



Corporation of the Township of Douro-Dummer

A By-law to Govern the Proceedings of the Council of the Corporation of the Township of Douro-Dummer

By-law No. 2021-XX

Colour Legend:

Blue denotes sections that are new due to recommendations from subject experts and best practices, purple denotes changes that have been made due to legislative or regulatory changes, green denotes changes that are housekeeping (clarity, accessibility, conciseness ect..) and red denotes sections to be deleted.

Note:

The Index will be finalized once discussions regarding the document are complete and the deleted sections are removed.

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The Corporation of the Township of Douro-Dummer

**By-law Number 2021-XX
(Repeals By-law 2018-09, as amended)**

(Procedural By-law)

Whereas The *Ontario Municipal Act, 2001*, 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

And Whereas Section 238 further indicates that every municipality and local board shall pass a Procedural By-law for governing the calling, place and proceedings of meetings; now therefore be it

Resolved, that the Council of the Corporation of the Township of Douro-Dummer hereby enacts as follows:

**Short Title
Council Procedural By-law**

**Part 1
Definitions**

1.1 Definitions

In this By-law:

Abstention

"Abstention" means a refusal to vote either for or against a proposal.

Address

"Address" shall mean primary domicile.

Advisory committee

"Advisory Committee" shall mean a committee appointed by Council to provide recommendations, advice and information to Council through one of its committees.

Amend

"Amend" shall mean to alter or vary the terms of a main motion without materially changing its purpose, an amendment shall have a corresponding meaning.

Chair

"Chair" means the Mayor or Deputy Mayor or Chairman is the person in a meeting who is actually presiding at the time that the meeting is being held.

Chief Administrative Officer

"Chief Administrative Officer, means the Chief Administrative Officer (CAO) of the Township of Douro-Dummer designated by By-law.

Clerk

"Clerk" shall mean the Clerk of The Corporation of the Township of Douro-Dummer or **their** designate.

Closed session

"Closed Session" shall mean a closed session of Council, the Committee of the Whole or committee meeting not open to the public, held in accordance with the Municipal Act, as amended.

Committee of the Whole

“Committee of the Whole” means a meeting of Elected Members of Council, the device to enable the Members to give detailed consideration to a matter under consideration and greater means to discuss the matter.

Corporation

“Corporation” means The Corporation of the Township of Douro-Dummer.

Council

“Council” means Elected Members of Council of the Township of Douro-Dummer who were elected by registered voters or who have been appointed by virtue of a vacancy.

Debate

“Debate” means a discussion to put forth reasons for or against, in which a difference of opinion may be expressed.

Defer

“Defer” shall mean to delay consideration of a matter by Council, the Committee of the Whole or a committee.

Department Liaison

“Department Liaison” shall mean a member of Council appointed to a municipal department and who shall report to Council on matters relative to that department.

Deputy Mayor

“Deputy Mayor” means the Elected Members of Council of the Township of Douro-Dummer who were elected by registered voters or who have been appointed by virtue of a vacancy to fill the seat of Deputy Mayor.

Electronic Participation

“Electronic Participation” includes telephone, video, audio or audio-visual conferencing, or any other interactive method whereby Members, staff and the public are able to hear the Member(s) participating by electronic means and the Member(s) participating by electronic means are able to hear other Members, staff and the public.

Improper conduct

“Improper Conduct” shall mean the open disregard of the rulings of the Chair and rules and conduct outlined in this Procedural By-Law and Robert’s Rules of Order.

Local Board

“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.

Majority

“Majority” shall mean more than fifty percent (50%) of the members present at the meeting.

Mayor

“Mayor” shall mean Head of Council as defined in the Ontario Municipal Act, 2001, as amended.

Meeting

“Meeting” means any regular, special, committee, or other meeting of a 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 the Council, local board or committee.

Member

"Member" shall mean an [elected](#) member of the Council and includes the Head of Council. [It shall also refer to persons who have been appointed to a Township Board or Committee.](#)

Motion

"Motion" shall mean a proposal by a member for the consideration of Council, the Committee of the Whole, advisory or special committee that is moved by a member and seconded by another member.

Notice of Motion

"Notice of Motion" shall mean a notice of motion provided to the Clerk, in writing, by a member, requesting the inclusion of a motion on a future Agenda of a meeting of Council, Committee of the Whole or a standing committee with the provisions of this By-law.

Point of Information

["Point of Information" means a request through the Chair, for information relevant to the business at hand, but not related to parliamentary procedure.](#)

Point of Order

["Point of Order" means a matter that a Member considers to be a departure from or contravention of the rules, procedures or generally accepted practices of Council.](#)

Question of Privilege

["Question of Privilege" means a question of rights and privileges of the assembly or any of its Members to be brought up for possible immediate consideration because of its urgency.](#)

Postpone

["Postpone" shall mean to delay action on a pending question until a different day, meeting, hour or until after a certain event. Then, when that time comes, the consideration of the question is picked up where it was left off when it was postponed.](#)

Published

"Published" shall mean the provision of documents in print and/or electronic formats.

Recorded Vote

["Recorded Vote," means the making of a written record of the names and the vote of each Member who votes on a formal question.](#)

Recording Devices

"Recording Devices" shall mean any type of video recorders or audio recorders, which includes but is not limited to digital cameras, Digital Video Recorders (DVRs), Personal Video Recorders (PVRs), cellphones, smartphones, Personal Digital Assistant (PDAs), Portable Media Players (PMPs), laptops and similar computing devices.

Refer

"Refer" shall mean to request that the matter under consideration be directed to another entity for some specific reason such as - clarification of the matter or for additional information prior to the matter returning for the Council's consideration.

Signed Document

"Signed Document" shall include any written submission to Council which shall be signed in pen or [via electronic signature](#) by at least one (1) person and submitted in its original form or electronically in Portable Document Format (PDF) or by fax.

Special committee

["Special Committee" means a committee appointed by Council, who acts independently from and for the Council and who has been delegated specific responsibilities and who go out of existence as soon as they have completed the specified task.](#)

Quorum

"Quorum" shall mean a majority (50% + 1) of the members of Council, committee or board.

Time

"Time" means the time as defined under the Time Act.

Year

"year" shall mean the calendar year commencing January 1st of any one year to and including December 31st of the same year.

Part 2 General

2.1 Rules - regulations - observed - at all times

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

2.2 Parliamentary procedure - proceedings

Those proceedings of the Council, Committee of the Whole, advisory and special committees thereof not specifically governed by the provisions of this By-law shall be regulated in accordance with Robert's Rules of Order, **latest edition**. Where a conflict arises between the Procedural By-law and Robert's Rules of Order, latest edition, this By-law shall take precedence.

2.3 Rules - regulations - suspended - majority - Council

Suspension of the procedural By-law requires a 2/3rd majority of the Council/Committee which equates to 4 affirmative votes.

Absence - Mayor – authority

In the absence of the Mayor, or if they refuses to act or if the office is vacant, the Deputy Mayor shall serve as Acting Mayor and shall act in the place and stead of the Mayor and shall have all the rights, powers and authority of the head of Council, while so acting.

Absence - Deputy Mayor - member appointed

In the event that the Deputy Mayor is unable, for any reason, to act in the place and stead of the Mayor, the Clerk shall call the meeting to order and a member shall be appointed to act in the place and stead of the Mayor and shall have all the rights, powers and authority of the head of Council, while so acting.

2.4 Meeting Location

The agenda posted on the Township's website will give notice to the location of meetings. Meetings of the Council and the Committee of the Whole shall be held either electronically or in Council Chambers located at 894 South Street, Warsaw, Ontario. Council may from time to time direct the Clerk by way of a majority vote to hold a meeting at another venue that is in the municipality subject to the venue being accessible to the public and to provide the appropriate public notice of the meeting and venue.

If, for other reasons, Council should wish to hold a meeting at another location the change shall require consent by a majority vote of Council and shall be subject to the provision of public notice of the change in venue, and subject to the availability of a venue which is accessible to the public and satisfactory to the Clerk.

2.5 Recording and Livestreaming of Meetings

Meetings of Council and certain Committees [as set out in their Terms of Reference](#) may be audio/video recorded and/or broadcast through livestreaming in accordance with "Schedule B" attached hereto and forming part of this By-law.

Members of the public or media may record proceedings of meetings in accordance with "Schedule B" attached hereto and forming part of this By-law. Should the recording differ from "Schedule B", a request to do such may be considered by Council.

2.6 Electronic Participation during an Emergency

Members of Councils, local boards and committees who participate electronically in open and closed meetings are counted for purposes of quorum.

Part 3 Schedule of Meetings

3.1 Inaugural Meeting

[Following the 2018 regular municipal election, the inaugural meeting shall be held on the first Tuesday in December commencing at 5:00 p.m.](#)

[Following the 2022 regular municipal election and all other subsequent regular municipal elections, the inaugural meeting shall be held on the third Tuesday in November commencing at 5:00 p.m., if the results of the election are contested the Inaugural Meeting shall be held the first Tuesday in December commencing at 5:00 p.m.](#)

3.1.1 Inaugural Agenda

[The Mayor-Elect and the Clerk shall be responsible for the content of the Agenda of the Inaugural Meeting and the arrangements for the Inaugural Proceedings.](#)

3.2 Annual Schedule of Meetings - prepared by Clerk

The Clerk shall, by November 30th of each calendar year, submit a schedule of the upcoming meetings for each Council year for consideration and adoption by the Council.

When setting the annual schedule of meetings, the following shall apply:

- (a) Unless otherwise decided by Council, regular meetings of Council shall be held:

On the first and third Tuesdays of each month, other than July where there shall be no meeting and August where only one meeting shall occur, commencing at 5:00 p.m., unless otherwise approved in the annual schedule of meetings noted in Section 3.2 above;
- (b) Provision shall be made for meetings to consider and adopt the annual Operating and Capital Budgets and other matters as deemed necessary by Council.

3.3 Special meetings

[The Mayor \(or alternate\) may, at any time, call a special or emergency meeting.](#)

[The Chief Administrative Officer \(or alternate\), in consultation with the Mayor \(or alternate\) may, at any time, call a special or emergency meeting if:](#)

- [a\) a matter is considered to be of an urgent or time sensitive nature; or](#)
- [b\) a matter could affect the health or well-being of the residents of the Township of Douro-Dummer; or](#)
- [c\) a state of emergency is declared; or](#)
- [d\) so advised by a Provincial Ministry](#)

The Clerk shall make their best efforts to provide as much prior notice as is reasonable under the circumstances or will provide notice of the action as soon as possible following the action and will present a report to council for ratification.

3.3.1 Special meetings – Mayor

In addition to Public meetings, the Mayor 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.

3.3.2 Special meeting – 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.

3.3.3 Notice – by Clerk

The Clerk shall give all Members notice of a Special meeting of Council at least forty-eight (48) hours before the time appointed for such meeting.

3.3.4 Delivery Notice

Notice may be given via the electronic agenda system, by electronic mail or by other appreciate means.

3.3.5 Nature of Business – Notice

The written notice shall indicate the nature of the business to be considered, date, time and place of the Special meeting and no other business shall be discussed.

3.3.6 No other business

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

3.3.7 Special meeting – place

All Special meetings of Council shall be held at the location of the last regular meeting of Council, unless an alternative location is specified in the notice of meeting.

Part 4 Notice of Meetings

4.1 Agenda is deemed notice

The Agenda shall be considered as adequate notice of regular, special or emergency meetings.

4.2 Agenda – Regular meetings - to be delivered to Council – Thursday prior to meeting by 4:30 p.m.

The Agenda and materials for regular meetings shall be sent electronically (unless otherwise requested for accessibility reasons) to each member of council, so as to be received no later than 4:30 p.m. on the Thursday prior to the meeting.

Access to Agenda materials for a regular Council meeting will be posted to the Township website on the Friday prior to the meeting by 4:30 p.m.

4.3 Agenda - Special meetings – to be delivered - 48 hours in advance

Notice of special meetings called in accordance with section 3.3 of this By-law shall be sent electronically (unless otherwise requested) to each member, so as to be received at least 48 hours before the hour appointed for the special meeting.

Agenda Materials for a special Council meeting will be posted to the Township's website, whenever possible, a minimum of 48 hours prior to the scheduled Special meeting.

4.4 Emergency Agenda - 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 situation, provided that an attempt has been made by the Clerk to notify the members about the meeting as soon as possible and in the most expedient manner available. Examples of the need for an emergency meeting are:

- (i) considered to be of an urgent or time sensitive nature, or
- (ii) which could affect the health or well-being of the residents of the municipality.

Agenda Materials for an Emergency Council meeting will be posted to the Township's website, as soon as is feasible.

4.5 Agenda – if notice not received – meeting still valid

Lack of receipt of a notice or of the Agenda by the members or the public shall not affect the validity of the meeting or any action taken thereat.

4.6 Postponement of meeting – due to emergency

The Mayor may, when emergency situations arise, postpone a meeting, for not more than seven (7) days, to such date determined by the Mayor in consultation with the Clerk.

4.7 Postponement - notice by Clerk

In the event of an unforeseen circumstances or an emergency, a Council meeting may be postponed at the direction of the Mayor. In such event, the Clerk shall notify the members of Council of the postponement and will post the details of the postponement on the Township Website. If the new date and time for the meeting has been established, the notice shall contain such information and provided both to the Council and the public at least twenty-four (24) hours in advance..

4.8 Cancellation of Meeting

The Clerk, with the approval of the Mayor, may cancel a meeting of Council when, in their opinion, there is sufficient cause to do so.

4.9 Notice Irregularity

Notice which has been substantively provided but may not be in strict compliance with this By-law will not invalidate the holding of a meeting or any proceeding taken at a meeting.

Part 5 Open Meetings

5.1 Meetings - open to public

Except as otherwise provided by Section 239 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, all meetings shall be open to the public.

5.2 Meetings – closed session

A meeting or part of a meeting of the Council or a Committees may be closed to the public if held in accordance with the Municipal Act, S.O. 2001, c. 25, as amended and any successor legislation thereto as amended.

- (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;
- (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. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.

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). 2014, c. 13, Sched. 9, s. 22.

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 Members 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. 2006, c. 32, Sched. A, s. 103 (1).

5.3 Closed session - resolution required

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.

At the start of Closed Session each member shall make a statement to verify the appropriateness of their location for a Closed Session meeting.

5.4 Meetings – shall not be closed during vote

Except as provided in section 5.1 of this By-law, a Council, Committee of the Whole, advisory or special committee meeting shall not be closed to the public during the taking of a vote.

5.5 Meetings – may be closed during vote - exception

A Council, Committee of the Whole, advisory or special committee meeting may be closed to the public during a vote if:

- (a) section 5.2 permit or require the meeting to be closed to the public; and
- (b) the vote is for a procedural matter or for giving direction or instruction to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.

5.6 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 the confidentiality clause, may be subject, by majority vote of the Council, to penalties in accordance to Section X.xx of the Procedural By-law and of the adopted **Code of Conduct** By-law.

Part 6 Council Agenda

6.1 Order of Agenda

The Clerk shall prepare the Council Agenda for all Council meetings consisting of the following and further the Clerk has the ability to adjust the agenda as needed:

1. Call Meeting to Order
2. Land Acknowledgement
3. Moment of Silent Reflection
4. Disclosure of Pecuniary Interest
5. Adoption of Agenda
6. Adoption of Minutes and Business Arising from the Minutes
7. Business arising out of previous minutes
8. Consent Agenda (reports voted upon by ONE motion) – No debate on these items
9. Delegations, Petitions, Presentations or Public Meetings
10. Staff Reports
11. Committee Minutes and Other Reports
12. By-laws
13. Correspondence – Action Items
14. Reports derived from previous Notice of Motions
15. Notices of Motion (No Debate)
16. Announcements
17. Closed Session
18. Rise from Closed Session
19. Matters Arising from Closed Session
20. Confirming By-law
21. Next Meeting
22. Adjournment

6.2 Deadline for material to be included

The deadline for receipt of material by the Clerk to be included in the regular Council Agenda shall be 12:00 noon on the Tuesday prior to the meeting.

All written submissions shall be signed or contain a digital signature by at least one (1) person and may be submitted in its original form, electronically in Portable Document Format (PDF), through the Township website, via fax or hard copy.

6.3 Order of business - as specified - exception

The business of each meeting shall be taken up in the order in which it stands in the Council Agenda, unless otherwise decided by a general consensus of the members present.

Part 7

Commencement of Meetings

7.1 Quorum present

As soon after the hour fixed for a meeting as a quorum is present, the meeting of Council shall be called to order by the Chair. A majority of the Members elected (50% +1) shall constitute a quorum and further all Committee meeting require a quorum to be achieved to proceed with the meeting. Committees shall follow the steps outlined to achieve quorum.

7.2 Quorum – not present – time limit

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

7.2.1 Permitted motion – 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 regularly scheduled 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 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 legally permitted.

7.3 Mayor – Absence from Meeting

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

7.4 Mayor – Deputy – absent

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

7.6 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 disabled from participating in a meeting is such that at that meeting 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).

Part 8

Roles and Duties

8.1 Council

It is the role of Council to:

- 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 *Ontario Municipal Act* or any other act.

8.2 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 the Council.

8.3 Established Policies – Members – respect

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

8.4 Council – liaison with Chief Administrative Officer

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

8.5 Information – by Staff – Members of Council

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

8.6 Questions – operational concerns – complaints

Questions or issues surrounding operational concerns or complaints, excluding basic issues covered in Section 8.5 shall be directed to the Chief Administrative Officer, who will then direct the questions or issues to the appropriate Manager.

8.7 Head of Council

It is the role of the Head of Council to:

- 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
- d) Provide information and recommendations to the Council with respect to the role of council as described in section 8.1 (d) and (e) above; (without limiting section (8.7(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 wellbeing of the municipality and its residents.

8.8 Chief Administrative Officer

It is the role of the Chief Administrative Officer to:

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

8.9 Clerk

It is the role of the Clerk to:

- a) Record, without note or comment, all resolutions, decisions and other proceedings of the Council;
- b) 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 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 municipality

8.10 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.

8.11 Municipal Administration – 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.

8.12 Council

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

8.12.2 Reports - Requests

All requests for substantive reports shall be by Council resolution, which shall identify the appropriate Department or Manager and objectives of the report.

8.12.3 Interference – directed 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 office of the Chief Administrative Officer.

8.13 Mayor and Committee Chair(s)

8.13.1 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 the Council or Committee, as the case may be.

8.13.2.1 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 determines the order of the speakers.

8.13.3 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.

8.13.4 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 Deputy Mayor or the Vice-Chair to Chair the meeting. Should the Deputy Mayor/Vice-Chair be absent, by designating another Members to act in their stead until such time as the motion(s) and any amending motion to the main question have been decided upon and after which the Mayor/Chair shall resume the Chair.

8.13.5 Debate – enforcing the rules – restrains 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.

8.13.6 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.

8.13.7 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 the Council.

8.13.8 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 Deputy Chair shall have the authority to sign on her/his behalf.

Part 9 Conduct During Meeting

Mayor's responsibilities

The Mayor shall preside over the conduct of the meeting, 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 the Council.

Mayor's ability to comment

The Mayor may answer questions and comment in a general way without leaving the Chair, but if they wishes to make a motion or to speak on a motion taking a definite position and endeavouring to persuade the Council to support that position, then they shall first leave the Chair.

Mayor must leave Chair to debate

If the Mayor desires to leave the Chair for the purpose of taking part in the debate or for any other reason, they shall designate another member to fill their place until they resumes the Chair.

Member Speaking – requires recognition by Chair

Before a member may speak to any matter, they shall first be recognized by the Chair.

9.1 Chair determines speaking order

When two or more members indicate simultaneously that they wish to speak, the Chair shall name the member who is to speak first.

9.2 Speaking - limitation per subject - maximum 5 minutes

When a member is speaking to a motion, they shall confine their remarks to the motion and in speaking shall be limited to a maximum of two (2) five (5) minute responses, unless otherwise decided by a majority vote of the members present.

9.3 Motions under debate – questions allowed

When a motion is under debate, a member may ask a concisely worded question of the Chair, another member or appropriate staff, through the Chair, prior to the motion being put to a vote by the Chair in accordance with section 12.7 of this By-law.

9.4 Motion under debate – request to be read at any time

A member may require the motion under debate to be read by the Clerk at any time during the debate, but shall not interrupt a member who is speaking.

9.5 Disruption or offensive language - by member - prohibited

A member shall not disturb the Council by any disorderly deportment or improper conduct and shall not use profane or offensive words or insulting expressions.

9.6 Disobedience of rules and points of order - prohibited

A member shall not disobey the rules of the Council or a decision of the Chair or of the Council on points of order or on the interpretation of the rules of procedure of the Council.

9.7 Interruption of speakers - exception

A member shall not interrupt a member who is speaking, except to raise a point of order or a question of privilege.

9.8 Member shall inform Chair if leaving meeting - not returning

A member shall not leave the meeting when they do not intend to return thereto without first advising the Chair.

9.9 Disorderly conduct - member to be removed

In the event that a member persists in a breach of the rules prescribed in sections 9.5 to 9.8 inclusive of this By-law, after having been called to order by the Chair, the Chair shall put the question "Shall the member be ordered to leave their seat for the duration of the meeting?" and such question is not debatable.

9.10 Disorderly conduct - member to leave seat

If the Council decides the question set out in section 8.13 of this By-law in the affirmative by a majority vote of the members present, the Chair shall order the member to leave their seat for the duration of the meeting.

9.11 Disorderly conduct – member apologizes

If the member apologizes, the Chair, with the approval of the Council, may permit them to resume their seat.

9.12 Disorderly conduct - failure to leave seat - removal by Ontario Provincial Police

If a member does not leave their seat after being ordered to do so by the Chair in accordance with section 9.9 of this By-law and if the member does not apologize in accordance with section 9.11 of this By-law, then the Chair shall **adjourn the meeting**.

9.13 Dress Code – Council Meetings – Public Meetings

All Members of Council shall wear proper business attire (ties optional) during regularly scheduled, special and In-Camera meetings.

Dress Code – Saturday – Budget meetings

During any Saturday or Budget meeting, Members of the Council may, if they so choose, wear a "Business casual" attire, which shall mean clothing that is less formal than the regular Business Attire.

9.14 Head Dressing

During the conduct of any meeting of the Council, wearing of any hats, other than for religious purposes, is strictly forbidden by any Members of the Council and Administration.

9.15 Code of Ethic – Confidentiality

9.15.1 Executive (In-Camera) subjects – public interest

Upon completion of any “In-Camera” council meetings, the decisions of the Council with respect to any of the enumerated items listed in Section 5.2; and direction to municipal Administration in accordance therewith, shall then be reported publicly by Council, to the extent that the public interest permits.

9.15.2 Council Response – In-Camera enquiries

The response of Council Members to enquiries about any matter dealt with during an “In-Camera” closed meeting, prior to it being reported publicly, shall be “This matter is still under advisement” “no comment”, or words to that effect.

a) Violation of regulation

Any violation of process to this regulation will result in exclusion of the offending Council Members, requiring a two-thirds vote, from future closed meetings of Council and that Members 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 process to 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 at a closed meeting and the issues shall be considered by Council prior to the affected Members being excluded from any closed meeting by a two-thirds vote. The results of Council’s deliberation shall be reported out publicly.

c) Separate Resolution – per Member

If the purported violation of the process to 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 Members is to be considered.

d) Member not permitted to vote

Notwithstanding Section 9.16.1 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 the Procedural 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.

e) Members – expressing personal position

Notwithstanding Section 9.16.2 (b), unless council by vote determines otherwise, upon the public disclosure of any report discussed at an “In-Camera” meeting, (closed to the public), any individual Member may express their 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.

f) No public release – documents

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

g) 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.

Part 10 Rules of Debate

10.1 Chair – preserve order

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

10.2 Addressing the Chair

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

10.3 Order – of speaking – determination

The Chair shall recognize the Members in the order that they indicate their desire to speak; be acknowledged by the Chair; and shall address all questions “Through the Chair”.

10.4 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.

10.5 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.

10.6 Point of Order – Inform Members

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

10.7 Speaking – subject of debate

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

10.8 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.

10.9 Speaking – duration – time limit

No Member of Council shall speak more than once to the main question and no longer than three (3) minutes on any question, except in explanation of a material part of her/his debate, which may have been misunderstood, but they may not introduce new matter. A right of reply may be allowed to a Member who has made a substantive motion to Council, and no Member shall speak to the same question or in reply, without permission of Council.

10.9.1 Speaking – duration – Council Committee - representative

Members of Council who wish to provide brief remarks on matters relating to a Special or Standing Committee to which they have been appointed, shall at the appropriate time within the Agenda and upon recognition by the Chair speak no more than three (3) minutes on the matter. There shall be no debate on the information provided.

10.10 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.

10.11 Question – Integrity of Employees

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

10.12 Motion – seconded – before debate
All motions shall be seconded before it is debated and voted on.

Part 11
Questions of Privilege - Points of Order

11.1 Rights - privileges - integrity - of members - affected
If a member believes that their rights, privileges or integrity or those of the members collectively have been prejudicially affected, the member shall ask leave of the Chair to raise a question of privilege which shall take precedence over all other matters, but they shall not be permitted to enter into any argument or introduce any motion related to the question of privilege.

11.2 Administration - integrity questioned – procedure
When a member considers that the integrity of a member of the administration has been impugned or questioned, the Chair shall, if they choose to do so, permit the C.A.O., Clerk or their designate to make a statement to the Council.

11.3 Rule of procedure - violation - raised by member
When a member desires to call attention to a violation of the rules or practices of procedure, they shall ask leave of the Chair to raise a point of order and after leave is granted, they shall state the point of order to the Chair succinctly and the Chair shall then decide upon the point of order and advise the members of their decision.

11.4 Appeal - Chair's decision - immediately - required
Unless a member immediately appeals the Chair's decision to the Council, the decision of the Chair shall be final.

11.5 Appeal - decision - question put - to Council
If the decision of the Chair is appealed to the Council, then the question "Shall the ruling of the Chair be sustained?" shall be put immediately without debate and its result shall be final.

11.6 Call to order - member to sit - speaking - permission
When the Chair calls a member to order, that member shall not speak again to the matter under discussion without the permission of the Chair, unless to appeal the ruling of the Chair.

Part 12
Motions - Order – Putting Motions

12.1 Notice of motion
Notices of motion filed in writing with the Clerk shall be directed by the Clerk to the next regular meeting of Council.

- 12.1.1 Notice in writing of all Motions for introducing new matters shall be filed with the Clerk, a copy of the motion type written shall be directed by the Clerk to within 48 hours.
- 12.1.2 The Clerk shall circulate a copy of Notice of Motion to all other Members of Council for their information on the next Agenda, where said Notice shall be identified and automatically put over without discussion or debate to the next meeting.
- 12.1.3 When a Member’s Notice of Motion has been called from the Chair

on two successive meetings and has not received Council disposition, it shall be dropped from the Agenda unless Council decides otherwise.

- 12.1.4 If at a third meeting such Notice of Motion is called from the Chair and not received disposition, it shall be deemed to be withdrawn.
- 12.1.5 Debate shall not be allowed on any Motion or amendment until it has been properly seconded and appropriate notice having been given.
- 12.1.6 After a Motion is read or has been stated by the Presiding Member, it shall be deemed to be in the possession of Council and can only be withdrawn with leave of Council and upon the consent of both the mover and seconder before decision or minor amendment.
- 12.1.7 No verbal notice of intent shall be given or received prior to the disposition of the Motion or minor amendment under discussion.
- 12.1.8 A Motion in respect of a matter which is beyond the jurisdiction of the Council shall not be in order.
- 12.1.9 Subject to the provisions of the Municipal Act, every Member present in the Council Chamber when a question is put shall vote thereon unless otherwise legally prevented from voting thereon and any Member who persists in not voting shall be deemed to have voted in the negative.
- 12.1.10 Subject to the provisions of any general or special Act and the provisions of this By-law, all matters before Council shall be determined by a majority vote of the Members present and in the event of a tie vote, the vote shall deemed to be lost.

12.2 Question - urgent - included in Agenda

Notwithstanding the provisions of section 12.1 of this By-law, when a member, submitting a notice of motion to the Clerk within the deadline prescribed in section 6.2 of this By-law indicates in writing to the Clerk that the notice of motion is a question of urgency, the Clerk shall introduce the notice of motion in the Agenda during Notice of Motion as identified in section 6.1 of this By-law.

12.3 Notice - Agenda - consideration - conditions

Notices of motions included in the Agenda at Item 5. (Business arising out of previous minutes), as identified in section 6.1 of this bylaw, shall only be considered by the Council when a majority of the members present have given leave for the introduction of such a motion.

12.4 Motions for giving leave - non-amendable - debatable

Motions for giving leave shall be put immediately without amendment or debate.

12.5 Motion - seconded before debate - exception

Motions shall be seconded before being debated or put to a vote, except motions to adopt a recommendation from the Committee of the Whole, advisory or special committee.

12.6 Withdrawal - before put - requirement

Every motion shall be deemed to be in the possession of the Council for debate after it is accepted by the Chair, but may, with the permission of the Council, be withdrawn at the joint request of the mover and seconder at any time before the motion is disposed of.

12.7 Motion under debate – other motions permitted

When a motion is under debate, no other motion shall be in order except a motion:

- (a) to adjourn;
- (b) to proceed beyond the hour of 7:30 p.m.;
- (c) to table;
- (d) to put the question (to close the debate);
- (e) to postpone;
- (f) to refer; or
- (g) to amend.

12.8 Motion to adjourn - qualifications

A motion to adjourn shall:

- (a) not be amended;
- (b) not be debated;
- (c) not include qualifications or additional statements; and
- (d) always be in order, except when a member is speaking or the members are voting or when made in closed session.

12.9 Motion to adjourn - rejected - procedure

When a motion to adjourn has been decided in the negative, no further motion to adjourn shall be made until after some subsequent proceeding has taken place.

12.10 Adjournment - extension - maximum - permissible

The Council shall always adjourn at 7:30 p.m. if in session at that hour, unless otherwise decided before that hour to extend the meeting for one (1) thirty (30) minute extension by a majority vote of the members present at the meeting. If the meeting is still in session at 8:00 p.m. local time, it shall adjourn.

12.11 Motion to proceed beyond 7:30 p.m. - qualifications

A motion to proceed beyond the hour of 7:30 p.m. shall:

- (a) not be amended;
- (b) not be debated; and
- (c) always be in order, except when a member is speaking or the members are voting.

12.12 Motion to table - qualifications

A motion to table shall:

- (a) not be amended;
- (b) not be debated;
- (c) apply to the main motion and any amendments thereto under debate at the time when the motion to table was made; and
- (d) not include qualifications or additional statements.

12.13 Motion to table - accepted – procedure

Notwithstanding the provisions of section 12.2 of this By-law, if a motion to table is decided in the affirmative by a majority vote of the members present, then the main motion and any amendments thereto shall be removed from the Council's consideration until such time as a notice of motion to lift the matter from the table is filed with the Clerk within the deadline prescribed in section 6.2 of this By-law and is included in the Agenda at Item 5. (Business arising out of previous minutes), as identified in section 6.1 of this By-law.

12.14 Motion to call the question - qualifications

A motion to put the question (to close the debate) shall:

- (a) not be amended;
- (b) not be debated;
- (c) not be introduced by a Council Member who has already spoken to the motion or amendment under debate, except a motion to proceed beyond the hour of 7:30 p.m.;
- (d) apply to the motion or amendment under debate at the time when the motion to put the question is made;
- (e) not be received in any committee;
- (f) be moved using the words "please call the question" and the mover and the seconder shall not be permitted to speak to the motion to put the question; and
- (g) not be permitted either when a motion or an amendment on the floor involves the approval of an expenditure by the Council that is \$5,000,000.00 or greater.

12.15 Motion to put the question - accepted - procedure

If a motion to put the question is decided in the affirmative by a majority vote of the members present, then the preceding motion or amendment shall be voted on immediately without further debate or comment.

12.16 Motion to Defer

A motion to postpone a matter to a certain time shall:

- (a) be open to debate as to the merit of the deferral only;
- (b) be amendable as to the time; and
- (c) can be reconsidered

12.17 Motion to Refer

A motion to refer a matter under consideration to another Committee, or to the Administration or elsewhere for a specific reason, (to obtain additional information or to investigate a matter and report back with a recommendation, shall be:

- (a) be open to debate;
- (b) be amendable; and
- (c) preclude amendment or debate of the preceding motion, unless the motion to refer is resolved in the negative, in which case the preceding motion shall be open to debate and amendment.

12.18 Motion to amend

Only one motion to amend the main motion shall be permitted consideration at any one time. An amendment to the amendment of the main motion shall be allowed, however the amendment to the amendment shall be voted on first before any other motions are permitted to amend the amendment.

12.19 Motion to Reconsider

12.19.1 After any matter has been decided, any Member who voted on the question with the majority may either move for a reconsideration at the same meeting or may give notice of a Motion for reconsideration of the matter at the next meeting immediately after, but no discussion of the question that has been decided shall be allowed until the Motion for re-consideration has carried by a two-thirds vote.

12.19.2 Despite the above, reconsideration on the same matter may not be introduced more than once at the same meeting.

A motion to amend shall:

- (a) be open to debate;
- (b) not propose a direct negative to the main motion; and
- (c) be relevant to the main motion.

Motion to amend - main motion - one at a time

Only one motion to amend the main motion shall be allowed at one time.

Motion to amend the amendment - one at a time

Only one amendment to the amendment to the main motion shall be allowed at one time.

Part 13

Voting

13.1 Amendment - to amendment - voted on first

A motion to amend an amendment to a motion shall be voted on first.

13.2 Voting - order

Voting on the main motion and amending motions shall be conducted in the following order:

- (a) an amendment to the amendment to the main motion;
- (b) an amendment (as amended or not) to the main motion; and
- (c) the main motion (as amended or not).

13.3 Dividing the Motion for Voting Purposes

When the motion under consideration contains distinct propositions, upon the request of any member and provided a recorded vote has not been called for, the vote on each proposition shall be taken separately.

13.4 Voting on a Motion

A motion shall be put to a vote by the Chair immediately after all members desiring to speak on the motion have spoken in accordance with Section 10.8 of this By-law.

Speaking - after motion - before vote announced

After a motion is put to a vote by the Chair, no member shall speak on that motion nor shall any other motion be made until after the result of the vote is announced by the Chair.

13.5 Mandatory vote - all members

Every member present shall vote on every motion unless the member indicated a conflict of interest, in which case the member shall recuse themselves from the vote.

13.6 Abstaining from Vote

Every member, who is not recused from voting by reason of a declared conflict of interest, shall be deemed to be voting against the motion if the member declines or abstains from the vote.

13.7 Voting on Motion – No Secret Ballot

When putting a question to the vote, the Chair will first ask those in favour of the adoption of the motion to indicate so by raising their hands, then ask for those opposed to its adoption to indicate so by raising their hands. At no time is it permissible for a motion to be determined by secret ballot.

Putting the question to vote - qualifications

When putting the question to vote, the Chair shall first ask for those in favour of its adoption to raise their hands and then ask for those opposed to its adoption to raise their hands.

13.8 Leaving seat - disturbance during vote - prohibited

A member shall not leave their seat or make any noise or disturbance while a vote is being taken or until the result is declared.

13.9 Announcing the Results of the Vote

The Chair shall announce the result of every vote. Where a Member disagrees with the result announced by the Chair, they may object immediately to the Chair's declaration and, with the consent of Council, the vote shall be retaken.

Result - disagreement - objection immediate - retaken

If a member disagrees with the number of votes for and against a motion as announced by the Chair, they may object immediately to the Chair's declaration and, with the consent of the Council, the vote shall be retaken.

13.10 Tie vote – motion defeated

When there is a tie vote on any motion, it shall be deemed to have been decided in the negative.

13.11 Request for Recorded Vote

A member may call for a recorded vote immediately prior to the taking of the vote or immediately followed by the vote prior to any other matters being discussed or debated.

13.12 Recorded vote

When a recorded vote is requested, such request must be made, prior to the Chair calling for the vote on the question or immediately following the vote prior to any other matters being discussed or debated. When such a request has been made, the Clerk shall ask each member to indicate by voice their vote in the affirmative or negative to the motion. The Clerk shall record the name and vote of every member in the following order: Dummer Ward Councillor, Douro Ward Councillor, Councillor at Large, Deputy Mayor and then the Mayor, unless said member has excluded themselves by reason of the Municipal Conflict of Interest Act, R.S.O 1990, c. M. 50 and shall report the result of the vote to the Chair.

Voting - number of members - calculation

In any vote required of the whole Council, the number of members constituting the Council shall be determined by excluding:

- (a) the number of members who are present at the meeting but who are excluded from voting by reason of the Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50 and
- (b) the number of seats that are vacant on the Council by reason of section 259(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended.

Voting - recorded vote

When a recorded vote is requested, such request must be made, prior to the Chair calling for the vote on the question or immediately following the vote prior to any other matters being discussed or debated. When such a request has been made, the Clerk shall ask each member to indicate by voice their vote in the affirmative or negative to the motion. The Clerk shall record the name and vote of every member in the following order: Dummer Ward Councillor, Douro Ward Councillor, Councillor at Large, Deputy Mayor and then the Mayor, and shall report the result of the vote to the Chair.

Part Reconsideration

14.1 Reconsideration – Direction to Staff

Council or committees may, by resolution or enacting a By-law, give direction to staff to pursue a course of action. A motion to reconsider a decided matter shall not be in order when the motion has been implemented by staff due to direction given by council or a committee at a previous meeting.

14.2 Reconsideration - decided matter of Council - same meeting

A motion to reconsider a decided matter of Council at the same meeting at which the original motion was decided shall be introduced at Item 13. (New Business) of the Council Agenda, unless the Chair determines there was a clear misunderstanding of the question that was put, in which case a motion for reconsideration shall be introduced immediately after the original vote was taken.

14.3 Reconsideration - decided matter of Council - subsequent meeting

A motion to reconsider a decided matter of Council at a meeting subsequent to the meeting at which the original motion was decided shall require a notice of motion submitted in accordance with section 6.2 of this By-law, and shall be introduced at Item 7. (Other Business and Staff Reports) of the Council Agenda.

14.4 Reconsideration - decided matter of Council – after one year

A motion to reconsider a decided matter of Council after one year to the meeting at which the original motion was decided shall be brought forward as though it were a new question and shall require a notice of motion submitted in accordance with section 6.2 of this By-law, and shall be introduced at Item 7. (Other Business and Staff Reports) of the Council Agenda.

14.5 Reconsideration - decided matter of Council - introduction

A motion to reconsider a decided matter of Council must be made by a member who voted with the majority on the original motion.

14.6 Reconsideration - decided matter of Council - only once

No motion to reconsider a decided matter of Council shall be made more than once in the twelve-month period from the date the matter was decided, unless a regular election has occurred following the decision.

14.7 Reconsideration - decided matter of Council - majority - whole Council

A motion to reconsider a decided matter of Council shall require the approval of a majority of Council.

14.8 Affirmative vote - original matter - next business

If a motion to reconsider is decided in the affirmative at a meeting, then consideration of the original matter shall become the next order of business.

14.9 Debate - prohibited - statement of reason - permitted

No debate on a motion to reconsider a decided matter shall be permitted; however, the mover of a motion to reconsider may provide a brief and concise statement outlining the reasons for proposing such reconsideration.

Part 14 Delegations

14.1 Written request - to Clerk - for Council and Committee of the Whole

Any person desiring to be heard by the Council or the Committee of the Whole shall submit a signed written request on the Delegation Request Form, attached to this By-law as Schedule 'A' and available on the Township website, to the Clerk in accordance with the established submission deadline as set out in Section 6.2 of this By-law. Persons that fill out a Delegation Request Form shall have their names shown on the meeting Agenda. Any supporting materials must be provided at the time of the request in one of the following formats: PDF, PowerPoint, JPEG or in hard copy. Late supporting documents will not be accepted.

14.2 Presenters – limited to 2 speakers

Persons appearing before Council or the Committee of the Whole shall have no more than two (2) persons to speak on behalf of the delegation and shall make their presentation from the speaker's podium if the meeting is taking place in the Council Chambers.

14.3 Business - stated - matters - related to

Persons appearing before Council or the Committee of the Whole shall confine their remarks to the business stated in their request.

14.4 Speaking - limited - 10 minutes

No delegation shall speak on a matter longer than a ten (10) minute period, without leave of a majority of the members present at a Council or Committee of the Whole, except as otherwise prescribed by applicable legislation.

14.5 Restrictions and permission

Presentations and/or 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

On 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. This shall not include Public Meetings which fall under the Planning Act, as Amended, or a Special Meeting called for the express purpose of hearing from the public on a set issue.

14.6 Questions – to delegation

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

14.7 Delegations – requests for action – referred

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

14.8 Delegations – no immediate decision

Under very limited circumstances, a decision Council may be made on a request by a Delegation at the same meeting the Delegation has been heard.

14.9 Repetition - prevented - hearing declined - exception

In order to avoid repetition and to ensure an opportunity for the expression of different points of view but except as required by law, Council or the Committee of the Whole or any committee [via a decision by the Clerk](#), may decline to hear any person who has an identifiable common interest or concern with any other person who has already appeared and spoken before Council or a committee.

14.10 Appearance - previous - limitation - new information

Except as required by law, any person appearing before Council, the Committee of the Whole or a committee who has previously appeared before the same Council, Committee of the Whole, advisory or special committee on the same subject matter shall be limited to providing only new information in their second and subsequent appearance within a 12-month period.

14.11 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 the Council, if it so wishes to hear the delegation, shall, by two-thirds vote of the Council Members present and voting, introduce a motion to suspend the rules (see Section 2.1) to allow the delegation to be heard at the next meeting.

14.12 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 Staff Official, may be recognized by the Chair on a "Point of Order" whereby the Members of Council or Staff Official so recognized by the Chair may bring necessary corrections or clarifications to the comments or statement said by the delegation.

14.13 Placards, signs and other paraphernalia – prohibited

Placards, signs and other paraphernalia of any type shall not be permitted in the Council Chambers without prior approval of Council via a two-thirds vote of the Council Members present and voting (see Section 2.1).

**Part
Communications – Petitions**

14.1 Presentation - information - legibly written - signed

Every communication or petition intended for presentation to the Council, Committee of the Whole, advisory or special committee shall be legibly written or printed and shall be signed by at least one person giving their address.

14.2 Matters - not pertinent - directed to appropriate area

Every communication or petition which does not pertain to matters in the Agenda shall be directed by the Clerk to the appropriate department or committee.

14.3 Language - obscene - defamatory - prohibited

Communications or petitions containing obscene or defamatory language shall not be listed in the Agenda or be directed to the Committee of the Whole or a committee, unless in the opinion of the Clerk and the Mayor that it should be forwarded to Council.

**Part 15
Public at Council and Committee Meetings**

15.1 Public - Proper Decorum to Be Maintained At All Times

Members of the public and delegations in attendance at Council, Committee of the Whole or committee meetings shall conduct themselves with proper decorum at all times, in order to ensure a safe and respectful meeting environment.

15.2 Public - Disorderly Conduct

Any person who is not conducting themselves in a manner as set out in section 15.1 of this By-law shall be asked by the Chair to do so. If that person continues to conduct themselves in a manner contrary to section 15.1 of this By-law, then the person shall be removed from the meeting.

15.3 Public - Immediate Removal

Notwithstanding section 15.2 of this By-law, in the event a member of the public is conducting themselves in a manner which poses a threat to the personal safety of themselves or others in attendance at the meeting, the member of the public shall be removed from the meeting, without warning.

15.4 Suspension of meeting - order restored

The Chair may unilaterally suspend the meeting until order is restored in the meeting.

**Part 16
Consent Agenda**

16.01 Items – considered for inclusion

All items to be considered for the Consent portion of the Agenda shall be determined by the Mayor, Chief Administrative Officer and the Clerk.

16.02 Consent items – explanatory note – one motion

All Items listed under the Consent Agenda, shall be preceded by an explanatory note indicating as follows: "all matters listed on the Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion on these matters."

16.03 Items for discussion – routine

All items listed under the Consent Agenda shall contain routine matters which are not controversial in nature and which do not need further discussion.

16.04 Request to separate – consent item to communication

Should a Member of Council wish to discuss any matter listed under the Consent Agenda, the Member shall ask immediately upon the Mayor (Chair) calling “Any Amendments, Deletions or Corrections to the Agenda”, at which time the Member shall request that the item be separated and dealt with under Communication.

16.06 Consent Agenda – Inclusions

Inclusions into the Consent Agenda may be, but not limited to, petitions, proclamations, flag raising, procurement updates and other similar items.

**Part 16
Enquires**

16.1 Corporation - business - procedure

Enquiries relating to any new subject matter that is not listed as an item on an agenda, connected with the business of The Corporation of the Township of Douro-Dummer may be made by members to the Chair or, through they, to another member or to the Chief Administrative Officer or to the Clerk or their designate or to a department manager.

16.2 Argument - opinions - debate - prohibited

When an enquiry is made in accordance with section 16.1 of this By-law, no argument, opinion or facts shall be stated, except so far as may be necessary to explain the enquiry, and no debate shall be permitted with respect to the enquiry.

16.3 Answer - response - debate - prohibited

When a member answers a question in response to an enquiry, they shall not debate the matter to which the enquiry refers.

16.4 Information – forwarded to department

When an enquiry is made in accordance with section 16.1 of this By-law, unless it is of an urgent or critical matter, the Council member shall refer the said enquiry to the Chief Administrative Officer, prior to the issue being made at a Council meeting, to ensure adequate information is available by staff at the meeting.

**Part 17
Enactment of By-laws**

17.1 Published - distributed - with 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.

17.2 Distributed - with Added Communications - motion to introduce – majority vote

Notwithstanding the provisions of section 17.1 of this By-law, a motion to introduce those By-laws arising from New Business shall be decided by a majority vote of the members present prior to such By-laws being read.

17.3 Passing of By-laws – without first, second, third readings

All By-laws shall be passed without receiving first, second and third readings, unless otherwise directed by legislation or Council.

17.4 Signed – numbered - seal affixed - dates shown

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

17.5 Proceedings - all matters

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

17.6 Non-amendable - non-debatable

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

Part 18 Disclosures of Pecuniary Interest

18.1 Pecuniary interest - disclosure - requirements

If a member has any pecuniary interest, direct or indirect, in any matter in which the Council is concerned and if the member is present at a meeting at which the said matter is the subject of consideration, then they shall:

- a) Disclose their interest and the general nature thereof at the appropriate juncture of the Council meeting or prior to any consideration of the matter at the meeting.
- b) Leave the Council Chambers or any other meeting location.
- c) Refrain from taking part in any consideration or discussion of the said matter.
- d) Refrain from voting on any motion in regard to the said matter.
- e) Not attempt in any way to influence the vote on the matter before, during or after the meeting on such questions.
- f) If a member is absent from the meeting where the matter is dealt with by Council, the member shall disclose the interest and the general nature thereof at the next regular meeting is attended by the member.
- g) The member that discloses a pecuniary interest shall provide a written statement of the interest and its general nature with the Clerk.

18.1 a) The Clerk shall keep a registry of the written statements on file which shall be available for public inspection.

18.2 Pecuniary interest - disclosure – requirements – closed session

Where the declaration of interest is made on a matter that is not open to the public, the Members 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, but not the general nature of that interest and shall be recorded in the minutes of the next meeting that is open to the public.

18.3 Pecuniary interest - 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 opened to the public, the general nature of such declaration.

18.6 Non-compliance - by member - validity not affected

The failure of one or more members to comply with section 18.1 of this By-law shall not affect the validity of the meeting in regard to the said matter. In the event that a member inadvertently fails to disclose an interest at the meeting of the subject matter, the member shall disclose at the next available meeting, offer an apology and same shall be recorded in the minutes.

18.7 Disclosure - by majority - quorum - requirement

Notwithstanding the provisions of section 7.1 of this By-law, when a majority of the members has disclosed an interest in accordance with section 18.1 of this By-law and the Municipal Conflict of Interest Act, as may be amended from time to time, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two.

**Part
Confirming By-law**

19.1 Proceedings - all matters

The proceedings at every regular, special and emergency meeting may be confirmed by one or more By-laws so that every decision of the Council at that meeting and every resolution passed thereat shall have the same force and effect as if each and every one of them had been the subject matter of a separate By-law duly enacted.

19.2 Non-amendable - non-debatable

Confirming By-laws shall not be amendable or debatable.

**Part 20
Committee of the Whole**

20.1 Committee of the Whole Agendas - composition - prepared by Clerk

The Clerk shall prepare Agendas for the Committee of the Whole consisting of the following parts:

1. Call to Order
2. Disclosure of Pecuniary Interest
3. Adoption of Agenda
4. Delegations, Petitions or Presentations
5. Reports - Managers' Updates – Reports
7. New Business to be requested for next Meeting
8. Closed Session
9. Rise from Closed Session
10. Matters Arising from Closed Session
11. Adjournment

20.2 Meeting Location

The agenda posted on the Township's website will give notice to the location of the Committee of the Whole meeting. Meetings of the Committee of the Whole shall be held either electronically or in Council Chambers located at 894 South Street, Warsaw, Ontario. Council may from time to time direct the Clerk by way of a majority vote to hold a meeting at another venue that is in the municipality subject to the venue being accessible to the public and to provide the appropriate public notice of the meeting and venue.

20.3 Recording and Livestreaming of Meetings

Meetings of the Committee of the Whole shall be audio/video recorded and/or broadcast through livestreaming in accordance with "Schedule B" attached hereto and forming part of this By-law.

20.4 Schedule of Meetings

Unless otherwise decided by Council, regular meetings of the Committee of the Whole shall be held every two months, on the second Tuesday of the month at 10:00 a.m. The first meeting of the Committee of the Whole each year shall be held in February.

20.5 Confidential Items - general description by Clerk

The Clerk shall include in the Agenda for the Committee of the Whole a description of the general nature of matters to be considered in a closed meeting under Item 8 (Closed Session) of the Committee of the Whole Agenda.

20.6 Chair - designated

The Mayor shall be the Chair of the Committee of the Whole and shall maintain order during the meeting.

20.7 Chair – if Mayor or Deputy Mayor absent

The Mayor shall be the Chair of the Committee of the Whole and shall maintain order during the meeting. In the absence of the Mayor, or if the Mayor refuses to act or if the office is vacant, the Deputy Mayor shall serve as the Chair.

In the event that the Deputy Mayor is unable, for any reason, to act in the place and stead of the Mayor and a quorum is present, the Clerk shall call the meeting to order and a member shall be appointed to act as the Chair for the duration of the meeting.

20.8 Report to Council

The Committee of the Whole shall consider and report to the Council on any other matter which has been referred to the Committee by resolution of the Council.

21.5 Meetings - apart from regular - permitted

The Committee of the Whole may meet apart from regular meetings when deemed necessary by Council.

21.6 Meeting - in closed session - decided by majority vote

Any Committee of the Whole meeting, or any part thereof, may be held in closed session if the Committee so decides by a majority vote of the members present to consider matters in accordance with sections 5.1 to 5.5 of this By-law.

20.9 Rules of Procedure

The rules governing the procedure of the Council and the conduct of its members as presented in the Procedural By-law, shall be observed in the Committee of the Whole.

21.8 Vote - by Chair - permitted - exception

The Chair of the Committee of the Whole may vote on any motion after the other members have voted, except when the Chair is disqualified from voting by reason of a declared conflict of interest.

20.10 Report – to Council

The report and recommendations of the Committee of Whole shall be considered under reports from Committees and may be adopted and confirmed by the Council in a single motion or the recommendations may be dealt with and voted on separately if a member of Council requests a separate vote on each recommendation.

21.10 Report - recommendations - adopted – confirmed by Council

The report and recommendations of the Committee of the may be adopted and confirmed by the Council in a single motion and the passage of such a motion shall be taken to confirm and adopt all of the recommendations contained in the report, except for those recommendations dealt with or voted on separately.

21.11 Request - to vote separately – requirements

A member of Council may request, prior to the adoption of a Committee of the Whole report, that a Committee of the Whole recommendation be voted on separately.

22.1 Department Liaisons – composition

The following departments shall have one member of Council appointed to be the Department Liaison, save and except for the Mayor who shall be appointed to all Liaison positions:

- (a) Public Works;
- (b) Finance and Staff;
- (c) Recreation, Development and Promotion;
- (d) Emergency Services.

22.2 Department Liaisons – Term

The term of a Department Liaison shall be limited to two (2) concurrent years, after which there must be a break of a minimum of one full year.

22.3 Department Liaisons – Report - to Council

Department Liaisons shall report to the Council at the second regular meeting in the month on matters relative to their department in order to keep Council aware of municipal operations, as required.

Part 21 Advisory and Special Committees

21.1 Advisory and Special Committees

An advisory or special committee may be appointed by the Council by resolution or By-law to consider and report on a specific subject, project or undertaking. Council shall designate one of its members to each Advisory or Special Committee.

At the start of every new term of Council, the Mayor, in consultation with elected Members of Council, shall determine and appoint individual Councillors to sit on various Special Committees as a representative of Council. The appointments shall be endorsed by By-law.

The Committee shall report its progress in writing respecting the matters directed to it by Council at least annually.

21.1.2 Public Library Board

As per the Public Libraries Act, R.S.O. 1990, c. P.44, Council shall appoint a minimum of 5 persons to sit on the Board with a term that runs concurrent to the term of Council.

Further, the Board reports to Council via their meeting minutes but Council does not have the power to direct the Board other than to set a yearly budget allocation.

Advisory and Special Committees – Member – Term

The term of a member serving on an advisory or special committee shall be two (2) years, after which time Council shall review the composition and determine the composition for the next two (2) year term.

21.2 Advisory and Special Committees - Rules of Procedure

All Committees, recognized as an Advisory or Special Committee of Council through By-law and where a Member of Council sits on the Committee, shall conduct their meetings in accordance to the adopted "Procedures" By-law governing Members of Council.

Advisory and Special Committees - Report - to Council

Advisory and special committees shall consider and report to the Council in writing on any other matter which has been referred to the Committee by resolution of the Council and on all matters connected with the duties imposed on them respectively.

21.3 Mayor - Ex Officio

The Mayor, shall be, an ex officio member of all committees of the Council.

21.4 Appointment of Chair

Each Advisory and Special Committee shall appoint a chair at its initial meeting in each year.

21.5 Appointment of Vice Chair

Each advisory and special committee shall appoint a Vice Chair at its initial meeting in each year.

21.6 Motions - seconded

Each advisory and special committee shall require motions made at its meetings to be seconded.

21.7 Minutes - report to Council

Minutes of the proceedings of Advisory and Special Committee meetings shall be kept and shall be forwarded to the Council.

21.8 Reports - adopted

The reports and/or minutes of advisory and special committee meetings may be adopted and confirmed by the Council in a single motion and the passage of such a motion shall be taken to confirm and adopt all of the recommendations contained in the report, with the exception when a member requests, prior to the adoption of an advisory and special committee report and/or minutes, that a specific recommendation be voted on separately due to a declared conflict of interest, and such a request shall not require the introduction of a motion.

Recommendation - separate vote - upon request

A member may request, prior to the adoption of an advisory and special committee report and/or minutes, that a specific recommendation be voted on separately due to a declared conflict of interest, and such a request shall not require the introduction of a motion.

21.9 Agenda - publication - notice

Upon the publication and distribution of the meeting Agenda notice shall be served on the members of the advisory or special committee of the meeting. The failure to receive the agenda by a member shall not affect the validity of the committee meeting or any action taken therein.

Agenda - not received - validity - not affected

Lack of receipt of the Agenda by members of the advisory or special committee shall not affect the validity of the committee meeting or any action taken thereat.

Part 22

Repeal - Enactment - Amendment

22.1 By-laws - previous

By-law 2018-09, as passed on January 16, 2018 and all of its amendments are hereby repealed.

22.2 Effective date

This By-law shall come into force and take effect on December XX, 2021.

Passed in open council this XX day of December, 2021.

Mayor, J. Murray Jones

Acting Clerk, Martina Chait-Hartwig



Schedule 'A' to By-law 2021-xx
Delegations

Request to Address Council

If you would like to attend as a delegation before Council for the Township of Douro-Dummer **or the Committee of the Whole**, you must complete this form and submit it to the Municipal Office. Please note that the deadline for delegation requests is 12-noon, on the Tuesday prior to the meeting date.

A copy of any presentation or supporting materials is also required to be submitted at 12-noon, on the Tuesday prior to the meeting date. The only formats accepted are as follows: PFD, PowerPoint, Word, Excel or Jpeg.

Please note that as per Procedural By-law 2021-XX, only three Delegations shall be scheduled for each meeting. The time limit of 10 minutes shall be strictly enforced.

Name of Individual(s): _____

*Note: Delegation(s) shall have no more than two (2) persons to speak on behalf of the delegation and 10 minutes to present. Council asks that delegations adhere to the 10-minute time limit.

Name of Organization: _____

Email: _____

Phone number: _____

Nature of delegation request: _____

*Please attach a separate sheet if more room is required.

For the purposes of the *Freedom of Information and Protection of Privacy Act*, by submitting this form, I/we authorize and consent to the use by, or the disclosure, to any person or public body or publishing on the Municipal website any information that is contained in this submission and recognize that my/our name may become part of the public record.

Signature(s):

Name:

Name:

Please submit the completed application to: **To be adjusted as needed**

Crystal McMillan, Clerk
crystal@dourodummer.on.ca

Fax: 705-652-5044

Phone: 705-652-8392 Ext. 205

or

Martina Chait-Hartwig, Deputy Clerk
martinac@dourodummer.on.ca

Fax: 705-652-5044

Phone: 705-652-8392 Ext. 210

To be completed by Municipal staff:

Meeting Date: _____

Time: _____

Schedule 'B'

Recording and Livestreaming of Meetings

1. Regular, Special and Emergency meetings of Council **and other Committees** held in Council Chambers at 894 South Street, Warsaw, Ontario or in another location will be recorded and broadcasted on the internet if the equipment is available.
2. Regular, Special and Emergency meetings of Council and other committees held virtually will be recorded and/or broadcasted on the internet **if the equipment is available**.
3. Committee and **Advisory Meetings of Council** may or may not be audio/video recorded and broadcasted on the internet depending on the location of the meeting and equipment available.
4. Closed Session meetings in **any format** shall not be recorded.
5. In accordance with the Municipal Act, 2001, as amended, minutes of meetings are to be recorded without note or comment by the Clerk or designate. The approved minutes that are authored by the Clerk or designate shall be the official record of all Council meetings.

The Township (Clerk) will not provide transcripts of the meetings.

6. The electronic file of any **audio/video** recording will become a corporate record and may be saved on the Township's server and/or uploaded to the Township's **website Video Platform** as soon as practical following the meeting.
7. Files on the internet are part of the public realm and may be subject to alteration by a member(s) of the public with no municipal control over such alterations. The Township assumes no liability associated with any alterations that are made by a member(s) of the public on the internet.
8. Signage shall be posted in the Council Chambers to advise members of the public that meetings may be recorded and will be made available on the internet.

A notation will be added to **applicable** meeting agendas to make presenters and members of the public aware that proceedings may be recorded and may be made available on the internet.

The Presiding Officer shall make a statement at the commencement of applicable meetings that "This meeting is being recorded and the recording will be made available on the Township **website Video Platform**". Access to recorded proceedings shall be in compliance with the Municipal Freedom of Information and Privacy Act.