

THE CORPORATION OF THE TOWNSHIP OF BURPEE AND MILLS

By-law No 2024-04

BEING A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL

WHEREAS subsection 238(2) of the Municipal Act, 2001.S.O. 2001, c. 25 as amended, requires that every municipal council and local board pass a procedural bylaw for governing the calling, place and proceedings of meetings;

AND WHEREAS it is deemed expedient to adopt by bylaw, rules governing the order and procedure for the Council of the Corporation of the Township of Burpee and Mills, and to repeal bylaw no. 01-2018

NOW THEREFORE the Council of the Corporation of the Township of Burpee and Mills hereby enacts the following:

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1. DEFINITIONS:

AD HOC COMMITTEE: Means a committee established by Council for the purpose of dealing with a special project with a clear mandate and a start and finish date.

ADJOURNMENT: Means the temporary discontinuation of a meeting or portion of a meeting with the intent to return to finish the subject matter on the agenda.

AGENDA: Means an agenda for a Council or Committee Meeting.

BYLAW: Means this procedural bylaw.

CHAIR: Means the person presiding at a meeting.

CLERK: Means the Municipal Clerk and/or designate.

CLOSED MEETING AND IN CAMERA: Shall be considered synonymous and mean a Meeting of Council that is closed to the public to discuss certain items and subject matters as contained in the Municipal Act, 2001, Section 239 (2)(3)(3.1) as amended.

COMMITTEES AND BOARDS: Means a Committee established by Council to advise on matters which Council has deemed appropriate for the Committee to provide recommendations for Council's review, or as established as a municipal services board or local board. Does not include the Committee of the Whole.

COMMITTEE OF THE WHOLE: Means a Committee comprised of all members of Council.

COUNCIL: means the Council of the Corporation of the Township of Burpee and Mills.

DEFER: means to postpone a decision on a matter until later in the same meeting or to a future meeting of Council or Committee.

DEPUTY REEVE: means a Member of Council appointed to the Office of Deputy Reeve and to act in the place of the Reeve, in his/her absence, as elected to represent the Township.

ELECTRONIC DEVICE: Means computers, cellular telephones, smartphones, smartwatches, personal digital assistants, tablets, voice recorders, cameras or any similar device.

EMERGENCY MEETING: means a meeting of Council held to consider any business of the Council which is determined by the Chair to be for an emergency.

LOCAL BOARD: means a board, commission, committee, body or local authority of the Township established or exercising authority under any general or special Act for municipal purposes.

MAJORITY VOTE: means more than half of the votes cast by members present entitled to vote at a meeting.

MEETING: any regular, special or other meetings of council, or of certain local boards or committees, where a quorum is present and where members discuss or otherwise deal with matters in a way that materially advances the business or decision making of the relevant body.

MEMBER OF COUNCIL or MEMBER: means any person duly elected or appointed to serve on the Council or Committee of the Township.

MOTION AND RESOLUTION: Shall be synonymous and means a question to be considered by the Council or Committee which is moved, seconded, presented read by the Reeve, or Clerk, and is subject to debate. When a motion is adopted, it becomes a resolution.

MUNICIPAL OFFICE: Means 8 Bailey Line Road, Evansville, ON. P0P 1E0.

MUNICIPALITY AND TOWNSHIP: Means the Corporation of the Township of Burpee and Mills.

POINT OF ORDER: Shall be an appeal by a Member of the Council made to the Chair when the member notices or objects to the proceedings of the meeting. Such objection must be due to the fact that the proceedings are in variance with the governing bylaw, the approved procedures of

the meeting or on a procedure to deal with a previous decision. The point of order halts proceedings while the Chair rules whether or not it is valid.

POINT OF PRIVILEGE: Shall be an appeal by a Member of Council made to the Chair with respect to a situation that affects the comfort, convenience, integrity, rights, or privileges of a meeting or of an individual member (*i.e.*, noise, inadequate ventilation, introduction of a confidential subject in the presence of guests, etc.) The member of Council may raise a point of privilege which permits him/her to interrupt pending business to make any urgent statement, request, or motion. However, if a motion is made, it must be seconded. The motion may also concern the reputation of a member, group of members, or members as a whole. If the matter is complex and cannot be taken care of informally, the Chair rules as to whether it requires consideration before the pending business is resumed.

QUORUM: Means more than half of the members of a Township Council or for committees, a majority of its members.

REEVE: Means the Head of Council as defined in the Municipal Act, 2001.

REGULAR MEETING: means a scheduled meeting held in accordance with this bylaw.

RULES OR PROCEDURE: means the rules and regulations governing the proceedings of Council and its Committees. All meetings will be conducted in accordance with "Roberts Rules of Order" current edition.

SECRETARY: Means recording secretary for a Meeting.

SPECIAL MEETING: means a meeting not scheduled in accordance with this Bylaw that is required to deal with a specific matter.

TOWNSHIP: means the Corporation of the Township of Burpee and Mills.

TWO-THIRDS VOTE: Means the affirmative vote of two-thirds (2/3) of the members present at a Meeting.

2. GENERAL

Subject to the provisions of the *Municipal Act, 2001*, as amended, the rules established by this procedural bylaw shall be the rules governing the proceedings of the Council and Committees thereof.

All the rules inconsistent with this bylaw at the time of the passing hereof, be and the same are hereby repealed.

Any rule established by this bylaw, other than a quorum requirement, may be suspended at or for a particular Meeting by resolution or by the Chair provided that two-thirds of all members present agree in favour thereof, and further provided that the suspension of the rules does not result in a contravention of the *Municipal Act, 2001*, as amended.

Subject to the provisions of the *Municipal Act, 2001*, as amended, and subject to the provisions hereinafter provided, a person not a member of council shall not be allowed to address council.

3. ROLES AND RESPONSIBILITIES

Role of Reeve

It is the role of the Reeve:

- a) To act as chief executive officer of the Township.
- b) To ensure that the decisions of council are in conformity with the laws and bylaws governing the activities of the municipal corporation.
- c) To preside over Meetings of Council so that its business can be carried out efficiently and effectively.
- d) To provide leadership to Council.

- e) Without limiting clause © above, to provide information and recommendations to the Council with respect to the role of Council description below;
- f) To represent the Township at official functions.
- g) To act as Council's representative when dealing with other levels of government, their agencies and the private sector, unless otherwise delegate,
- h) To carry out the duties of the head of council under the *Municipal Act, 2001* or any other act, including but not limiting to:
 - i Uphold and promote the purposes of the Township.
 - ii Promote public involvement in the Township's activities.
 - iii Act as the representative of the Township both within and outside the municipality, and promote the Township locally, nationally and internationally, and
 - iv Participate in and foster activities that enhance the economic, social, and environmental well-being of the Township and its residents.
- i) The Reeve has the authority should it be required to call for an adjournment.
- j) To act as the head pursuant to the *Municipal Freedom of Information and Protection of Privacy Act*.

Role of Council

It is the role of Council:

- a) To represent the public and to consider the well-being and interests of the Township.
- b) To develop and evaluate the policies and programs of the Township.
- c) To determine which services the township provides in accordance with applicable legislation.
- d) To ensure that administrative policies, practices and procedures, controllership policies, practices and procedures are in place to implement the decisions of Council.
- e) To ensure the accountability and transparency of the operations of the Township, including the activities of the senior management of the Township.
- f) To maintain the financial integrity of the Township; and,
- g) To carry out the duties of Council under the *Municipal Act, 2001* or any other Act.

Duty of the Chair

The Reeve shall chair Meetings of Council, unless the Reeve is unavailable, in which case the Deputy Reeve will chair the Meeting or, in the absence of the Deputy Reeve, the Member shall chair the Meeting.

The Chair 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 of any ruling of the Chair by any Member of Council or Committee.

The member of council appointed to preside at meetings, in the absence of the Head of Council, be delegated the powers necessary to continue to fulfill the current requirements of the role of Deputy Reeve of Acting Deputy Reeve, specifically in relation to providing representation at events, signing legal documents and acting in any other capacity when the Reeve is absent or unavailable.

When two or more Members wish to speak, the Chair shall name the Members who, in his/her opinion, should speak and in which order.

Duty of Members

It is the duty of Members to attend all Meetings, and;

- a) To prepare for Meetings, including reviewing the Agenda and background information prior to the Meeting.
- b) Members are encouraged to contact the appropriate staff member or supervisor prior to a Council meeting to raise questions or clarify issues relevant to a matter on the Agenda. Members shall not give direction to staff or request reports without a majority vote of council or direction from the head of council. All requested reports will be provided to Reeve and Council.
- c) To speak only to the subject matter under debate.
- d) To vote on all motions before the Council unless prohibited from voting by law.
- e) To observe proper procedure and decorum at all Meetings.
- f) To state questions to be asked through the Chair.
- g) To attend all Meetings of advisory committees, sub-committees, and ad-hoc committees to which the Member has been appointed by the Reeve.
- h) To prepare a report on the Committees attended and submit the report to the Clerk, no later than the Wednesday prior to the Council meeting so that the report may be included in the Agenda package.
- i) To carry out the duties of Members under the *Municipal Act, 2001* or any other Act.
- j) To act in accordance with their declarations to office and others of allegiance and Code of Conduct.

Duties of the Clerk

It is the duty of the Clerk to attend all Councils Meeting, and:

- a) To attend or cause a designate to attend all Meetings of the Council, or Committee and other Meetings as deemed necessary.
- b) To record, without note or comment, all resolutions, decisions, and other proceedings of such Meetings as indicated above.
- c) To forward a copy of all resolutions, enactments and orders of the Council and Committees to those concerned to provide notice.
- d) If required by any Member present at a vote, to record the name and vote of every Member voting on any matter or question.
- e) To keep the official records of the Township, including the minutes of the proceedings of Council.
- f) To keep in his/her office or in the place appointed for that purpose, the originals of copies of all bylaws and of all minutes of the proceedings of Council.
- g) To make such minor clerical, typographical or grammatical deletions, additions, or other changes in form to any bylaw, motion, resolution and/or minutes as may be required for the purpose of ensuring correct and complete implement of the actions of Council.
- h) Where a video or audio recording of regular/special Council Meeting is made, to retain such recording.
- i) To forward, by way of delegated authority, housekeeping or consolidation, bylaws directly to Council for consideration.
- j) To present annually a Meeting calendar outlining the regular Council Meeting schedule for the next year, which may be amended from time to time.
- k) To provide to each Member of Council a copy of this bylaw when the Member of Council makes a declaration of office and is sworn into office and upon request thereafter.
- l) To perform such other duties as are prescribed by law or by direction of Council.
- m) Following a regular or new election, the Clerk shall provide each Member of Council with a copy of this bylaw, including amendments thereto.

4. CONVENING MEETINGS OF COUNCIL

The Inaugural Meeting in each new term of Council shall be held no later than thirty-one (31) days after its term commences.

Within thirty (30) days of the inaugural Meeting, the Reeve shall appoint a Deputy Reeve to act in the absence of the Reeve and appoint a member of Council to committees.

Regular meetings of council shall be held in the Burpee/Mills Municipal Complex located at 8 Bailey Line Road, Evansville, Ontario on the first Tuesday of each month at 7:00 p.m. When the first Tuesday of the month falls on the day following on a statutory holiday, the meeting will be moved to the prior Wednesday or the following Wednesday.

Except as otherwise provided by the Municipal Act, 2001, as amended other statutes, Council may, by resolution dispense with, alter the time, day or place of any Meeting.

The Reeve may, at any time, summon a special Council Meeting to be held on such day at such time and in such a location as is chosen by the Reeve.

The clerk shall summon a special meeting upon receipt of a petition of the majority of the Council members for the purpose, and for the time and date mentioned in the petition.

The special meeting shall be held no sooner than 48 hours following the head's summons or receipt of the petition, as the case may be, and the clerk shall provide written notice of the special meeting immediately following receipt of the summons or petition.

Head of Council may elect to either postpone or re-schedule a meeting under unusual circumstances e.g., Inclement weather, municipal emergency, availability of council members or a quorum.

Electronic Council Meetings will be allowed at Council's discretion and for Open Public Meetings only. Closed Meetings and In Camera Meetings will not be held electronically.

5. NOTICE OF MEETINGS

The Clerk shall give notice of each regular and special Meeting of Council and of each Committee to members of Council, Committee members, where required, to the Heads of Departments concerned with such a Meeting.

The notice shall be in the form of an Agenda which shall first make mention of the day, time and place for the Meeting and any matter, so far as know, to be brought before such Meeting.

Insofar as is practicable, the council agenda, along with supporting material, shall be prepared and made available to members on the Thursday prior to the regular meeting.

Notice of Meetings shall be placed on the Township website and through availability of this bylaw.

In the case of Special Meetings of Council, or any Committee Meetings where time does not permit personal delivery or sending by mail of the aforementioned agenda to meet the deadline, the Clerk shall attempt to inform each Member, Heads of Departments and such other persons as the Chair or Clerk deem advisable of the date, time, place and purpose of the Meeting by telephone or otherwise. Advertising of these Meetings shall be posted on the Township website. The notice of a Special Meeting shall specify the purpose for the meeting. Failure of any person to receive notice of the Meeting to whom notice of the Meeting was required to be given, shall not affect the validity of the holding of the Meeting or any action taken thereafter.

6. PREPARATION OF AGENDAS

It shall be the duty of the Clerk to prepare the Agendas for all Meetings in accordance with the provisions contained herein.

The Clerk shall accept items for any Agenda from the Reeve, Members of Council and Heads of Departments.

The Clerk may also receive petitions and communications from the public and at his/her discretion, shall place the petition or communication on a Council Meeting Agenda. All items for the agenda shall be delivered to the Clerk prior to the normal close of business on the Wednesday preceding the Meetings of Council or Committees. Late items may be added by majority 2/3 vote of Council or Committee.

When, in the opinion of the Clerk, in light of a report or reports of the Heads of Departments or otherwise, the Clerk does not consider that the petition or communication from the public warrants the consideration of Council or a Committee thereof, the Clerk in consultation with the Reeve or Deputy Reeve, may refuse to forward same to Council or a Committee thereof, as the case may be. The Clerk shall advise the correspondents or the petitioners of such refusal.

Written reports of general managers shall, insofar as is practicable, be made available for the Agenda by 4:00 p.m. on the Wednesday, immediately preceding regular meetings.

7. AGENDA FORMAT

All Council Meeting Agendas shall be prepared by the Clerk with the approval of the Reeve and shall be in the following order:

1. Opening of Meeting
2. Approval of Agenda
3. Declaration of a Conflict of Interest
4. Approval of Minutes
5. Committee Reports
6. Voucher approvals
7. Delegations
8. Old Business
9. New Business
10. In Camera Session
11. Correspondence
12. Adjournment

The items on the Agenda of each Meeting shall be taken in the order in which they stand on the agenda unless otherwise decided by a majority of the Members present.

8. DECLARATION OF A CONFLICT OF INTEREST

Every declaration of interest and the general nature thereof made shall, where the meeting is open to the public, be recorded in the minutes of the meeting by the clerk of the municipality. The member of Council declaring a conflict of interest shall file a written statement of the interest and its general nature with the clerk. The Declaration of Interest form is attached to this bylaw. Every municipality shall establish and maintain a registry which shall contain a copy of the statement filed as well as a copy of the declaration recorded.

9. REFERRED AND DEFERRED ITEMS Any item which is deferred by Council shall be included on the Agenda for the next regular Meeting if not deferred to a subsequent Meeting.

10. DELEGATIONS/PRESENTATIONS

Delegations and presentations by Individuals or groups which are listed on an agenda or are otherwise approved by the Reeve to appear before council shall, be limited to not more than ten (10) minutes except if a delegation consists of more than five (5) persons it shall be limited to two (2) speakers each limited to speaking not more than ten (10) minutes.

(a) DELEGATIONS

Prior to the normal close of business on the Wednesday prior to the Meeting, any delegation shall submit its request in writing, together with a written submission detailing the matters that the delegation wishes to present to Council and the action you would like Council to consider.

The clerk may, with the consultation of the Reeve, make a determination as to deferral of delegations to a subsequent meeting.

A delegation may also appear before Council or a Committee if a Member requests in writing to the Clerk that the delegation be placed on the Agenda prior to the normal close of business on the Wednesday prior to the Council meeting.

A delegation may be refused if:

- If no written materials are received.
- if the subject matter is deemed to be beyond the jurisdiction of Council.
- if the issue is specific to a matter held in closed session.
- if the issue has been or is to be considered by Council.
- if the delegation has appeared before Council on the matter within a period of 12 months.
- if the issue should be referred to Administration for action.
- if sufficient information is not provided.
- if refused to disclose the reason for the delegation.
- If subject matter relates to private matter not common to all Members of Council.
- Political satire and criticism will not be permitted.

Delegates shall:

- Respect the decorum of Council.
- Refrain from public outbursts, shouting, or behaviour intended to disrupt the debate, discussion and/or general proceedings of the meeting.

Delegates shall not:

- Speak disrespectfully of any person or any member of Council.
- Use offensive words.
- Speak on any subject other than the subject for which they have received approval to address Council.
- Disobey a decision of the Chair or Council.
- Enter into a cross-debate with other members of the public, Administration, Council members or the Chair.

The Reeve or presiding officer may expel anyone from a meeting who engages in improper conduct or creates any disturbance during a meeting of Council and if necessary the Reeve may call upon the clerk to seek the appropriate assistance from the local police services.

The Clerk shall advise the delegation when there are two minutes remaining and once the time allotted to a delegation has been expired the Chair shall so inform the delegation and the delegation shall immediately cease its presentation.

Delegations may be followed by questions to the delegation by Members of Council. Questions are to be for clarification only.

The Clerk may, with the permission of the Reeve direct that a delegation be received by a committee prior to being received by Council.

No more that two delegations will be scheduled per Meeting except at the Clerk's discretion in consultation with the Reeve.

Delegates will not be permitted to make multiple delegations on the same matter unless the delegate has new information related to the matter for Council or Committee consideration. If a delegate has new information related to a matter, any additional delegation shall be limited to the new information only.

Members of the public who may wish to present an issue to Council and do not want to appear as a delegation can write a letter directed to Council and it may be forward as correspondence on an upcoming agenda subject to the criteria set out in this section.

(b) PRESENTATIONS

In addition to the above-noted requirements for delegations, presentations shall be limited to the following:

- Civic recognition/awards.
- Presentations from other government organizations.
- Presentations from Township Staff or consultants.

11. QUORUM

The Quorum required to commence and continue a Meeting of Council shall be more than fifty percent (50%) of the members.

The Quorum required to commence and continue a Meeting of Committee shall be at least one and not more than fifty percent (50%) of Council Members plus more that fifty percent (50%) of the non-Council Members on the Committee.

If no quorum is present one-half hour after the time appointed for a council or committee meeting, the clerk or recording secretary shall record the names of the members present and the meeting shall stand adjourned until the date of the next regular meeting or until rescheduled.

If at any time during the Meeting there is not a Quorum, the Meeting shall automatically be deemed to stand recessed until there is a Quorum again in attendance or, should a lack of a Quorum continue for 30 minutes from the time of its occurrence, then the Meeting shall automatically be adjourned either until the next regular meeting day or until a special Meeting is called to deal with the matters at the adjourned Meeting.

As soon as there is a Quorum after the hour affixed for the commencement of the Meeting, the Chair shall take the chair and call the Meeting to order.

The Reeve may cancel a Meeting if notice has been given that a Quorum is not available.

12. ADOPTION OF MINUTES

The Minutes shall record:

- a) The place, date and time of the meeting.
- b) The names of the Presiding Officer or Officers and record of attendance of the Members
- c) The reading, if requested, corrections and adoption of the minutes of prior meeting.
- d) D) All other proceedings of the meeting without note or comment.

During the adoption of the minutes of a previous Meeting of Council no changes can be made in the action taken by Council at the previous Meeting, only changes in the form of errors or omissions and recording of any action taken at the previous Meeting may be made in adopting the minutes.

During the adoption of the minutes of a Committee any Member may discuss any items mentioned in the Committee minutes and Council may, by Resolution, change any action taken or not taken by the Committee and changes in the form of errors or omissions in the recording of any action taken at the Committee Meeting, may be made in adopting the minutes.

13. CLOSED MEETINGS

All council and committee meetings shall be open to the public except if the subject matter being considered is in accordance with Section 239 of the *Municipal Act, 2001*, as amended and includes the following topics:

- The security of the property of the municipality or local board.
- Personal matters about an identifiable individual, including municipal or local board members.
- A proposed or pending acquisition or disposition of land by the municipality or local board.
- Labour relations or employee negotiations.
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act. 2001,c.25, s.239(2).

Before all or part of a meeting is closed to the public, the council shall provide a motion to go into closed session and will provide a general description of the issue to be discussed in a way that maximizes the information available to the public while not undermining the reason for excluding the public.

A meeting shall not be closed to the public during the taking of a vote except if:

- Subsections 239(2) or (3) of the *Municipal Act, 2001* permit or require the meeting to be closed to the public; and
- The vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Township or Local Board of either of them or persons retained by or under a contract with the Township or Local Board.

Following a closed session, council will give a general summary of what was discussed In-Camera.

14. BYLAWS

Every bylaw shall be proposed and seconded by a written Motion. Every bylaw shall be introduced by reading the Resolution which will state who is the proposer and who is the seconder and whether the bylaw be read a first time only, or a first and second time only, or a first, second and third time and passed, and a short description of its contents. Every bylaw shall be given three readings prior to passage.

Any proposed bylaw may be referred to a committee, department head, other office or solicitor of the Corporation for review or comment.

The Chair shall then inquire if there are any members who wish to debate the bylaw set forth in the resolution. Any member who wishes to may debate or move to amend the bylaw set forth in the Resolution. If, at the conclusion of the debate, amendments have been proposed to any of the bylaws, the Chair shall report all such amendments to Council. Each amendment shall then be voted on separately with further amendment or debate following which the bylaw then will receive third reading.

A bylaw which has been defeated at any stage of the order of procedure shall be subject to a Motion to reconsider. The foregoing rules shall apply except when a Motion to reconsider a bylaw is carried by majority vote, in which case the next order of business shall be a Motion that leave be given to introduce the bylaw. If such a Motion is carried, the bylaw shall be dealt with in accordance with the usual procedure.

Any procedure under this bylaw which is discretionary and not mandatory under statute may be suspended with the consent of a majority of the members present.

Upon passage bylaws shall be numbered, signed by the Reeve or Presiding Officer and embossed with the seal of the Corporation.

15. ADJOURNMENT

Council and committee meetings shall stand adjourned at 10:00 p.m., but business may be continued upon a resolution passed by unanimous vote.

When a person has been deemed guilty of improper conduct by the Chair and is expelled or excluded from the meeting by the Chair and such person refuses to leave, the Chair may adjourn the Meeting without any Motion to do so until such time as the person has left the meeting room.

16. RULES OF DEBATE

The Chair shall preside over the conduct of the Meeting including the preservation of good order and decorum, ruling of points of order, questions of privilege, points of information and ruling on all questions relating to the procedure of the Meeting.

Any ruling made by the Chair is subject to an appeal to the Members by a Member. If an appeal is made by a Member for a ruling of the Chair, the Member appealing shall, after announcing the appeal, state the reasons for such an appeal and the Chair may then indicate why the appeal should be rejected and the Chair's ruling upheld. Without debate on the appeal, the Members by roll call shall then vote on the appeal. If the appeal is upheld, then the Chair shall change his ruling; accordingly, if the appeal is rejected then the ruling stands.

The Chair may speak on any matter before the commencement of debate on that matter. The Chair may speak to close the debate on any matter after everyone else wishing to speak has spoken.

17. CONDUCT OF MEMBERS IN COUNCIL

In accordance with section 259 of the Municipal Act, 2001, as amended, any Member who is absent from Council Meetings for three consecutive months without being authorized to do so through a resolution of Council shall have their seat declared vacant.

The office of a member of council of a municipality does NOT become vacant when the member is absent for 20 consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member.

A Member shall not:

- Speak disrespectfully of the Reigning Sovereign, any member of the Royal Family, the Governor General or a Lieutenant-Governor.
- Use offensive words or unparliamentarily language in a Meeting.
- Disobey the rules of the Council or decision of the Chair or of Council on questions of order or practice or upon the interpretation of the rules of Council.
- Leave their seat or make any noise or disturbance while a vote is being taken and the result being declared.
- Enter the council chamber while a vote is being taken.
- Interrupt a Member while speaking, except to raise a point of order.
- Use an Electronic Device during any Meeting for any purpose other than accessing material pertinent to the item under discussion or with permission of the Chair.
- Use an Electronic Device as a recording device or to broadcast or otherwise publish or post audio, video or photographs of any Meeting.
- Communicate with other Members using an Electronic Device during any Meeting.

All Electronic Devices not required for conducting the Meeting shall be turned off unless given permission by the Chair.

A Member who persists in a breach of the foregoing section, after having been called in order by the Chair, may at the discretion of the Chair be ordered to leave their seat for the duration of the Meeting. At the discretion of the Chair, the Member may resume their seat following an apology.

18. CONDUCT OF MEMBERS OF THE PUBLIC

- Members of the public present during a Council or Committee meeting shall maintain order and quiet.
- No person shall display signs or placards, applaud participants in a debate or engage in conversation or other behaviour which may disrupt the proceedings of Council or the Committee.
- No person shall bring into the Council Chamber or Committee meeting food or drinks that are considered by the Reeve or Chair of the Committee to be disruptive to the meeting.
- No person shall bring into the Council Chamber or Committee meeting room cellular telephones, pagers or other electronic devices unless they are turned off or permission is given by the Chair.
- No member of the public shall use an Electronic Device as a recording device or to broadcast or otherwise publish or post audio, video, or photographs of any Meeting.
- When invited to address Council or a Committee, no person shall use indecent, offensive or insulting language or speak disrespectfully of the Royal Family, the Governor General, the Lieutenant Governor of any province, any member of the Federal or Provincial Governments, any Member of Council, any employee of the township, or of any individual.
- No person shall enter the Council Floor without the expressed permission of the Chair.
- Any person, not being a member of Council, who contravenes any provision of this section shall be expelled from the Meeting by the Chair. In the case of any electronic meeting the staff member hosting the meeting shall remove any person who contravenes any provision of this section.
- When a person has been deemed guilty of improper conduct by the Chair and is expelled or excluded from the meeting by the Chair and such person refuses to so leave, the Chair may adjourn the Meeting without any Motion to do so until such time as the person has left the meeting room.
- It is expected that Members of the Public, attending any meeting, will be respectful of their elected officials, the municipal staff, and other attendees. The Reeve may ask any person showing disrespect to remove themselves from the meeting.

19. MOTIONS

All Motions shall be read by the Chair or Clerk and then presented to the Chair for the commencement of debate. A Member who moves a main Motion has the first right of speaking on that Motion. Motions shall be debated in the order of presentation to the Chair. Any Member may require the Motion under discussion to be read at any time during the debate, except when a Member is speaking.

A Member shall not speak more than once on a matter without the leave of Council or Committee except:

- if permission is given by the Chair.
- if questioned by another Member;
- to explain comments which the Member believes have been misunderstood; or,
- in the case of the mover of the main Motion, in reply just before the Chair and after everyone else has spoken.

The mover and seconder of a Motion or amendment must both be present at the time a vote is taken for the vote to be valid.

When the Chair determines the vote on a question, their vote shall be spoken, signified, polled and recorded after the votes of each Member voting.

Failure to vote by a Member who is present at the Meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote. Any question on which there is a tie vote shall be deemed to be lost, except where otherwise provided by any Act. If a Member present at a Meeting at the time of a vote requests immediately before or after taking of the vote that the vote be recorded, each Member present, except a Member who is disqualified from voting by any Act, shall announce his or her vote openly and the Clerk shall record each vote.

Notices of Motion shall be filed in writing with the Clerk and shall be added to the next Agenda for a regular Meeting of Council under as a Notice of Motion. Notwithstanding the written inclusion of a Notice of Motion on an Agenda, any Member may verbally provide a Notice of Motion during a Meeting and provide a written copy following the Meeting to the Clerk.

20. POINTS OF ORDER

When a Member desires to address Council upon a matter which concerns the rights of privileges of the Council collectively or of themselves as a Member thereof, the Member shall be permitted to raise such matter of privilege. A matter of privilege shall take precedence over other matters. While the Chair is ruling on a point of privilege, no one shall be considered to be in possession of the floor.

A Member who desires to call attention to what the Member believes to be a violation of the rules of procedure shall ask leave of the Chair to raise a point of order. When the leave is granted, the Member shall state the point of order with a concise explanation and shall attend the decision of the Chair upon the point of order. (The Speaker in possession of the floor when the point of order or privilege was raised shall have the right to the floor when the debate resumes.)

A Member called to order by the Chair shall immediately vacate the floor until the point of order is dealt with and shall not speak again without the permission of the Chair unless to appeal the ruling of the Chair.

When a Member desires to call attention to what the Member believes to be a violation of the rules of procedure, the Member shall, once recognized by the Chair, rise on a point of order. On raising the point of order, a Member shall state the point of order with a concise explanation and the Chair shall rule upon the point of order.

Unless a member immediately appeals the ruling of the Chair, the ruling of the Chair on the point of order shall be final. If the ruling is appealed, the appeal procedure set out in section 15 shall be followed.

21. VOTING

When a Motion that the vote now be taken (question) is presented, it shall be put to a vote without debate and if carried by a two-thirds majority of the Members present, the Motion and any amendments thereto shall be submitted to a vote immediately, without further debate.

After the Chair commences to take a vote on a question, no Member shall speak to such question or present any other Motion until a vote has been taken on the question. Voting shall be by way of a "show of hands" in favour or against, except when a recorded vote is requested by any Member.

Every person who is present at a Meeting when a vote by way of "show of hands" is taken on a question, shall vote thereon unless prohibited by statute, or if any Member present other than the Chair refuses or fails to vote, the Member shall be deemed as voting against the question.

When a Member requests a recorded vote, all members who are present at the meeting shall vote when called by the Clerk or Chair unless he/she has disclosed a conflict of interest. The name of each member who voted, and the manner in which he/she voted, shall be noted in the minutes. If a Member present at a meeting of Council, where a motion is put to a vote and a recorded vote taken, does not vote, he/she shall be deemed to have voted in the negative unless the Member's reason for abstaining is due to a disclosure of conflict of interest in which case his/her abstention shall not be deemed to be either a negative or an affirmative vote. The Clerk or Chair shall announce the results.

Any question on which there is an equality of votes shall be deemed to be lost except where otherwise expressly provided by statute.

If a Member disagrees with the announcement by the Chair regarding the results of any vote, the Member may object immediately to the Chair's declaration and require the vote to be retaken by a recorded vote by the Clerk. A Member's opposition to any question shall not be recorded in the minutes unless a recorded vote was taken.

When the question under consideration contains distinct propositions, upon the request of any Member, the vote upon each proposition shall be taken separately.

With respect to Committees, any Member, including the Chair, may propose or second a Motion and all Members including the Chair shall vote all Motions except when disqualified by reasons of interest or otherwise; a tie vote shall be considered lost.

No more than one Motion for reconsideration of any question shall be permitted in the same calendar year.

Only one amendment at a time can be presented to the main Motion.

22. INTERPRETING THE PROCEDURAL BYLAW

In the event of conflict between this Procedural Bylaw and legislation, the provisions of the legislation prevail;

A specific statement or rule in this Procedure Bylaw has greater authority than a general one; and

If there is a conflict between two or more rules in this Procedure Bylaw, or if there is no specific rule on a matter, the chair shall rule. In making a ruling, the chair may consult the clerk, rely on previous rulings and practices, or refer to Robert's Rules of Order.

23. APPOINTMENTS TO BOARDS, COMMITTEES AND CITIZENS COMMITTEES

It shall be the duty of the Reeve to select the members of council who are to serve on a committee.

The Reeve shall be *ex-officio* Members of all Committees of Council and shall have the same rights and privileges as any other Member of the Committee but shall not constitute part of the quorum.

24. COMMITTEE OF THE WHOLE

The Committee of the Whole shall deal with items which require prolonged discussions and are too time consuming for a Council agenda.

25. AD HOC COMMITTEES

Ad Hoc Committees containing less than 50% of the Council Members may be appointed by Council from time to time to consider specific matters.

A by-law appointing a Committee shall include:

- a. the name of the Committee
- b. the members of the Committee
- c. the purposes and objectives of the Committee

Unless otherwise stated in the by-law creating the Ad Hoc Committee, the term of the Ad Hoc Committee will not extend beyond the term of the Council by which it was created. Ad Hoc Committee meetings shall be arranged in accordance with the policy of Council as determined from time to time.

Each Ad Hoc Committee, at its first Meeting, shall elect a Committee Chair from among its Members and shall arrange its own schedule of Meetings.

An Ad Hoc Committee Chair may be removed by a vote of a majority of the Ad Hoc Committee.

If the Chair of an Ad Hoc Committee is not present within fifteen minutes from the time of the opening of the Committee meeting, the Members present shall, by Resolution, elect another Member of the Ad Hoc Committee to preside and the Member shall discharge the duties of the Chair for that Meeting, or until the arrival of the Ad Hoc Committee Chairperson.

26. RULES IN COMMITTEE

Rules of Committees containing less than a majority of Council members shall follow procedures set out by Council for such Committees.

Any public appointee of any Committee that misses two (2) consecutive Meetings, without notifications to the Chair with the reason of absence (just cause), may be considered to have resigned. Council may appoint another Member in their place.

A Committee which refuses or neglects to give due consideration to any matter before it, may, by Council resolution, be discharged from such responsibility to another Committee.

Each Committee, in the exercise of its several functions, when same is not described by Statute or by by-law, is subject to the control and direction of Council. Each Committee shall report in writing to Council on all matters connected with their duties or referred to them by Council.

27. STAFF ATTENDANCE AT COUNCIL MEETINGS

The Heads of Departments or their designates shall render assistance to Council or Committees and may attend Meetings of Council. The Department Heads or their designates shall be present at all Council Meetings when any item on the agenda is related to their area of responsibility.

All Electronic Devices not required for conducting the Meeting shall be turned off unless given permission by Chair.

No staff member shall use an Electronic Device as a recording device or to broadcast or otherwise publish or post audio, video, or photographs of any Meeting.

28. AMENDMENT OF BY- LAW

Any provision contained in this by-law may be repealed, amended or varied and additions may be made to this by-law by a majority vote, provided that no Motion for that purpose may be considered unless notice thereof has been given at a preceding regular Council Meeting and such notice may not be waived.

This bylaw shall come into force and take effect immediately upon the final passing thereof.

READ IN OPEN COUNCIL A FIRST, SECOND TIME.

Reeve, Ken Noland

Clerk, Patsy Gilchrist

READ A THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____, 2024.

Reeve, Ken Noland

Clerk, Patsy Gilchrist.