

THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT

BY-LAW NO. 09-20

**BEING A BY-LAW GOVERNING THE CALLING, PLACE AND PROCEEDINGS OF
MEETINGS OF COUNCIL AND COUNCIL-APPOINTED BOARDS, COMMISSIONS
AND COMMITTEES AND TO RESCIND BY-LAW NO. 14-13**

WHEREAS, the Municipal Act, 2001, as amended authorizes the council of every municipality to pass by-laws for governing the proceedings of its Council, the conduct of its Members and the calling of meetings; and

WHEREAS, Section 238 (2) of the Municipal Act, 2001, as amended, further indicates 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:

**ARTICLE I
SHORT TITLE**

1. Citation

1.1. This By-law may be referred to as "The Procedure By-law".

**ARTICLE II
INTERPRETATION**

2. Interpretation/Definitions

2.1. "**Abstention**" means a refusal to vote either for or against a proposal. For the purposes of this By-law, abstention shall mean a vote against, in accordance with legislation.

2.2. "**Act**" means the Municipal Act, 2001, as amended from time to time.

2.3. "**Acting Mayor**" means the Members of Council appointed, by By-law, to act from time to time in the place and stead of the Mayor.

2.4. "**Adjourn**" in an unqualified manner, means that the adjournment is effective immediately.

2.5. "**Ad Hoc Committee**" means a committee appointed by Council from time to time, to act on a temporary or singular issue and shall be discontinued by Council when its recommendations upon the specified initiative or matter have been provided and dealt with by Members of Council and further recommendations are no longer required.

2.6. "**Advisory 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.

2.7. "**Chair**" or "**Mayor**" or "**Presiding Officer**" means the Mayor or Acting Mayor or Chairperson of a meeting who is actually presiding at the time that the meeting is being held.

2.8. "**Chief Administrative Officer**" means the Chief Administrative Officer (CAO) of The Corporation of the Municipality of Sioux Lookout designated by By-law.

2.9. "**Clerk**" means the Clerk of The Corporation of the Municipality of Sioux Lookout authorized by the Municipal Act and appointed by By-law.

- 2.10. **“Council”** means Elected Members of the Council of The Corporation of the Municipality of Sioux Lookout, elected by registered voters or appointed to fill of a vacancy.
- 2.11. **“Debate”** means a discussion to put forth reasons for or against a matter, in which a difference of opinion may be expressed.
- 2.12. **“Delegation” or “Presentation” or “Committee Presentation”** means a presentation to Council by an individual or group.
- 2.13. **“In Camera” or “Closed Session Meeting”** (terms are interchangeable) means a meeting or portion of a meeting closed to the general public.
- 2.14. **“Local Board”** means a municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board and a conservation authority.
- 2.15. **“Local Newspaper”** means a newspaper having general circulation in the Municipality, and includes the “on-line” version posted on the Internet.
- 2.16. **“Meeting”** means any regular, special, committee, or other meeting of Council, of a local board or of a committee of either of them where a quorum of Members is present and Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council, local board or committee.
- 2.17. **“Member(s)”** means an Elected Member(s) of Council of The Corporation of the Municipality of Sioux Lookout. Members, when used with a lowercase “m”, shall refer to members of Advisory Committees.
- 2.18. **“Municipal Corporation” or “Corporation” or “Municipality”** means The Corporation of the Municipality of Sioux Lookout.
- 2.19. **“Outside Committee”** means any advisory or other committee, subcommittee or similar entity of which at least one of the members is a Member of one or more Councils; Local Boards or Agencies.
- 2.20. **“Point of Information”** means a request from a Member through the Chair, for information relevant to the business at hand, but not related to parliamentary procedure.
- 2.21. **“Point of Order”** means a matter that a Member, CAO or Clerk considers to be a departure from or contravention of the rules, procedures or generally-accepted practices of Council.
- 2.22. **“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, social media channels or broadcasting on a local radio station. “Publishing, published and publication” have corresponding meanings.
- 2.23. **“Question of Privilege”** means a matter that a Member considers to question their integrity or the integrity of Council, which relates to the rights and privileges of Council or any of its Members to be brought up for possible immediate consideration because of its urgency.
- 2.24. **“Quorum”** means a majority of the Members of the Municipal Council, or Committee, present and voting, subject to the provisions of the Municipal Conflict of Interest Act, 1990, as amended, or as provided for by Council in Committee’s Terms of Reference.

- 2.25. **“Seal”** means the authenticating seal of The Corporation of the Municipality of Sioux Lookout.
- 2.26. **“Time”** means the time as defined under the Time Act, and for the purposes of interpretation of this By-law, all times shall be Central time (either daylight or standard).

ARTICLE III GENERAL PROVISIONS

3.1 Suspension – Rules, Regulations – Applicable – Two-Thirds Vote

The rules and regulations contained in this By-law shall be observed in all proceedings of Council and shall be the rules and regulations for the order and dispatch of business of all Council meetings and Committees, provided that the rules and regulations contained herein may be suspended by a two-thirds (2/3) vote of Members of Council present and voting, for which provision is not made herein and shall not be debatable or amendable.

3.2 Calculation – Two-Thirds Vote

The Calculation of two-thirds (2/3) vote shall be rounded upwards to the next highest (full) decimal.

3.3 Parliamentary Authority

The governing legislation, the Procedure By-law, or any standing or special rules of order adopted by The Corporation of the Municipality of Sioux Lookout shall govern the procedures of Council. Where inconsistencies exist, the current edition of “Robert’s Rules of Order, Newly Revised in Brief, 2nd Edition” shall be the parliamentary authority, which governs the proceedings of The Corporation of the Municipality of Sioux Lookout.

3.4 Severability

If any provision or provisions of this By-law shall be held to be invalid, illegal, unenforceable or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

3.5 Inclusive Language

This By-law shall be read to be inclusive of all persons, regardless of gender or gender identification, and the singular shall include the plural, as required by context.

ARTICLE IV MEETINGS

4.1 Inaugural – Time – Place Held

The Inaugural Meeting of Council, following a regular election, shall be considered Council’s first meeting and shall be held on the first Monday in December, of an election year, beginning at 5:30 p.m., in the Municipal Office, Council Chambers, in accordance with the Municipal Elections Act, 1996, as amended.

4.1.1 Inaugural Agenda

The Clerk shall be responsible for the content of the Agenda of the Inaugural Meeting and the arrangements for the Inaugural Proceedings.

4.2 Regular – Schedule – Designated Time

Regular Council Meetings, shall be held on the third Wednesday of each month, commencing at 5:30 p.m., in the Council Chambers, Municipal Office, or at such other location as determined by Council by Resolution.

4.3 Meetings – Holidays – By Resolution

When the meeting scheduled for its regular day and time falls on a Statutory or civic holiday, Council shall meet at the same hour on the next following day which is not a Statutory or civic holiday, unless otherwise provided by Resolution of Council.

4.4 August and September – Exception to Meetings

Notwithstanding the provisions of Section 4.2 and 4.3 of this By-law, the August Regular Council Meeting shall be held on the fourth Wednesday of August at the regular time and venue. The September Regular Council Meeting shall be held in Hudson at the regular time and at a venue determined by the Clerk. Should either meeting fall on a Statutory or civic holiday, Council shall meet at the same hour on the next following day, which is not a Statutory or civic holiday.

4.5 Statutory Public Meetings – Same Procedures – Planning Act

All Statutory Public Meetings held to deal with applicable land use planning matters shall be held on the same date and time of the Regular Council Meeting, and shall commence at 5:30 p.m., prior to the Regular Council Meeting. All procedures outlined in this By-law shall apply to Statutory Public Meetings, with modifications as determined by the Clerk as to Notice and Agenda requirements, pursuant to the Planning Act, as amended from time to time.

4.6 Notice – Public Meeting

Notice shall be given of all Regular Council Meetings and Statutory Public Meetings in accordance with the provisions of the Municipality's Notice Requirements By-law and pursuant to the requirements of the Municipal Act, 2001, as amended and the Planning Act, as amended.

4.7 Special Meetings

4.7.1. Summoning – Mayor or CAO

In addition to Regular meetings, the Mayor or the CAO may at any time summon a Special Meeting of Council by giving direction to the Clerk stating the date, time and purpose of the Special meeting.

4.7.2 Summoning – Members of Council

Upon receipt of the petition of the majority of the Members, the Clerk shall summon a Special Meeting for the purpose and at the date and time mentioned in the petition.

4.7.3 Notice – by Clerk

The Clerk shall give all Members notice of a Special Meeting of Council at least twenty-four (24) hours before the time appointed for such meeting.

4.7.4 Delivery of Notice

Notice may be given by delivering written or verbal a notice personally to a Member(s), by leaving such notice at his/her residence or place of business, or by facsimile transmission to such residence or place of business, or by electronic mail to such residence or place of business, or by telephone.

4.7.5 Nature of Business – Notice

The written or verbal notice shall indicate the date, time and place of the Special Meeting, and the nature of the business to be considered.

4.7.6 No Other Business

No business other than that indicated in the written or verbal notice shall be considered at the Special meeting.

4.7.7 Special Meeting – Place

All Special Meetings of Council shall be held in Council Chambers, unless an alternative location is specified in the notice of meeting.

4.8 Emergency Meeting – Written Notice Not Required

Notwithstanding any other provision of this By-law, an Emergency meeting may be held, without written notice, to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk or her/his designate to notify the Members about the meeting as soon as possible and in the most expedient manner available.

4.9 Location – Council Meeting

All Council meetings shall be held within the Council Chambers located at the Municipal Office, unless otherwise determined by Council by Resolution. In the event of an Emergency being declared by the Head of Council or any other Lead Agency as identified within the Emergency Management and Civil Protection Act within the confines of a declared emergency, where the Municipal Office is not accessible, the Council shall be asked to meet at an identified location accessible by all Members of Council.

4.10 Open to Public – Council – Committees – Exception

Meetings of Council and its Committees shall be open to the public with the exception of those meetings as provided within Sections 4.11 and 4.14; and as provided for under Section 239 (2, 3 and 3.1) of the Municipal Act, 2001, as amended.

4.10.1 Meetings open to public – Record

All Council Meetings open to the public shall be recorded without note or comment on all resolutions, decisions and other proceedings and kept for archival purposes.

4.10.2 Meetings open to public – Public Participation – Non-Delegation/Presenter

Notwithstanding Article XII herein to the contrary, members of the public may participate in Regular or Special Council Meetings, without registering to be a formal Delegation or Presenter, pursuant to the following provisions:

4.10.2.1 The individual requesting to speak shall register with the Clerk no later than noon on the day of the Council Meeting at which s/he wishes to speak;

4.10.2.2 The individual will have a maximum of two (2) minutes to convey his/her comments;

4.10.2.3 The individual may make one comment, and there shall be no questions posed from the individual to delegates or presenters;

4.10.2.4 The individual may only speak if his/her comments add new information to the subject matter under consideration, and the individual may not speak to or repeat comments from other speakers;

4.10.2.5 Members of Council shall not engage in discussion with members of the public who are making comments, but shall take same under advisement.

4.11 Closed to Public – Closed Meeting Subject Matters

4.11.1 A meeting or part of a meeting of Council or its Committees may be closed to the public if the subject matter being considered is:¹

- (a) The security of the property of the municipality or local board;
- (b) Personal matters about an identifiable individual, including municipal or local board employees;
- (c) A proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) Labour relations or employee negotiations;
- (e) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

¹ Part VI – Practices and Procedures *Ontario Municipal Act*

- (f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- (h) Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- (i) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (j) A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- (k) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Other Criteria

- (l) A request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- (m) An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1).

Educational or Training Sessions

- (n) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
 1. The meeting is held for the purpose of educating or training the Members.
 2. At the meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

4.11.2 Closed to Public – Resolution

Prior to holding a meeting which is closed to the public, Council or the Committee shall pass a resolution stating the purpose of the holding of the closed meeting and including the general nature of the matter to be considered at the closed meeting.²

4.12 In Camera Meeting – Closed to Public – Time

In Camera (“Closed”) meetings, shall commence at a time prescribed by the Clerk, and shall typically be held within Regular Council Meetings.

4.13 In Camera Meetings – Records

All In Camera meetings shall be recorded without note or comment on all resolutions, decisions and other proceedings. Voting on such resolutions, decisions and other proceedings shall be limited to procedural matters or to provide directions or instructions to officers, employees or agents of the Municipality or persons retained by or under contract with the Municipality or a committee.

² Sec.239(4) Ontario Municipal Act

4.14 Confidential Matters

Members are to ensure that confidential matters disclosed to them during meetings closed to the public are kept confidential. Any Member who contravenes this confidentiality clause may be subject, by majority vote of Council, to penalties in accordance to Section 7.10 of this By-law and of the adopted "**Code of Conduct**" policy.

4.15 Orientation Meeting

Orientation meetings of Council shall be considered as information meetings for newly-elected Members of Council in order to provide Members with the general process of what an elected Member could reasonably expect such as but not limited to; the Inaugural meeting process; how many committees they may be appointed to; process of a council meeting; protocol; corporate policies; code of conduct; payroll; overview of the budget process, and other matters the Administration may deem required.

4.16 Electronic Meetings – Declared Emergency

Council may conduct a Regular or Special Council Meeting via electronic means (telephone or videoconference) during an emergency declared under the Emergency Management and Civil Protection Act.

4.16.1 Electronic Participation in Council Meetings – Declared Emergency

- 4.16.1.1 Pursuant to Section 238 (3.3) of the Municipal Act, 2001 (as may be amended from time to time), during any period where an emergency has been declared to exist pursuant to the Emergency Management and Civil Protection Act (as may be amended from time to time), Members of Council, Committees or Local Boards may participate in meetings electronically.
- 4.16.1.2 During the emergency as defined in section 4.16 of this By-law, when a Member is participating electronically, they shall be counted in determining whether or not a quorum of Members is present at any time during the meeting.
- 4.16.1.3. During the emergency defined in section 4.16 of this By-law, Closed Meetings may also be held electronically.
- 4.16.1.4. During the emergency defined in section 4.16 of this By-law, the Head of Council or delegate may chair a meeting electronically.
- 4.16.1.5. During the emergency defined in section 4.16 of this By-law, the Clerk may clerk the meeting electronically.
- 4.16.1.6. During the emergency defined in section 4.16 of this By-law, meetings may proceed even though any or all Members and/or the Clerk are participating electronically.
- 4.16.1.7. During the emergency defined in section 4.16 of this By-law, all time limits and time parameters contained herein are hereby amended to reflect reasonable timelines in the emergency circumstances. Adjustments to timelines will be recorded in the minutes. For greater clarity, this is intended to allow Council to wait for quorum for more than 15 minutes before or during a meeting in light of potential communication difficulties and to lengthen or shorten timelines for notice and other procedures as required in the emergency circumstances.

4.16.2 Electronic Meeting – Declared Emergency – Procedures

- 4.16.2.1 Pursuant to Section 236(1) of the Municipal Act, 2001 (as may be amended from time to time), in the case of an emergency, Council may hold its meetings at any convenient location within or outside the Municipality. Therefore, during any period where

an emergency has been declared to exist pursuant to the Emergency Management and Civil Protection Act (as may be amended from time to time), Council may hold meetings that are open to the public by live-streaming those meetings on an appropriate internet-based platform that is generally available to members of the public. Should internet services not exist, meetings may be held by telephone conference or other available electronic means.

- 4.16.2.2 Conduct of Members during electronic meetings shall be governed by this By-law. All procedures shall be adhered to, with modifications, as required, to facilitate the electronic meeting format. For greater specificity, for all Meetings held via videoconferencing, Members shall be required to be present for the duration of the meeting, with their cameras turned on and situated in a venue that is conducive to Municipal meeting expectations. Should a Member be required to leave the meeting for any reason, permission shall be sought from the Presiding Officer, and the Member shall be excused, at which time s/he shall turn their video and audio off. The Member shall announce her/his return to the Meeting by turning on his/her video and audio feed and advising the Chair that s/he has returned to the Meeting.
- 4.16.2.3 In deciding to hold a meeting or meetings electronically, Council shall consider whether health and safety issues dictate that members of the public should not gather together in Council chambers including, but not limited to, cases of epidemic or pandemic. When Council makes this decision, the reasons for the decision not to permit physical attendance of the public shall be recorded in the minutes. Council shall have regard to recommendations and advice from the applicable authority including but not limited to the Provincial Government or Public Health officials.
- 4.16.2.4 If Council decides to hold meetings electronically, the web link, phone number or other electronic connection data to access the meetings will be published on the Municipality's website and in the meeting agenda. Should circumstances exist that the Municipality's website is not available, notice shall be provided in a manner that will provide access to the largest number of ratepayers possible in the circumstances.
- 4.16.2.5 If Council holds meetings electronically, they will be recorded and the recording of the open session of the meeting will be posted on the Municipality's website and/or social media channel(s) as soon as practicable in light of the emergency circumstances.

4.17 Electronic Meetings – Non-Emergency – Criteria

Notwithstanding Section 4.16, Council may conduct a Regular or Special Council Meeting via electronic means (by videoconference) at any time outside of a declared emergency, upon the call of the Mayor and/or CAO, or on the petition of a majority of the Members of Council.

4.17.1 Electronic Participation in Council Meetings – Non Emergency

The provisions of Section 4.16.1 herein, and its subsections, shall apply to Regular or Special Council Meetings held via electronic means during non-emergencies.

4.17.2 Electronic Meeting – Non-Emergency – Procedures

The provisions of Section 4.16.2 herein, and its subsections, save and except subsection 4.16.2.2, shall apply to Regular or Special Council Meetings held via electronic means during non-emergencies.

4.18 Meetings – Termination Hour

No item of business other than the Confirmatory By-law shall be considered at a meeting of Council, after the hour of 10:00 p.m. local time.

4.19 Meetings – Continuation – Suspend the Rules

Should a Regular Council Meeting reach the hour of 10:00 p.m. local time, and Council wishes to continue ongoing meeting to continue addressing items listed on the Agenda, a Motion to Suspend the Rules of Order (as per Sec. 3.1 of this By-law) shall be introduced and a two-thirds (2/3's) vote of the Members present and voting shall be required to proceed. In such instances, the Meeting shall adjourn no later than 11:00 p.m. local time.

ARTICLE V ROLES

5.1 Council

It is the role of Council to:³

- a) Represent the public and to consider the well-being and interest of the municipality;
- b) Develop and evaluate the policies and programs of the municipality;
- c) Determine which services the municipality provides;
- d) Ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council
- e) Ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- f) Maintain the financial integrity of the municipality; and
- g) Carry out the duties of council under the Municipal Act, 2001, as amended or any other act.

5.1.1 Individual Authority – Not Provided

No individual Council Member may direct any Member of staff to perform such duties that have not been authorized by resolution of Council.

5.1.2 Established Policies – Members – Respect

Members of Council shall respect and adhere to the Policies set by Council and under no circumstances shall they take it upon themselves individually to circumvent established policies.

5.1.3 Council – Liaison with CAO

Council Members will liaise with the Chief Administrative Officer on any given matter concerning the municipality.

5.1.4 Information – By Staff – Members of Council

Council Members may request information from staff who have been assigned the responsibility of providing such information.

5.1.5 Questions – operational concerns – complaints

Questions or issues surrounding operational concerns or complaints, excluding basic issues covered in Section 5.1.4 shall be directed to the Chief Administrative Officer, who will then direct the questions or issues to the appropriate Manager.

5.2 Head of Council

It is the role of the Head of Council to:⁴

- a) Act as Chief Executive Officer (CEO) of the municipality;
- b) Preside over Council Meetings so that its business can be carried out efficiently and effectively;
- c) Provide leadership to the Council

³ Sec. 224 Ontario Municipal Act

⁴ Sec. 225 & 226 Ontario Municipal Act

- d) Provide information and recommendations to the Council with respect to the role of council as described in section 5.1 (d) and (e) above; (without limiting section (5.2(c))
- e) Represent the municipality at official functions;
- f) Carry out the duties of the head of council under this or any other Act.
- g) Uphold and promote the purposes of the municipality
- h) Promote public involvement in the municipality's activities
- i) Act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- j) Participate in and foster activities that enhance the economic social and environmental well-being of the municipality and its residents.

5.3 **Chief Administrative Officer**

It is the role of the Chief Administrative Officer to:⁵

- a) Exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality and the staff placed under his/her supervision; and
- b) Perform such other duties as assigned by the Council.

5.4 **Clerk**

It is the role of the Clerk to: ⁶

- a) Record, without note or comment, all resolutions, decisions and other proceedings of the Council;
- b) Record the name and vote of every Member voting on any matter or question, if required by any Member present at a vote;
- c) Keep the originals or copies of all By-laws and of all minutes of the proceedings of the Council';
- d) Perform the other duties required under the *Ontario Municipal Act*, the *Municipal Elections Act*, and any other Act; and
- e) Perform such duties as are assigned by the Council

5.4.1 **Delegation – by Clerk**

The Clerk may delegate in writing to any person, other than a Member of Council, any of the Clerk's powers and duties under this and any other Act.

- a) Despite the delegation, the Clerk may continue to exercise the delegated powers and duties.

5.5 **Municipal Administration⁷ – Officers – Employees**

It is the role of municipal administration to:

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

ARTICLE VI DUTIES

6.1 **COUNCIL**

6.1.1 **Preparation of Members for Council Meetings**

Members of Council shall come prepared to every meeting where their participation is required by having read all the material supplied, including agendas and staff reports, to facilitate discussion and the determination of action at the meeting.

⁵ Sec. 229 *Ontario Municipal Act*

⁶ Sec. 228 *Ontario Municipal Act*

⁷ Sec. 227 *Ontario Municipal Act*

Whenever possible, the Members(s) shall make inquiries to Management regarding materials supplied in advance of the meeting.

6.1.2 Reports - Requests

All requests for substantive reports shall be by Council resolution, which shall be directed through the CAO, and shall identify the objectives of the report.

6.1.3 Interference – Direction to administration

No Members(s) shall have the authority to direct or interfere with the performance of any work by Administration of the Municipality. All inquiries shall be directed through the CAO.

6.2 Mayor and Committee Chair(s)

6.2.1 Open Meeting – Call to Order

The Mayor or Committee Chair shall preside over the conduct of meetings, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal to Council or Committee, as the case may be.

6.2.2 Speakers – Recognized

The Mayor or Committee Chair shall recognize any Member of Council or Committee (as the case may be) who wishes to speak and determine the order of the speakers.

6.2.3 Motions – Received – Submitted – Results Announced

The Mayor or Committee Chair shall receive and submit in the proper manner, all motions presented by the Members and to put to vote all questions, which are duly moved, and to announce the result.

6.2.4 Mayor/Chair – Participating - Introduction of a Motion and Debate

The Mayor or Committee Chair may speak and/or vote on any question, but if they wish to make a motion, they **shall** first leave the Chair by designating the Acting Mayor to Chair the meeting. Should the Acting Mayor be absent, by designating another Member to act in his/her stead until such time as the motion(s) and any amending motion to the main question has been decided upon and after which she/he shall resume the Chair.

6.2.5 Debate – Enforcing the Rules – Restrain Members

It shall be the duty of the Mayor or Committee Chair to restrain the Members, within the rules and procedures when engaged in debate.

6.2.6 Decorum – Order – Enforced

It shall be the duty of the Mayor or Committee Chair to enforce on all occasions the observance of order and decorum among the Members.

6.2.7 By-laws – Resolutions – Minutes - Authentication

It shall be the duty of the Mayor or Committee Chair to authenticate, by her/his signature when necessary, all By-laws, resolutions and minutes approved by Council/Committee.

6.2.7.1 Authentication – Refusal by Chair

In the event that the Chair refuses or is unable to authenticate any document as identified in section 6.2.7, the Acting Chair shall have the authority to sign on her/his behalf.

ARTICLE VII CONDUCT DURING MEETINGS

7.1 Sovereign – Royal Family – To be Respected

No Member shall speak disrespectfully of the reigning Sovereign or of any of the Royal Family or of the Governor General, the Lieutenant Governor or any Provincial representative or any Members of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.

7.2 Members of Council – Municipal Administration

No Member shall speak disrespectfully nor shall they use offensive words in or against Members of Council or any Municipal Employees.

7.3 Decisions of Council – Respected – Reconsideration

All Members of Council shall respect the decisions of Council, except for the purpose of moving that a question be reconsidered.

7.4 Breach of Rules – expel from meeting

Members shall refrain from conduct harmful to the Municipality or its purposes. No Member shall breach the rules of Council, or a decision of the Chair or of Council as a whole on questions of order or practice, or upon the interpretation of the rules of Council. In the case where a Member persists in any such breach after having been called to order by the Chair, the Chair may order that such Member leave her/his seat for the duration of the meeting of Council; but if the Member apologizes, s/he shall be permitted to retake his/her seat.

7.5 Disorder of Meeting – adjourn – suspend – recess meeting

It shall be the duty of the Chair to adjourn the meeting without the question being put or to suspend or recess the sitting until a time to be named if considered necessary because of grave disorder arising in the meeting.

7.6 Power to Expel ⁸

The Mayor or other Presiding Officer may expel any person for improper conduct at a meeting.

7.7 Dress Code – Council Meetings – Public Meetings

All Members of Council shall adhere to Council Dress Code Policy during Regular, Special and In-Camera meetings.

7.8 Dress Code – Saturday – Training Sessions

During any Saturday Meeting or Meeting held for education and training purposes, Members of Council may, if they so choose, be exempt from the Council Dress Code Policy.

7.9 Head Dressing

During the conduct of any Meeting of Council, wearing of any hats, other than for religious purposes, are strictly forbidden by any Members of Council, Administration or Members of the General Public.

7.10 Code of Ethics – Confidentiality

7.10.1 In-Camera subjects – Public Interest

Upon completion of any In-Camera Council Meetings, the decisions of Council with respect to any of the enumerated items listed in Section 4.11; and direction to municipal Administration in accordance therewith, shall be reported publicly by Council, to the extent that the public interest permits.

7.10.2 Council Response – In-Camera Enquiries

The response of Council Members to enquiries about any matter dealt with during an In-Camera Meeting, prior to it being reported publicly, shall be ***“This matter is still under advisement”*** or words to that effect.

⁸ Sec.241(2) Ontario Municipal Act

a) Violation of Regulation

Any violation of this regulation will result in exclusion of the offending Council Member(s), subject to a two-thirds vote of Council, from future Closed Meetings of Council and that Member(s) shall no longer be provided with correspondence, materials or information proposed to be dealt with by Members of Council at a Closed Meeting.

b) Exclusion – Closed Meetings

The determination of whether or not a violation of the Closed Meeting provisions of this By-law and the length of the exclusion from Closed Meetings, if so determined, shall be made by Council, by a two-thirds vote, at a Closed Meeting. The issues shall be considered by Council prior to the affected Member(s) being excluded from any Closed Meeting. The results of Council's deliberation shall be reported out publicly.

c) Separate Resolution – Per Member

If a purported violation of the Closed Meeting provisions of this By-law by more than one Member is to be considered, a separate resolution of Council with respect to each affected Member(s) is to be considered.

d) Member Not Permitted to Vote

Notwithstanding Section 7.10.2 sub-section (c), the Member affected shall not be permitted to vote on a motion respecting his purported violation of the Closed Meeting provision of this By-law, his exclusion from Closed Meetings, or the length of any such exclusion.

e) Release of Information

The release of any information about matters dealt with by Council at a Closed Meeting shall be by the Mayor or her/his delegate only upon direction of the majority of Council.

f) Members – Expressing Personal Position

Notwithstanding Section 7.10.2 (b), unless Council by vote determines otherwise, upon the public disclosure of any report discussed at an "In-Camera meeting, any individual Member may express his/her own personal position on the item, but shall not refer to or discuss the specific positions or opinions (written or verbal) of other Members or of Municipal Administration.

g) No Public Release – Documents

Agendas or any items thereon for consideration by Council at a Closed Meeting shall not be released to the public.

h) Obligation – Confidentiality

It is the obligation of each Member of Council to keep information confidential and this obligation continues even after the Member ceases to be an elected Member of Council.

ARTICLE VIII RULES OF DEBATE

8.1 Chair – Preserve Order

The Mayor/Chair shall preserve order and decorum and decide questions of order subject to an appeal to Council/Committee by any Member.

8.2 Addressing the Chair

Any Member, previous to speaking on any motion, shall indicate their desire to speak by his/her raised hand and shall not speak until recognized by the Chair.

8.3 Order of Speaking – Determination

The Chair shall permit Members to speak at his/her discretion and shall have exclusive authority to determine the nature and duration of debate.

8.4 Voting – Members – Seated – Disturbance – Prohibited

When the Chair calls for the vote on a motion, each Member shall occupy their seat and shall remain there until the Chair has declared the result of the vote, and during such time, no Members shall walk across the room to speak to any other Members or make any noise or disturbance.

8.5 Speaking – Interruption

When a Member is speaking, no Member shall pass between the speaker and the Chair or interrupt the speaker except to raise a question of privilege, appeal from the decision of the Chair or raise a point of order.

8.6 Point of Order – Inform Members

It shall be the duty of the Chair to inform the Members on any point of order.

8.7 Speaking – Subject of Debate

No Member shall speak on any subject other than the subject that is currently being debated.

8.8 Speaking – Motion Read Upon Request

Any Member may require a motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.

8.9 Question – Motion Under Discussion – Through the Chair

A Member may concisely ask a question through the Chair only for the purpose of obtaining information relating to the motion under discussion.

8.10 Question – Integrity of Employees

A Member, while asking questions through the Chair, shall at no time, put into question a Municipal employee's personal or professional integrity.

8.11 Motion – Seconded – Before Debate

All motions shall be seconded before they are debated and voted on.

**ARTICLE IX
ORDER OF BUSINESS - AGENDA**

9.1 Agenda – Content

Once the Chair has brought the meeting to order, the Business of Council shall, at all Regular Meetings, be taken up in the following order, unless otherwise decided by a vote of two-thirds of the Members present and voting:

- a) Opening Ceremonies / Call Meeting to Order/ Mayor's Introductory Remarks
- b) Amendments to and Confirmation of the Agenda
- c) Disclosure of Pecuniary Interest
- d) Adoption of Minutes
- e) Presentations / Delegations / Committee Presentations
- f) Determination of Items Requiring Separate Discussion
- g) Adoption of Items Not Requiring Separate Discussion (Consent Agenda)
- h) Staff Reports / Consideration of Items Requiring Separate Discussion
- i) Reports Derived from Previous Notices of Motion
- j) By-law Readings
- k) Notices of Motion (no debate)
- l) Motion to Reconsider
- m) Members of Council Reports
- n) Closed Session
- o) Report Out from Closed Session
- p) Confirmatory By-law
- q) Adjournment

9.1.1 Agenda – Content – Other Meeting Types

The Clerk shall determine the order of Business of Council or the Committee, as the case may be, for Special, Statutory Public Meetings, and Public Hearings.

9.2 Delivery of Agenda

The agenda shall be delivered by electronic transmission (e-genda) to each Member of Council by the Clerk's Office no later than the Friday preceding the scheduled Regular Council Meeting.

9.2.1 Exception to Delivery

Exceptions to the delivery of an agenda may be allowed when preparations of Council Agenda fall on a week providing four work days, due to a Statutory or Civic Holiday, or as a result of any other extenuating circumstance as determined by the Clerk. In such circumstances, the Agenda shall be delivered as soon as possible. The agenda will also be available to the media and the general public by electronic format 48 hours after it has been delivered to Members of Council.

9.3 Debate – By-laws – Third Reading

Any By-law may be debated at the Third Reading and is subject to amendments or referred for future consideration and re-introduced in the same manner or in an amended matter at a future meeting within a quarterly time period.

ARTICLE X QUORUM

10.1 Call to Order – Quorum Present

As soon after the hour fixed for commencing a meeting of Council as there is a quorum present the Chair shall call the Members to order.

10.2 Quorum

A majority of the Members elected or appointed, who are present and voting, shall constitute a quorum.

10.3 Quorum – Not Present – Time Limit

If there should be no quorum present within fifteen (15) minutes after the time fixed for commencing the meeting of Council, the Mayor shall call the roll and the Clerk shall take down the names of the Members present.

10.3.1 Permitted Motions – No Quorum

Should there be no quorum at a duly called meeting, one of the following three motions can be legally called:

a) **Motion to Adjourn**

By calling this motion, all matters listed on the Agenda shall be brought forward at the next Regular Council Meeting.

b) **Motion to Recess**

The Chair may call for a recess and request that the Members missing be called to inquire as to their attendance.

c) **Motion to Set the Time to Which to Re-adjourn the Meeting**

The Chair may request to re-set the meeting to another date and time set before the next Regular Council Meeting to deal with matters listed on the Agenda.

d) There can be no other motion that would advance the business of the Municipality or Committee.

10.4 Mayor – Absence from Meeting

In the case of the Mayor not attending within fifteen (15) minutes after the hour fixed for commencing the meeting of Council, and provided that a quorum is present, the Acting Mayor shall take the Chair and call the Members to Order, and he/she shall preside until the arrival of the Mayor.

10.5 Mayor – Acting – Absent

In the absence of the Mayor and Acting Mayor, and if a quorum is present, the Clerk shall call the Members to order. A Presiding Officer shall be chosen from the Members present who shall preside over the meeting until the arrival of the Mayor or Acting Mayor.

10.6 Quorum – Municipal Conflict of Interest – Remedy for Lack

Where the number of Members who, by reason of the provisions of the Municipal Conflict of Interest Act, are disqualified from participating in a meeting is such that the remaining Members are not of sufficient number to constitute a quorum, then despite any other general or Special Act, the remaining number of Members shall be deemed to constitute a quorum, provided that such a number is not less than two (2) ⁹

ARTICLE XI MINUTES

11.1 Minutes – Recorded by Clerk

The Clerk shall prepare and cause the minutes to be taken of each meeting of Council, which shall include:

- a) The place, date and time of the meeting;
- b) The name of the Presiding Officer and the record of the attendance of the Members.
- c) Members who enter after the commencement of a meeting or leave prior to adjournment, the time shall be so noted in the minutes.
- d) To record, without note or comment, all resolutions, decisions and other proceedings of Council.
- e) To record all publicly declared conflict of interests made by Members and identify that the Member has recused him/herself from discussion or vote on the declared matter, when the subject matter is brought up for debate.
- f) If required by any Members present at a vote, to record the name and vote of every Member voting on any matter or question.

11.2 Included in Agenda

Minutes of the last Regular Meeting of Council and of all Special or Emergency Council Meetings held subsequent to the last Regular Meeting shall be included on the agenda, subject to time constraints required to prepare such Minutes as determined by the Clerk, and may be adopted by Council without having been publicly read at the meeting at which the question of their adoption is considered. By prior distribution of the minutes to all Members, it is understood that the minutes have been read.

11.2.1 Minutes of Special Meetings

Should a Special Meeting be held during or after final preparations of an agenda for an upcoming Regular Meeting, the Minutes of those Special Meetings shall be scheduled at the next Regular Council Meeting.

11.3 Minutes – In-Camera Meeting

Minutes of Closed Meetings shall be added to the next Regular Council meeting for adoption. The contents of the Minutes need not be disclosed.

11.4 Minutes – Confirmation – Signing

Once the minutes have been adopted, they shall be signed by the Mayor/Chair and the Clerk and sealed with the Corporate Seal.

⁹ Sec.7(1) *Municipal Conflict of Interest Act*

ARTICLE XII
PRESENTATIONS / DELEGATIONS / COMMITTEE PRESENTATIONS

12.1 Heard – Request Submitted – Deadline – Items on Agenda

Persons desiring to address Council for the purpose of making a verbal presentation with respect to items for Council consideration that fall under Council's mandate shall be heard at a Council Meeting, with those delegations having **submitted their request in writing to the Clerk by the first Tuesday of each month at noon, local time**, being heard in the order in which such requests are received by the Clerk. The Clerk shall schedule delegations in the interest of time and other Council Business. Delegation requests received for a specific meeting may be rescheduled to a later meeting.

12.2 Material – Written – Submitted for Council – Deadline

Written material to be distributed to Council shall be submitted to the Clerk by the first Tuesday of each month at noon, and the request shall specify clearly the business to be presented, who the spokesperson shall be and the date at which the delegation wishes to be entertained.

12.3 Presentation Defined

A request for a presentation may be made by Council to an individual, group or organization or to Council by individuals, groups or organizations for matters that fall under Council's mandate. Should a request for presentation be made where it requires that Council take action the presentation shall be made under "Delegations" on the Agenda.

12.3.1 Presentations – Ceremonial – Financial Statements - Invited Guest

Presentations of a ceremonial nature; the annual presentation of Consolidated Financial Statements by the Municipal Auditor; the annual presentation by Committees to Council of their activities and accomplishments; and/or presentations to Council by invited guests shall be heard at the beginning of a Council meeting, immediately following the adoption of Minutes.

12.3.2 Presentations – Time Limit

Council shall hear any presentation for information purposes only, and presentations shall be limited to a maximum of ten (10) minutes.

a) **Exceptions** of the ten (10) minute time frame are provided to the Municipality's Auditor upon its annual presentation of The Corporation's Financial Statements, and to any other delegate or presenter, at the discretion of the Chair.

b) **Spokesperson – Presentation and/or Delegation**

An organized body wishing to address Council as a Presentation and/or Delegation, regardless of the number of spokespersons, shall be limited to a maximum of ten (10) minutes.

12.3.3 Restrictions and Permission

Presentations/Delegations shall not be permitted to appear before Council for the sole purpose of generating publicity for an event, or to promote their business.

a) **Number of Presentations and/or Delegations – meetings**

At any given scheduled Council Meeting, there shall be a maximum of three (3) combined Presentation(s) and/or Delegation(s) permitted to speak for a maximum time allotment of 30 minutes, divided amongst the presenters, subject to the Clerk's discretion to schedule additional Presentations or Delegations should they be time-sensitive in nature.

b) Time Schedule – Questions

Council Members shall be permitted a question period after each presentation and/or delegation of a maximum five (5) minutes, or for a duration as determined by the Chair.

12.4 Delegations – Time Limit

Persons wishing to address Council as a Delegation, except as a Delegation at a Statutory Public Meeting pursuant to the provisions of the Planning Act, shall be permitted to speak on a matter only once and be limited to speak for no more than ten (10) minutes.

12.5 Questions – To Delegation

Members shall be permitted to ask questions of delegates but shall not make statements nor enter into debate with such persons.

12.6 Delegations – Requests for Action – Referred

Delegations, which request action to be taken by Council, shall be referred to the CAO, by majority vote, for a report that shall be presented to Council at a subsequent Council Meeting.

12.6.1 Delegations – No Immediate Decision

Under no circumstances, shall a decision from Members of Council be made on a request by a Delegation at the same meeting the Delegation has been heard.

12.7 Delegation – Deemed Inappropriate for Council

When it is deemed inappropriate that a delegation address Council, the Clerk shall so notify the Delegation and Council with a supporting explanation. Such written explanation shall be delivered with the Agenda and Council, if it so wishes to hear the delegation, shall, by **two-thirds vote** of Council Members present and voting, introduce a motion to suspend the rules (see Section 3.1) to allow the Delegation to be heard at the next Regular Council Meeting, or at a Special Meeting.

12.8 Delegation – Statements – Unsubstantiated

Whenever a Delegation in its deputation, offers comments or statements that are deemed to be erroneous and unsubstantiated, any Member of Council, or Municipal Official, may be recognized by the Chair on a "Point of Order" whereby the Members of Council or Municipal Official so recognized by the Chair may bring necessary corrections or clarifications to the comments or statement said by the Delegation.

**ARTICLE XIII
BY-LAWS**

13.1 Description – Number of Readings – Listed on Agenda

All By-laws, together with a brief description and the notation of the number of readings required, shall be listed on the agenda for the meeting at which they are to be read.

13.2 Form – Typewritten – Compliance with Relevant Act

Every By-law when introduced shall be in typewritten form and shall comply with the provisions of any relevant Act.

13.3 Readings – Three – Prior to Passing

Every By-law title shall be read prior to it being passed and endorsed by Council.

13.4 Purpose – Effect – Explained Upon Request

Any Member may request that the purpose and effect of any particular By-law be explained, and the Clerk, having knowledge thereof, shall provide such explanation.

13.5 Debate – Amendment

A By-law (with the exception of the Confirmatory By-law) may be debated or amended before final adoption by Council.

13.6 Passed – Numbered – Dated – Signed – Seal Affixed

Every By-law passed by Council shall be numbered and dated, sealed with the Seal of the Municipal Corporation and signed by the Mayor and the Clerk and shall be kept by the Clerk in the Clerk's office or any other place designated by the Clerk for that purpose.

13.7 Comprehensive General By-law - Confirmatory – Conclusion – Meeting¹⁰

At the conclusion of all meetings of Council and prior to adjournment, a By-law shall be brought forward to confirm the actions of Council at the meeting in respect of each motion, resolution and other action taken. This By-law authorizes the execution of agreements and other documents and the proceedings of Council.

13.8 Confirmation – Introduction – Voted On Without Debate

A Confirmatory By-law when introduced shall be taken as read and finally adopted without debate.

**ARTICLE XIV
RESOLUTIONS / NOTICE OF MOTION**

14.1 Notices of Motion – Debated Separately

Every matter listed under Notices of Motion introduced at a previous meeting shall be dealt with individually.

14.2 Resolutions – Consecutively Numbered

All resolutions presented to Council shall be consecutively numbered, on a yearly basis.

14.3 Notice of Motion – When Required

A Notice of Motion shall be introduced in writing when a Member of Council wishes to amend, repeal or alter a By-law or any motion previously approved by Council, and where the motion is to introduce any measure of change in Council's previously established policies.

14.4 Notice of Motion – Delivered

Notices of Motion shall be delivered to the Clerk no later than noon one week prior to the date of the next Regular Council Meeting.

14.5 Notice – received by Clerk – included on Agenda

Notice of Motions, which have been included on the printed portion of an Agenda and introduced at a public meeting of Council shall not be debated and shall be included on the next Regular Council Meeting Agenda.

14.6 Notice of Motion – Introduced – Requirements

A Member may introduce a Notice of Motion at a meeting regarding a matter that would not otherwise be considered by Council at such meeting.

14.6.1 When a Notice of Motion has been introduced and filed with the Clerk, the Clerk, after determining that the motion falls within the scope of a notice of motion, shall read the motion at the appropriate time through the Agenda and shall record the Notice in the minutes.

14.6.2 No Notice of Motion is required when a Member of the Administration deems it necessary to amend current policies. Such amendments shall be dealt with in the regular course of Council Business.

14.7 Consideration – Disposal – Deferred to Other Meeting – Mover Absent

A notice of motion shall not be considered or otherwise disposed of by Council unless the mover of the Motion is in attendance at the meeting.

14.8 Seconded – By any Member – Not in attendance

Should the seconder of the original submission of the Notice of Motion be absent from the meeting when the Chair calls for the Notice of Motion, any Member may second the Notice of Motion.

¹⁰ Sec.248 Municipal Code – Ontario Municipal Act

ARTICLE XV REPORTS / COMMUNICATION

15.1 Written – Legible – Signed

Every administrative report to be presented to Council shall be prepared under the approved electronic agenda (e-genda) program, with an identifiable recommendation, and shall be authored and signed by the appropriate staff member and approved by the CAO.

15.2 Deadline – Material Submitted to Clerk

Every report which deals with a matter on the Agenda shall be delivered to the Clerk no later than 4:30 p.m. on the last Friday of each month, in order to be included on the final Agenda.

ARTICLE XVI DISCLOSURE OF INTEREST

16.1 Disclosure of Interest – Members Responsibility ¹¹

All Members shall govern themselves at any meeting in accordance with the current legislation respecting any disclosure of pecuniary interest they may have in accordance to the Municipal Conflict of Interest Act. It is further the responsibility of all Members to identify and publicly disclose any interest. Such disclosure shall be completed on the prescribed Form, available from the Clerk, and shall be submitted to the Clerk no later than noon on the day of Council Meeting. If the disclosure is relating to a matter being discussed at a Special Meeting, the Disclosure Form shall be provided to the Clerk no later than two (2) hours prior to the start of the meeting.

16.2 Disclosing – No Influencing

The Members shall disclose the interest including the general nature thereof, prior to any consideration of the matter and shall not take part (with the exceptions as noted under Sec.5.2 (1) of the Municipal Conflict of Interest Act) in the discussion of, or vote on any question in respect of the matter and shall not attempt in any way whether before, during or after the meeting, to influence the voting on any such question.

16.3 Members – Leave Meeting

The Member shall immediately leave the meeting or the part of the meeting during which the matter is under consideration.

16.4 Members – Absent from Meeting

Where a Member is absent from a meeting which includes a matter on which they have an interest, the Member shall disclose this interest at the next Regular Council Meeting they attend.

16.5 Declaration – Recorded in Minutes

The declaration of interest shall be provided in a written statement to the Clerk or the Secretary of Committee or local board (as the case may be) and shall be recorded in the minutes or report of the meeting and where the meeting was open to the public, the general nature of such declaration.

16.6 Declaration – Record – Closed Meeting

Where the declaration of interest is made at a meeting and on a matter that is not open to the public, the Member shall provide in a written statement to the Clerk or the Secretary of Committee or local board (as the case may be), declare the interest and the general nature of that interest, which shall be recorded in the minutes of the next meeting that is open to the public.

¹¹ *Municipal Conflict of Interest Act*

16.7 Maintaining Registry

A Registry shall be kept by the Clerk of every written statement made by Members of the general nature of the declared interest, the Registry shall be available for public inspection.

ARTICLE XVII COMMITTEES

17.1 Appointment – Chair

Members of the Committee shall appoint the Chair and Vice-Chair.

Ad Hoc Committees

17.2 Appoint – Ad Hoc Committee

Council may at any time appoint an Ad Hoc Committee to enquire into and report on any matter specific to one subject matter, and that is not of a continuous nature.

17.3 Reports – Ad Hoc Committees of Council

Members appointed by Council to sit on an Ad Hoc Committee shall file their (final) report(s) to Council for debate and final resolution.

17.4 Ad Hoc Committee Mandate

Each Committee shall be given a clear mandate and well-defined terms of reference which will include, among other things, the composition, reporting relationship, resources available to the Committee and, if required, a defined time frame.

17.5 Discharging of Ad Hoc Committee

Once the Ad Hoc Committee has filed its (final) report(s) with Council and Members have dealt with the matter referred to, the Ad Hoc Committee, on presentation of its final report to the Members of Council, automatically ceases to exist.

Advisory Committees, Boards and Commissions

17.6 Composition – All Members

An Advisory Committee, a Commission and a Board shall have Council representation appointed by By-law of Council.

17.7 Names – Limited

The following Boards, Commissions and Committees shall be known as the Boards, Commissions and Advisory Committees of Council:

- a) Sioux Lookout Hydro Inc. Board of Directors
- b) Sioux Lookout Police Services Board
- c) Sioux Lookout Public Library Board
- d) Sioux Lookout Economic Development Commission
- e) Sioux Lookout Youth Development Commission
- f) Arts, Culture and Heritage Committee
- g) Committee of Adjustment and Consent Granting Authority; Property Standards Committee
- h) Day Care Advisory Committee
- i) Environment Committee
- j) Hudson & Area Advisory Committee
- k) Municipal Committee on Truth & Reconciliation
- l) Parks & Recreation Committee

17.8 Meetings – Notice of Delivery

It shall be the duty of the Advisory Board, Commission and Committee to ensure that the minutes of its last regular meeting, together with an agenda containing reports to be considered, is made available to each of its members a minimum of four days preceding the day of the holding of any called meeting.

17.9 Rules – Observed in All Meetings

Notwithstanding Section 3.1 herein, the rules governing the procedures of Council and the conduct of its Members shall be observed in meetings of the Ad Hoc and/or Advisory Boards, Commissions and Committees, insofar as they are applicable.

ARTICLE XVIII

GENERAL RULES / ALL COUNCIL BOARDS, COMMISSIONS AND COMMITTEES

18.1 Commissions and Committees - Defined

Council-appointed Commissions Committees shall be defined as meeting all of the following criteria:

- a) Commission or Committee must be appointed by Council in accordance with its Procedure By-law;
- b) Commission or Committee shall report to and/or be responsible to Council as a governing body; and
- c) Commission or Committee must be part of the Municipality's budget with finances subject to Municipal policies (i.e.) not an outside body with its own bank account, purchasing policies etc.

18.2 Committee Appointments of Members of Council

Members of Council shall be nominated to sit on various Boards, Commissions and Committees of Council by the Head of Council and appointed by By-law at its Inaugural Meeting held at the beginning of a new term of office. Appointments shall be for the term of Council unless the By-law specifies a shorter time and where a re-appointment may be made.

18.3 Creation – Boards, Commissions and Committees

Boards, Commissions and Committees of Council may be created by Council at any time of the year as deemed necessary for consideration to a special matter(s).

- a) Upon the creation of a Committee, Administration will be directed to prepare the draft Terms of Reference necessary for the Committee to establish its mandate and begin its work.

18.4 Lay Appointments – Boards, Commissions and Committees

Appointments to any Board, Commission or Committee, consisting of non-council members, shall be made in accordance with Council Policy.

18.5 Mayor – Ex-officio

The Mayor shall be an ex-officio Member of all Council Boards, Commissions and Committees that are established under the Municipal Act, 2001, as amended, and may vote on all questions before the Committee, providing there are no more than two other Council Member appointees, and in such instances, the Mayor shall not have a vote, and shall not be counted in the formation of a quorum, unless specifically appointed as a Member of the Committee.

18.6 Majority – Quorum

A majority of all Members of a Board, Commission or Committee shall constitute a quorum, unless otherwise specified in the Board, Commission or Committee's Terms of Reference.

18.7 Members – May Attend – No Vote

Members of Council may attend and observe the discussion or debate at a Meeting of any Board, Commission or Committee that are established under the Municipal Act, 2001, as amended, but shall not be disruptive or be allowed to vote unless they are Members appointed by Council to that Committee.

18.8 Appointment – Other Members – Due to Illness – Absence

Should a Member of Council, appointed to any Board, Commission or Committee, be unable to attend the meetings of such Committee due to illness or absence from the

community, Council may appoint another Member to act in his/her stead and the Member so appointed shall be deemed to be a Member of the Committee and entitled to act thereon only during such illness or absence.

18.9 Neglect – Calling of Meeting

Should a Chairperson of any Board, Commission or Committee neglect or refuse to call a meeting of his/her Committee at such time or with such frequency as the proper dispatch of the business entrusted to the Committee requires, or do the business of the Committee without the knowledge or consent of the majority of its Members, contrary to their wishes or approved recommendations, the Committee shall report, through the Clerk, such neglect, refusal or action to Council who may remove said Chairperson from the Committee and appoint another Member in his/her place.

18.10 Members – Not Attending – Removal

Should any Member or Members of a Committee neglect or refuse to attend the properly summoned meetings of his/her Committees, the Chairperson shall report, through the Clerk, such neglect or refusal to Council who may remove the said Member or Members of their place; or should any Committee neglect or refuse to give due attention to all business or matters before them, Council may, by resolution dissolve such Committee and appoint another in its stead. Such Committee attendance shall be further governed in accordance with applicable Council policies.

18.11 Absence – Chairperson

In the absence of the Chairperson, the Vice-Chairperson shall preside, and in the absence of both the Chairperson and the Vice-Chairperson, one of the other Members shall be elected by the Members to preside pro-tempore, who shall discharge the duties of the Chairperson during the meeting or until the arrival of the Chairperson or Vice-Chairperson.

18.12 Committee matters – Referred to Council

No order or authority to do any matter or thing shall be recognized as emanating from any Committee, and all Committee matters shall be referred to Council and approved before becoming effective.

ARTICLE XIX VOTING

19.1 All Questions – Exception – Disqualified

Every Member present at a meeting, when a question is put, may vote thereon unless disqualified to vote on the question.

19.2 Failure to Vote – Deemed Negative¹²

Failure to vote by a Member present at a meeting at the time of a vote and who is not disqualified to vote shall be deemed to be a negative vote.

19.3 Motion – Simple Majority – Required Exception

The vote required to pass a motion shall be a majority of Members present and voting, except as otherwise provided in this By-law or by Statute or by *Robert's Rules of Order, Newly Revised in Brief, 2nd Edition*.

19.4 Equal – motion deemed negative

In the case of an equal division of votes on a motion, the motion shall be deemed to be defeated for want of a majority.

19.5 Voting - Show of hands

The manner of determining the desire of Council on a motion shall be by show of hands.

¹² *Municipal Conflict of Interest Act*

19.6 Voting – Exception - Recorded by Request – Vote Announced Openly

Where a vote is taken for any purpose and a Member requests, immediately prior or immediately subsequent to the taking of the vote, that the vote be recorded, each Member present, except a Member who is disqualified from voting, shall announce her/his vote openly; and any failure to vote by a Member who is not disqualified shall be deemed to be a negative vote, and the Clerk shall record each vote and announce the results.

19.7 Division – Separate Vote – Each Proposal

At the request of a Member of Council, a motion containing **distinct proposals** that can be acted upon individually may be divided, and a separate vote shall be taken upon each individual proposal.

19.7.1 When Separation of a Motion not Permitted

When a request is made to vote on a motion containing several parts, where the parts are able to stand alone if voted on, **shall** only be separated, **by motion**, approved by a majority of the Members, present and voting.

19.8 Members Not in Their Seat – Deemed Absent

A Member not in this/her seat when the question is called by the Chair is not entitled to vote on that question and, in the case of a recorded vote, shall be recorded as absent.

19.9 Chair - Stating the Question

Immediately preceding the taking of the vote, the Chair shall state the question in the form introduced.

19.10 Calculations of 2/3's vote

A two-thirds vote means that two thirds (2/3) of the votes cast shall determine the results of the vote (the number shall always be rounded to the nearest whole number).

19.11 Announcing – results

The Chair shall announce the result of every vote, except a recorded vote.

**ARTICLE XX
PARLIAMENTARY PROCEDURES - MOTIONS**

Motion to Appeal

20.1 Appeal – Decision by Chair – Final

Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.

20.2 Appeal Made at Time of Ruling – Point of Order

A motion to appeal the decision of the Chair shall be made only at the time the ruling is made by the Chair and shall require a seconder, followed by a vote.

20.3 Non-debatable – Amendable – Reconsidered

A motion to appeal the decision of the Chair shall not be debated or amended.

Question of Privilege

20.4 Integrity – Members – Council in question

Where a Member considers that the integrity of Members or of Council as a whole, has been called into question, the Member may, as a matter of privilege, rise at any time, with the consent of the Chair, and no debate being allowed, for the purpose of drawing the attention of Council to the question.

20.5 Motion to Receive Disposition – Treated as Main Motion

A motion resulting from a question of privilege shall receive disposition by Council forthwith, and following such disposition, the motion so interrupted shall be immediately considered at the point where it was suspended.

Request for Information

20.6 Request Information

Where a Member is uncertain of a particular issue being discussed, the Member may ask the Presiding Officer to clarify or if the Presiding Officer is unsure of the answer, may direct their question to the CAO. All requests for information shall be on the business pending or on parliamentary situation.

Withdrawal of Motion

20.7 Withdrawal of Motion

A request to withdraw a motion shall only be made by the mover of the motion, and must be made before the Chair states the question. Should the Chair state the question for debate, Council, by majority vote must agree to withdraw the motion.

20.8 In order – Anytime During Debate

A request to withdraw a motion shall be in order anytime during debate; however, it shall require the consent of a majority of Council in attendance.

20.9 Objection – by Member – Entertained – Main Motion

If a Member objects to the withdrawal of the motion, a motion to maintain the question may be entertained and become a main question.

20.10 No objection – Withdrawal – Without Secunder – Vote

If no Member objects to the withdrawal of the motion, the motion shall be considered withdrawn without the necessity of a vote.

Point of Order

20.11 Rules of Procedure – Breached

A point of order may be called by a Member, by the CAO or by the Clerk to bring attention to any breach of the rules of Procedure of Council.

20.12 Members – Rise – Point Stated

When a Member, the CAO or the Clerk rises on a point of order, the Chair shall recognize the individual and request that the point of order be stated. The Chair shall rule on the Point of Order.

20.13 Language – Improper – Offensive

A point of order may be called by a Member, the CAO or the Clerk to bring attention to the use of improper offensive or abusive language.

20.14 Discussion – Not Valid – Outside Proposed Motion

A point of order may be called by a Member to bring notice to the fact that the matter under discussion is not within the scope of the proposed motion.

20.15 Proceedings – Other – Informality – Irregularity

A point of order may be called by a Member, the CAO or the Clerk to bring attention to any other informality or irregularity in the proceedings of Council.

20.16 Decision – Announced – Prior to Recommencement

No further business shall be conducted until the Chair has decided and stated the point of order; thereafter, a Member shall only address the Chair for the purpose of appealing the Chair's decision to Council. Neither the CAO nor the Clerk may appeal the Chair's decision to Council.

20.17 Decision of Chair Final – No Appeal

If no Member appeals, the decision of the Chair shall be final.

20.18 Appeal – Members right – Chair reply – Decision Final

If a Member appeals to Council, the Member shall have the right to state a case. A seconder is required. The Chair shall have the right to reply and place the question

before Council who shall decide the question without debate, and its decision shall be final. In an appeal from the decision of the Chair, a tie vote sustains the Chair's decision.

Close Debate – Put the Question

20.19 Non-debatable – amendable

A motion to close debate or *put the question* shall not be debatable or amendable, and shall require a two-thirds vote.

20.20 Resolved – Affirmative – Original Motion Put – No Debate

When a motion to close debate or *put the question* is in the affirmative, the original motion shall be put forward for a vote without debate or amendment. A majority vote carries the vote on main question.

Refer or Commit

20.21 Debatable – Amendable – Reconsideration Permitted

A motion to *Refer* or *Commit* a matter shall be debatable and amendable, but debate shall be restricted on the merits of the referral or to commit.

Motions in General

20.22 Motion – Deemed Possession of Council

After the Clerk reads a motion, it shall be deemed to be in possession of Council, but may be withdrawn at any time before decision or amendment, subject to sections 20.7 - 20.10.

20.23 Motion Presented – Debate

When a motion is presented in Council/Committee, it shall be read before debate begins in order to assure Members of Council of the exact matter being debated.

20.24 Motion – Outside Jurisdiction of Council

A motion in respect of a matter which is beyond the jurisdiction of Council shall **not** be in order.

20.25 Disposition of a Motion

A motion properly before Council / Committee for decision must receive disposition before any other motion, not relevant to the main motion, is introduced.

Motion to Amend

20.26 Debatable – Amend – Permitted

A motion to amend shall be debatable, unless the motion to which it refers to, is undebatable.

20.27 Written – When Requested by Chair

A motion to amend shall be presented in writing when requested by the Chair.

20.28 Relevant to Main Motion

A motion to amend **shall** be germane to the main motion, meaning closely related to or having bearing on the subject of the motion to be amended.

20.29 Contrary to Main Motion – Not in Order

A motion to amend shall not be in order if it is contrary to the main motion.

20.30 Amended – Once Only

Only one secondary amendment shall be allowed to a *primary* amendment (*better known as an amendment to an amendment*).

20.30.1 Council Disposition – Before Amendment – Motion

The motion to amend (*secondary amendment*) shall receive disposition by Council before a previous amendment is voted on – identified as the *primary* amendment to a main motion.

Motion for Reconsideration

20.31 Motion to Reconsider – Adopted

If a motion to reconsider has been adopted, it temporarily nullifies the previous decision and places the meeting back at the point prior to taking the vote on the original motion as adopted.

20.31.1 If a motion to reconsider has been adopted at a meeting, then consideration of the original main motion (as adopted) shall become the next order of business.

20.31.2 The main motion originally voted on is once again pending; procedurally, it is considered a newly made motion.

20.32 Reconsideration – only once

No motion or report shall be reconsidered more than once at any meeting.

Motion to Amend A Matter Previously Adopted or Rescind

20.33 Amend A Matter Previously Adopted or Rescind

A motion to reconsider any matter already disposed of by the current Council at a previously held meeting shall require a motion to *Amend A Matter Previously Adopted* or a motion to *Rescind*.

20.33.1 Any Member may introduce a motion to *Amend A Matter Previously Adopted* or to *Rescind* a decision previously adopted by Council, providing that:

- a) new information has come forward, errors in documentation were presented, or incorrect statements were made during the original debate; and/or
- b) the original motion did not result in a by-law being executed resulting in legally binding commitments as of the date of the motion to Amend Something Previous Adopted or Rescind is presented.

20.33.2 A motion to *Amend A Matter Previously Adopted* or to *Rescind*, if introduced at a meeting where notice was not previously provided, shall require a vote of two-thirds (2/3's) of the Members present and voting.

20.33.3 When Notice has been provided to Members, at a previous meeting of a motion to *Amend A Matter Previously Adopted* or to *Rescind*, the motion to *Amend A Matter Previously Adopted* or to *Rescind* when introduced at the following meeting, shall only require a majority vote of the Members present and voting.

- (a) The motions to *Amend A Matter Previously Adopted* or to *Rescind* may be introduced by any Member. If carried, the main originally-voted-on is once again pending; procedurally, it is considered a newly-made motion.

Motion to Adjourn

20.34 In Order – Exception

A motion to adjourn shall always be in order, except when a matter is being debated.

20.35 Negative – Until Current Debate Completed

A motion to adjourn, when resolved in the negative, shall not be re-introduced again until after Council has disposed of the Motion on the table at the time the Motion of Adjourn is moved.

20.36 Members Speaking – Voting Prohibited

A motion to adjourn shall not be in order when a Member is speaking or during the verification of a vote on any matter.

20.37 Non-debatable

An unqualified motion to adjourn shall not be debatable or amendable.

20.38 Motion to Adjourn – Not Required

A motion to adjourn is not required at the end of a meeting, when all business has been dealt with and disposed of. The Chair can simply state: “all business has been dealt with; this meeting is now adjourned”.

Motion to Recess

20.39 Length of Time – Specified

A motion to *Recess* made, that a recess begin immediately when other business is before the assembly, shall specify the length of time of the recess, shall not be debatable and shall only be amendable with respect to the length of the recess.

20.40 Future Time – Treated as a Main Motion

A motion to *Recess* made for a time later in the meeting, shall have no privilege and shall be treated as a main motion, meaning that the motion is both debatable and amendable.

Motion to Defer (Postpone to a Certain Time)

20.41 A motion to *Defer* a matter placed before Council at a meeting shall be in order at any time.

20.42 All motions to *Defer* shall contain the reason for the deferral and shall provide a proposed date of return.

**ARTICLE XXI
RESIGNATION / MEMBERS / VACANCIES**

21.1 Resignation – File in Writing – Clerk

A Member of Council may resign from office by providing a written notice, filed with the Clerk of the Corporation within which they were elected, subject to provisions under Section 260 of the *Municipal Act*.

21.2 Filling Vacancy

If a vacancy occurs in the office of a Member of Council, Council shall, subject to Section 263 of the *Municipal Act*, fill the vacancy.

21.3 Appointments to Vacancies

Subject to Section 263 of the *Municipal Act*, where a vacancy occurs amongst a seat of the Mayor and/or Councillor, Council, at a Special Meeting called for that purpose, shall select the manner in which they wish to fill the vacancy.

21.4 Appointment to a Vacancy - Position of Mayor ¹³

- a) Fill the vacancy by appointing a person who has consented to accept the office if appointed; or
- b) Require a by-election to be held to fill the vacancy in accordance with the *Municipal Elections Act*, 1996; or
- c) Appoint from amongst the current Members of Council to fill the vacancy of the Mayor's position.

¹³ sec.263 Ontario Municipal Act

21.5 Appointment to Vacancy – Position of Councillor

- a) Fill the vacancy by appointing a person who has consented to accept the office if appointed; or
- b) Require a by-election to be held to fill the vacancy in accordance with the *Municipal Elections Act, 1996*; or
- c) Appoint the next highest-vote-getting, non-elected candidate for the position of Councillor during its last municipal election to fill the vacancy, subject to conditions in accordance to the *Municipal Elections Act*.

21.6 Members – Not Attending – Removal

The office of any Member of Council of the Municipality becomes vacant if the Member is absent from the meetings of Council for three (3) successive months, without being authorized to do so by a resolution of Council.¹⁴

**ARTICLE XXII
REPEAL / ENACTMENT**

22.1 By-laws – Previous

By-law No. 14-13, Being a By-law Governing the Calling, Place and Proceedings of Council and Council-Appointed Boards, Committees and Commissions of Council, and all adhering amendments be and are hereby repealed.

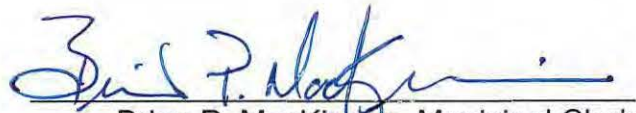
22.2 Effective Date

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

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS EIGHTEENTH DAY OF NOVEMBER, 2020.



Doug Lawrance, Mayor



Brian P. MacKinnon, Municipal Clerk

¹⁴ Sec. 259 (1c) *Ontario Municipal Act*