor is absent, refuses to act, or the office is vacant, the Deputy Mayor or Acting Mayor shall act in the place of the Head, and while so acting, the Deputy Mayor or Acting Mayor has and may exercise all the rights, powers and authority of the Mayor.
- 9.4 Notwithstanding Subsections 9.1 and 9.3 above, the Members of Council may appoint another Presiding Officer from among themselves for the purpose of chairing a particular meeting.
- 9.5 For duties of the Presiding Officer, see Section 10 below.

## **10. DUTIES OF THE PRESIDING OFFICER**

It shall be the duty of the Mayor or other Presiding Officer:

- 10.1 To open the meeting by taking the Chair and calling the Members to order.
- 10.2 To announce the business before Council or a committee in the order in which it is to be acted upon.
- 10.3 To receive, in the proper manner, all motions presented by the Members.
- 10.4 To put to a vote all motions which are moved and seconded, or that necessarily arise in the course of the proceedings, and to announce the result.
- 10.5 To decline to put to vote motions which infringe upon the rules of procedure.
- 10.6 To designate the Member who has the floor when two or more Members wish to speak at the same time.
- 10.7 To restrain the Members within the rules of order when engaged in debate.
- 10.8 To enforce the observance of order and decorum among the Members.
- 10.9 To call by name any Member persisting in breach of the rules of order of the Council, or committee, thereby ordering the Member to leave the meeting.
- 10.10 To decide all questions of order at the meeting, subject to an appeal by any Member to Council on any question of order in respect to business before the Council.
- 10.11 To expel from a meeting anyone who engages in improper conduct.
- 10.12 To inform the Council or committee, when necessary or when referred to for the purpose, on a point of order or usage.
- 10.13 To represent and support the Council or committee, declaring its will and implicitly obeying its decisions in all things.
- 10.14 To ensure that the decisions of Council or committees are in conformity with the laws and by-laws governing the activities of the Municipal Corporation.

- 10.15 To order any individual or group in attendance at the meeting to cease and desist any behavior which disrupts the order and decorum of the meeting and to order the individual or group to leave the meeting where such behavior persists.
- 10.16 To adjourn the meeting without needing a resolution in the case of grave disorder arising at the meeting.
- 10.17 To adjourn the meeting when the business is concluded.
- 10.18 The Mayor shall authenticate by signature all by-laws that are adopted by Council resolution and all minutes of Council meetings that are approved by Council resolution.

**11. CONDUCT OF MEMBERS OF COUNCIL, COMMITTEES, STAFF, AND PUBLIC IN ATTENDANCE AT A MEETING OF COUNCIL OR A COMMITTEE:**

No person shall:

- 11.1 speak disrespectfully of the Reigning Sovereign, the Royal Family, the Governor-General, the Lieutenant Governor of any Province, any Member of the Senate, any Member of the House of Commons of Canada, or any Member of the Legislative Assembly of the Province of Ontario;
- 11.2 use belittling, derogatory, indecent, offensive, or insulting words, profanity or unparliamentary language in or against the Council or against any Member, staff, guest or individual;
- 11.3 disturb another Member of Council, staff, or individual, by any disorderly conduct disconcerting to the speaker or the assembly;
- 11.4 be allowed to address Council or a committee or speak in debate without permission of the Presiding Officer, who may consult with Council or the committee regarding permission;
- 11.5 resist the rules of Council or disobey the decision of the Presiding Officer or of Council or a committee on questions of order or practice or upon the interpretation of the rules of Council;
- 11.6 in the case of a Member, leave a meeting without first obtaining permission from the Presiding Officer;
- 11.7 in the case of a Member, leave their seat or make any noise or disturbance when the Presiding Officer is reading a motion and shall remain in their seat while a vote is being taken and until the result of the vote is declared;
- 11.8 in the case of a Member, be permitted to retake their seat after being ordered to leave a meeting, having committed a breach of any rule of the Council, without making an apology to Council or the committee, and having the consent of Council or the committee expressed by a majority vote of the other Members present, determined without debate;
- 11.9 in the case of a Member, leave their seat at adjournment until the Presiding Officer leaves the chair or grants permission;
- 11.10 release, make public or in any way divulge any matters or information dealt with in a closed session or any aspect of closed session deliberations, unless expressly authorized or required by law;
- 11.11 in all matters and under all circumstances, be guided by and have regard to the *Municipal Conflict of Interest Act, 1990*;
- 11.12 have on or use electronic communications devices, such as cell phones, Blackberrys, etc., during Council or committee meetings.

11.13 unless otherwise authorized by the Presiding Officer, everyone in attendance at a Council or committee meeting shall address Council or the committee through the Presiding Officer and only when recognized to do so.

## **12. MOTIONS, RULES OF DEBATE, VOTING ON MOTIONS**

12.1 A motion must be formally moved and seconded before discussion can take place and before the motion can be put or a motion recorded in the minutes.

12.2 Motions need not be in writing; however, when a motion is presented to Council or a committee in writing, it shall be read by the Mayor or Presiding Officer.

### **12.3 Motion to Amend**

A motion to amend:

- a) shall be open to debate;
- b) shall be relevant to the main motion.
- c) may be a "friendly amendment" whereby the mover and seconder agree to re-word their motion to accommodate the amendment; or
- d) if it is not a "friendly amendment", then the motion to amend shall be put to a vote in the reverse order to that in which they are moved;
- e) shall be decided or withdrawn before the main motion is put to the vote;
- f) shall not be further amended more than once, provided that further amendments may be made to the main motion;
- g) shall not be directly contrary to the main motion.

12.3.2 If the original mover and seconder of the motion do not agree with the amendments, they may, without further discussion, withdraw their support for the original motion as amended and a new mover and seconder would be required to move the motion as amended. If the amendments are carried, then the original motion as amended would be put to the vote.

12.3.3 Once a motion is moved and seconded and read by the Mayor or Presiding Officer, it cannot be withdrawn without the consent of the mover and seconder. If the motion is withdrawn, it shall be entered into the minutes and noted as being "WITHDRAWN".

12.3.4 Immediately prior to voting on a motion, the Mayor or Presiding Officer shall state the motion in the precise form it is to be recorded in the minutes, including any amendments to the motion.

12.3.5 After a motion as amended is finally put, no Member shall speak to the motion nor shall any other motion be made until after the vote is taken and the result is declared.

12.4 A Member shall not speak more than once to the same motion without the consent of the Mayor or Presiding Officer except:

12.4.1 in explanation of a material part of their speech which may have been interpreted incorrectly; or

12.4.2 with permission of the Mayor or Presiding Officer, after all other Members so desiring have spoken; or

12.4.3 to reply with permission of the Mayor or Presiding Officer to the Member who presented the motion to Council or the committee.

- 12.5 On an unrecorded vote, the manner of determining the decision on a motion shall be by show of hands. Any failure to vote by a Member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.
- 12.6 No Member shall speak on any subject other than the subject under debate.
- 12.7 No Member shall interrupt a Member who has the floor except to raise a point of order.
- 12.8 No Member shall reflect upon, review, discuss, recount, or criticize any decision of the Council or a committee, except for the purpose of moving that a resolution be reconsidered.

12.9 Recorded Vote

Where a vote is taken for any purpose and a Member requests, either immediately before or immediately after the vote, that the vote be recorded, each Member present, except a Member disqualified from voting by any Act, shall announce their vote openly, starting with the Member who called for the vote and continuing clockwise, and the Clerk shall record each vote. If a Member at a meeting of Council, where a motion is put to a vote and a recorded vote is taken, does not vote, they will be deemed to have voted in the negative unless the Member's reason for abstaining is due to their declaration of a pecuniary interest in which case their abstention shall be deemed to be neither a negative nor an affirmative vote. The Clerk shall announce the results.

- 12.10 The Mayor or Presiding Officer votes with Council or the committee over which they are presiding.
- 12.11 Except where expressly provided for in Statute, any motion on which there is a tie vote shall be deemed to be defeated.
- 12.12 No vote shall be taken by ballot or by any other method of secret voting, except as provided in legislation.
- 12.13 Any Member may require the motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.

12.14 Motion Under Debate

When a motion is under debate, no other motion shall be received except for the following purposes and according to the listed priorities, namely:

- 12.14.1 to extend the hour of automatic adjournment;
- 12.14.2 to recess;
- 12.14.3 to adjourn;
- 12.14.4 to defer the motion under consideration to a definite date;
- 12.14.5 to defer the motion under consideration indefinitely;
- 12.14.6 to table a motion;
- 12.14.7 to refer the motion under consideration to staff for a report;
- 12.14.8 to amend the motion under consideration.
- 12.15 A motion containing distinct proposals may be divided if approved by a majority plus one vote of Council or the committee.

12.16 Motion to Reconsider

- 12.16.1 Council shall not reconsider a resolution or by-law until a motion to reconsider has been disposed of by Council.
- 12.16.2 After a resolution or by-law has been decided on, it shall be in order for any Councillor to move for reconsideration. The motion to reconsider requires a seconder. If carried, the matter shall not be reconsidered at the next two regularly scheduled meetings after the meeting at which the original resolution or by-law was decided on, except with the consent of at least a majority plus one vote of the Members present. If such consent is given, such item may be brought forward at either of the next two regularly scheduled meetings after the meeting at which the reconsideration is authorized. If the timeframes and meetings set out in this Section have passed, then the timeframes set out in Section 12.16.5 apply.
- 12.16.3 A motion for reconsideration shall not be in order if Council is made aware that the motion or by-law has been implemented resulting in legally binding commitments as of the date the motion to reconsider is moved.
- 12.16.4 Debate on a motion to reconsider shall be limited and confined to discussion that new information has come forward, errors in documentation were presented, incorrect statements were made during the original debate, or other brief and concise statements outlining the reasons for reconsideration. Debate on the original motion or by-law proposed for reconsideration shall be prohibited until the motion to reconsider has been disposed of.
- 12.16.5 If a motion to reconsider is carried, it shall not be in order to reconsider the original resolution or by-law until the next Regular Meeting of Council, or a Special Meeting of Council if so directed by Council by a majority plus one vote of Members present.
- 12.16.6 A motion to reconsider shall not be reconsidered.
- 12.16.7 Once the original resolution or by-law is reopened, it is reopened in its entirety unless the motion to reconsider specifies otherwise. The original resolution or by-law being reconsidered shall be subject to the rules of debate and amendment outlined herein.
- 12.16.8 After a original resolution or by-law has been reconsidered and decided, either in the positive or the negative, it may not be further reconsidered within the calendar year following the decision of the Council unless Council decides to do so by a two-thirds majority vote, and in any case shall not be reconsidered more than once in a six-month period or more than two times in a 12-month period. Any motion to reconsider that is presented after one calendar year requires a majority vote.

12.17 Adoption in a Single Motion (Consent Agenda)

One or more report items on a Council Agenda may be adopted in a single motion. At a Council Meeting, any Member or anyone present at the meeting may request that an item be discussed and that item shall not be included in the motion to adopt "Items Not Requiring Separate Discussion".

12.18 Notice of Motion

- 12.18.1 A Notice of Motion is merely a statement of intention and is required in the case of motions being raised by any Member that affect policies or procedures. Notices of Motion shall be in writing and delivered to the Clerk before 12:00 noon on the day of the Council Meeting. The Clerk shall read the Notice into the record and no seconder is required. The Notice is NOT debatable at that time.
- 12.18.2 The Notice of Motion shall be dealt with at the next regularly-scheduled Council Meeting.

- 12.18.3 Approval of the Notice of Motion will be considered to be direction to staff to provide a report on the issue/subject matter for the next regularly-scheduled meeting of Council. If the Notice of Motion is not approved, no further action will be taken on the matter.
- 12.18.4 A report generated as a result of approval of a Notice of Motion will include both the Notice of Motion worded as a recommendation and the staff recommendation, if different from the Notice of Motion recommendation.
- 12.18.5 Notices of Motion shall not be used for the purposes of reconsideration of a previously approved resolution or by-law.

### **13. POINTS OF ORDER AND PRIVILEGE**

- 13.1 The Mayor or Presiding Officer shall preserve order and decide questions of order, and may consult with the Clerk on rules of order.
- 13.2 Point of Order
- 13.2.1 A Member or the CAO may interrupt the person who has the floor to raise a point of order when such Member or the CAO feels that there has been:
- 13.2.1.1 a deviation or departure from the Rules of Procedure; or
- 13.2.1.2 a deviation from the matter under consideration and the current discussion is not within the scope of the proposed motion; or
- 13.2.1.3 a deviation from acceptable conduct as described in Section 11 by anyone in attendance at a meeting.
- 13.2.2 Upon hearing such point of order, the Chair shall decide and state the point of order.
- 13.2.3 Thereafter, a Member or the CAO shall only address the Chair for the purpose of appealing the Chair's decision to Council or the committee.
- 13.2.4 If a Member or the CAO doesn't appeal, the decision of the Chair shall be final.
- 13.3 Any Member may appeal to Council, or a committee on a decision of the Mayor or Presiding Officer on a point of order.
- 13.4 The Council or committee, if appealed to, shall decide the point of order without debate and its decision shall be final. The motion so interrupted shall be resumed at the point where it was suspended.

### **14. BY-LAWS**

- 14.1 All by-laws may be given first, second and third readings in a single motion, unless a Member wishes to discuss the contents of a by-law, at which time the subject by-law shall be removed from the motion and dealt with separately. Only the title of a by-law shall be read, and a by-law shall not be enacted until it has received three readings.
- 14.2 In the event a Member wishes to discuss a by-law, the first reading of a by-law shall be decided without amendment or debate.
- 14.3 Any proposed by-law may be referred to a committee, Department Head, other officer of the Corporation, or a solicitor for review and comment.
- 14.4 Council shall employ a confirmatory by-law immediately prior to adjournment for the purpose of validating decisions made by resolution or direction given at that same meeting and which are not set out in another by-law.

- 14.5 The Clerk shall include on all by-laws enacted by Council, the dates of its readings.
- 14.6 Upon passage, by-laws shall be numbered, signed by the Mayor or Presiding Officer and the Clerk, and embossed with the seal of the Corporation.

**15. SUSPENSION OF RULES**

Any procedure under this By-Law which is discretionary and not mandatory under statute may be suspended with a majority plus one vote of the Members present and indicated in a motion.

**16. ADJOURNMENT/CURFEW**

Regular Meetings of Council shall adjourn no later than 10:00 p.m., unless extended before that hour by a motion of Council passed by a majority plus one vote, and shall, in any event, adjourn at 11:00 p.m. Such adjourned meetings shall stand adjourned until the date of the next Regular Meeting or until rescheduled. At such time, the unfinished business of the adjourned meeting shall be transacted.

**17. MINUTES**

The Minutes shall record:

- 17.1 the place, date and time of the meeting;
- 17.2 the names of the Presiding Officer and of the Members, parties to Statutory Public Meetings, Delegations, presentation/award recipients, Committee presentations, and staff, and shall indicate if the media and/or "interested public" and/or "interested staff" are in attendance;
- 17.3 the correction, if any, and adoption of the Minutes of prior meetings;
- 17.4 all motions, resolutions, decisions and other statutory proceedings of the Council without note or comment.
- 17.5 all resolutions convened in closed session and requiring ratification in open session, with a separate vote on each item in open session.

**18. COMMITTEES**

- 18.1 This By-Law shall apply to Council and committees with necessary changes.
- 18.2 The purpose of committees shall be determined from time to time by Council as established by terms of reference By-Laws.
- 18.3 Meetings of committees shall be open to the public and held at the location and time as determined from time to time by the committees.

**19. GENERAL**

- 19.1 Following a regular election or by-election, the Clerk shall provide each member of Council with a copy of this By-Law, including any amendments thereto.
- 19.2 Election campaign materials such as signs, buttons, brochures, etc., are not allowed in any location where Council or committee meetings are held.


**20. PREVIOUS BY-LAWS RESCINDED**

By-Law No. 92-07 governing the calling of meetings, place and proceedings of Council and the conduct of its Members is hereby repealed.

**21. EFFECTIVE DATE**

This By-Law shall come into force and take effect on the date of its final passing.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS TWENTIETH DAY OF JULY 2011.

  
Dennis Leney, Mayor

  
Mary L. MacKenzie, Clerk

/mlm  
August 8, 2011