

CORPORATION OF THE TOWNSHIP OF ADMASTON/BROMLEY

BY-LAW NO. 2022-30

Being a By-Law to amend By-Law 2012-34, being a By-Law to govern the proceedings of Council and Committees, Of the Township of Admaston/Bromley.

WHEREAS, pursuant to Section 238 of the Municipal Act, 2001, S.O., 2001 c. 25 as amended, every Council shall pass a procedural by-law for governing the calling, place, and proceedings of meetings;

WHEREAS pursuant to Section 238 (2.1) of the *Municipal Act, 2001, S.O., 2001 c.25 as amended* states that the procedure by-law shall provide for public notice of meetings.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Admaston/Bromley hereby enacts as follows:

PART I – INTERPRETATION/DEFINITIONS

1. GENERAL

- (a) The proceedings of Council and of its Committees, the conduct of the members, and the calling of meetings will be governed by the rules and regulations contained in this by-law.
- (b) These Rules of Procedure shall be deemed to apply to the Committee of the Whole, all Standing Committees, Sub-Committees of Council and Ad-Hoc Committees.
- (c) Where the term “Committee” is used in this by-law, the provision applies only to Committee meetings and related Committee matters.
- (d) The majority of Council shall decide on all points of order not provided for herein.
- (e) If this By-Law does not cover any proceedings, then the most current edition of Robert’s Rules of Order will govern.

2. DEFINITIONS

- (a) “CAO/Clerk” means the CAO/Clerk of the Corporation of the Township of Admaston/Bromley as appointed by by-law.
- (b) “Council” means the Council of the Corporation of the Township of Admaston/Bromley.
- (c) “Head of Council” means the Mayor of the Council of the Corporation of the Township of Admaston/Bromley.
- (d) “Municipality” means the Corporation of the Township of Admaston/Bromley.
- (e) “Committee” means a Committee of Council and includes Standing Committees, Joint Committees, Ad Hoc Committees, and Sub-Committees. Ad Hoc Committees, Sub-Committees and Joint Committee’s may include non-elected members.

- (f) “Standing Committees of Council” include Community Service, Public Works, Protective Services, Budget, Finance and Human Resources, and Planning and Economic Development Committee.
- (g) “Ad Hoc” Committee means a special purpose committee of limited duration, created by Council to inquire and report on a particular matter or concern and which dissolves as directed by Council.
- (h) “Committee Chair” means the Chair of a Standing Committee, Joint Committee, Ad Hoc Committee, or Sub-Committee of Council.
- (i) “Member” means a Member of Council including the Presiding Officer.
- (j) “Meeting” means any regular, special, committee, or other meeting of Council.
- (k) “Special Meeting” means a meeting other than a regularly scheduled meeting called pursuant to the Municipal Act or the provisions of this by-law.
- (l) “Closed Meeting,” means a session of Council, or a Committee comprised of more than 50 percent of members of Council, which is closed to the public in accordance with the Municipal Act.
- (m) “Notice of Meeting” is deemed to be given on the day that the notice is hand delivered, faxed, e-mailed or delivered by courier. If mailed, it shall be deemed to have been received forty-eight (48) hours after 12:01 a.m. on the day following the day of mailing thereof.
- (n) “Quorum”, subject to any other applicable statutory
 - (i) in the case of Council, a majority of Council Members
 - (ii) in the case of a Committee, a majority of Committee Members. The Presiding Officer, if present, is a Member to be included in determining a quorum.
- (o) “Presiding Officer” shall in all cases refer to the Mayor or in the absence of the Mayor, the Deputy Mayor shall preside over the meeting of Council. In the absence of the Mayor and Deputy Mayor, the remaining Council may appoint a member until the arrival of the Mayor/Deputy Mayor.
- (p) “Municipal Act” means the Municipal Act, 2001, S.O. 2001, c. 25, as amended from time to time.
- (q) “Special Enquiry” includes a request for detailed investigative, statistical or technical information or study.
- (r) “Resolution” means a formal determination made by Council or a Committee on the basis of a motion, duly placed before a regularly constituted Council or Committee meeting for debate and decision, and duly passed.
- (s) “Rules” or “Rules of Procedure” means the rules and regulations provided in this By-law.

- (t) "Recorded Vote" means the recording of the names and votes of every Member voting on any matter or question
- (u) "Majority Vote" of "Council" or "Committee" as the case may be, means 50% plus one of the Members present except as otherwise expressly provided in this By-Law
- (v) "Two-thirds vote" means the affirmative vote of at least two-thirds of the members present and eligible to vote.
- (w) Point of Privilege permits interruption if necessary (pertains to noise, personal comfort etc).
- (x) Point of Information – applies to information desired from the speaker.
- (y) Point of Order – infraction of the rules, or improper decorum in speaking. Must be raised immediately after the error is made.

PART II – PRESIDING OFFICER

3. PRESIDING OFFICER

- (a) The Head of Council shall preside at the meetings of Council.
- (b) Should the Head of Council not be in attendance within fifteen minutes after the time fixed for a meeting or where the Head of Council has advised that he/she will not be attending, the Deputy Mayor shall call the Members to order and preside over the meeting. If both the Head of Council and Deputy Mayor are absent a Presiding Officer will be appointed from among the Members present and will preside until the arrival of such.
- (c) While presiding, the Deputy Mayor or Presiding Officer will have all the powers of the Head of Council and will be so entitled to vote as a Member.

4. DUTIES OF THE HEAD OF COUNCIL OR PRESIDING OFFICER

- (a) Ensure proper notice is given by Presiding Officer or Clerk.
- (b) to open the meeting by taking the chair and calling the members to order;
- (c) make such remarks as is fitting for the information or assistance of Council.
- (d) to announce the business before Council in the order in which it is to be acted upon;
- (e) to receive and submit, in the proper manner, all motions presented by the members of Council;
- (f) to put to a vote all questions which are moved and seconded, or that necessarily arise in the course of the proceedings, and to announce the result;
- (g) Vote on all matters.

- (h) to decline to put to vote, motions which infringe upon the Rules of Procedure;
- (i) to enforce on all occasions the observance of order and decorum among the members;
- (j) to authenticate by signature all By-Laws, resolutions and minutes of Council;
- (k) to inform the Council when necessary or when referred to for the purpose, on a point of order or usage;
- (l) to ensure that the decisions of Council or committee conform to the laws and by-laws governing the activities of Council.
- (m) to recommend the appointment of the members of Council who are to serve on the various committees;
- (n) to represent and support the Council or committee, declaring its will and implicitly obeying its decision in all things;
- (o) to adjourn the meeting when the business is concluded;
- (p) to order any individual or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order the individual or group to vacate the Council Chambers;
- (q) to receive all messages and other communications and announce them to the Council.
- (r) the Presiding Officer may state relevant facts and his/her position on any matter before Council without leaving the chair, but to move a motion the Presiding Officer must first leave the chair.
- (s) If the Presiding Officer desires to leave the chair to move a motion, pursuant to subsection (r) above or otherwise, the Presiding Officer will call upon a member to preside until the issue is resolved.
- (t) The Head of Council or Presiding Officer may expel from a meeting anyone who engages in improper conduct.
- (u) The Head of Council or Presiding Officer may announce that Council will stand adjourned or in recess to a specified hour. The Council by a two-thirds vote can postpone the time for taking a recess or adjournment. When the hour has arrived to which the recess was taken, the Head of Council or Presiding Officer calls the Council meeting back to order and the business proceeds the same as if no recess had been taken.

PART III – COUNCIL

5. INAUGURAL MEETING

- (a) The inaugural meeting of Council, after a regular election shall be held on the first available scheduled Regular Meeting of Council, (Section 6 (a)), according to the

Municipal Elections Act 1996, amended from time to time. or at such other time as Council may determine by resolution.

(Amended by By-Law 2022-30)

- (b) A Member of Council shall not take his/her seat until he/she has taken the declaration of office in the version of the form established by the Minister for that purpose.
- (c) AGENDA FOR INAUGURAL MEETING
 - (1) Call to Order
 - (2) Moment of Silence
 - (3) Members Oath of Office
 - (4) Mayor's Address
 - (5) Oath of Office
 - (6) Appointment of the Deputy Mayor
 - (7) Disclosure of Pecuniary Interest and general nature thereof.
 - (8) Matters incidental to any of the above or Other Business as required
 - (9) Adjournment
- (d) DEPUTY MAYOR APPOINTMENT PROCEDURE
 - (i) At the inaugural meeting the Head of Council shall open the floor for nominations for the office of Deputy Mayor for the present term of Council.
 - (ii) Each nomination shall be in the form of a resolution, regularly moved and seconded and will have the verbal consent of the nominee appended thereto.
 - (iii) Each mover of a nominee and each nominee shall, prior to the vote being taken, be permitted to speak to the nomination for not more than five minutes.
 - (iv) Any nominee may withdraw at any time before any vote is taken.
 - (v) Where more than one nominee remains for appointment, a vote shall be taken.
 - (vi) To be appointed as Deputy Mayor, a nominee shall obtain a vote of a majority of the Members present.
 - (vii) If more than one person is nominated for the office of Deputy Mayor, a vote of the members of council including candidate shall be taken by the clerk.
 - (viii) In the case of an equality of votes, the successful candidate shall be determined by the Clerk placing the names of the candidates on equal size pieces of paper in a box and one name being drawn by a person chosen by the Clerk.
- (e) The Deputy Mayor shall be sworn in by the Clerk and shall sign the Declaration of Office.

6. REGULAR AND SPECIAL COUNCIL MEETINGS

- (a) Regular meetings of Council shall be held in the Council Chambers on the first and third Thursday of each month at 7:30 p.m. or at such other time as may from time to time be determined by resolution of Council or by the Presiding Officer.
- (b) All regular and special Council meetings will be held in the evening. Special Council meetings, whereby time is a factor,

may be held at any hour in accordance with the remaining relative sections of the By-Law.

- (c) Council may, by resolution, alter the date and/or time of a regular meeting provided that adequate notice of the change is published or broadcast in a manner approved by Council. Publishing means advertising in the local newspaper and posting on the municipality's website.
- (d) The Head of Council may, at any time, summon a special meeting.
- (e) The Clerk shall summon a special meeting upon receipt of a petition of the majority of the Council members for the purpose and at the time and date mentioned in the petition.
- (f) In either case of (d) or (e) above, the Special Meeting shall be held not sooner than 48 hours following the Head of Council summons; or receipt of the petition, as the case may be. A notice of the special meeting will be given by telephone, fax, email or personal contact as determined by the Clerk immediately following receipt of the summons or petition. In the event of a declared emergency, notice and location rules may be suspended to deal with an emergency issue.
- (g) Unless otherwise specified in the notice, the special meeting shall be held in the Council Chambers.
- (h) The notice of a special meeting shall specify the purpose for the meeting. No business other than that stated in the notice shall be considered at such a meeting, except with the unanimous consent of all members present at such a meeting.
- (e) No person, except a Member of Council or an authorized employee of the Township, shall be allowed to come on the Council floor during a Council meeting without permission of the Presiding Officer, notwithstanding question period.
- (f) No person except a Member of Council or an authorized employee of the Township shall, before or during a Council meeting, place on the desks of Members or otherwise distribute any material unless such person is so acting with the approval of the Clerk/ Head of Council.
- (k) Every member of Council, all Department Heads shall attend each meeting of Council or shall advise the Clerk of his/her inability to attend.

7. STANDING COMMITTEES OF COUNCIL

Standing Committees will meet at such time and place as the Chair determines.

A meeting of any Committee may be called by the Clerk, upon instruction of the Head of Council at the earliest convenience of all committee members.

In the case of any emergency and in the absence of the Committee Chair, a Committee meeting may be called by the Clerk in such a way as he/she may deem best regarding notice to the Members and the public.

The Head of Council is an ex officio Member of every Committee. The Head of Council may vote and participate in the business of the Committee, without any restriction, on the same basis as any other Committee Member.

Committee Meetings shall be open to the public subject to Section 239 of the Municipal Act.

8. MEETINGS OPEN TO THE PUBLIC

- (a) Subject to Section 239 of the Municipal Act, all Council and Committee meetings shall be open to the public, and no person shall be excluded there from except for improper conduct.
- (b) The Head of Council or Presiding Officer may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting.
- (c) Members of the public who constitute the audience in the Council Chamber during a Council meeting shall maintain order and may not:
 - (i) address Council except upon request of the Presiding Officer with Council approval and in such event the presentation shall be limited to five (5) minutes;
 - (ii) interrupt any speech or action of the Members of Council or any other person addressing the Council;
 - (iii) display or have in their possession picket signs or placards in the Council Chamber.

9. MEETINGS CLOSED TO THE PUBLIC

- (a) A meeting of Council, Committee of the Whole or a Committee of more than 50 percent of members of Council may be closed to the public in accordance with the Municipal Act.
- (b) Where a meeting or part of a meeting is closed to the public, all persons not specifically invited to remain by Council shall promptly leave the Council Chamber.
- (c) A meeting shall not be closed to the public during the taking of a vote on a motion with the exception of Section 239 (6) (b) of the Municipal Act which is for a procedural matter or for giving directions or instructions 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.
- (d) Meetings or sessions which are closed to the public may be referred to as in-camera meetings or sessions.
- (e) Closed meetings shall be held, if possible, before or after the regular meeting.
- (f) One topic only shall be discussed.
- (g) Minutes will be kept of any meeting or part of any meeting of Council, or any Committee that is closed to the public.

Minutes will be without note or comment. They shall be approved at the next closed meeting.

- (h) Members shall keep confidential including from members of Council that are not present any information:
 - (i) disclosed or discussed at a meeting or part of a meeting that is closed to the public.
 - (ii) that is circulated to Members that is marked confidential. Any documentation marked confidential shall be kept securely until no longer required in the course of business and shall at that time be returned to the office of the Clerk for destruction.
 - (iii) that is received in confidence verbally in preparation of the closed meeting.
 - (iv) the obligation to keep information confidential applies even if the Member ceases to be a Member.
 - (v) Enquiries Regarding Closed Meetings
- (i) No Member shall release or make public any information considered at a closed meeting or discuss the content of such a meeting with persons other than Members or relevant staff members present.

PART IV – ORDER OF PROCEEDINGS

10. AGENDAS AND SUPPORTING MATERIAL

- (a) The Clerk shall prepare agendas of Council and Council Committee meetings as assigned. Any additions to the circulated agendas must be approved by all of Council or Committee members at the start of the meeting.
- (b) Insofar as is practicable, Council agendas, along with supporting material shall be prepared and made available to members on the Tuesday prior to a regular meeting.
- (c) Individuals or groups wishing to appear before Council at a regular meeting shall notify the Clerk not later than 12 noon on the Monday prior to the meeting and the Clerk may make a determination as to deferral of delegations to a subsequent meeting. Notification must be in writing and it shall specify the nature of the business to be discussed.
- (d) Individuals or groups which are listed on an agenda or are otherwise approved to appear before Council shall be limited to not more than fifteen (15) minutes except that a delegation consisting of more than (5) persons shall be limited to two (2) speakers each limited to speaking not more than ten (10) minutes.
- (e) Written reports of officers or appointees shall, insofar as is practicable, be made available to Council by 12 noon on the Monday prior to the regular meeting.
- (f) Agendas shall be generally formatted as follows but modifications to the matters to be included or the order of

business may be affected without requiring amendment to this By-Law.

- (1) Call to Order
- (2) Moment of Silence
- (3) Approval of Agenda
- (4) Disclosure of Pecuniary Interest
- (5) Delegations/Guests
- (6) Adoption of Minutes
- (7) Planning and Economic Development Committee
- (8) Community Service Committee
- (9) Public Works Committee
- (10) Budget, Finance and Human Resources Committee
- (11) Protective Services Committee
- (12) County of Renfrew
- (13) By-Laws
- (14) Notice of Motion
- (15) Old Business
- (16) New Business
- (17) Confirmatory By-Law
- (18) Question Period
- (19) Adjournment

(Amended by By-Law 2015-40)

- (g) The business of the Council shall be taken up in the order as listed on the agenda unless otherwise decided by the Head of Council or presiding officer.
- (h) Items received after the agenda package has been distributed may be introduced as an addendum if approved by the Head of Council/Clerk.
- (i) Tenders or quotes may be opened at the respective committee meetings with the required information and committee recommendation being brought forth to Council for approval at a regular Council meeting.
- (j) For a special enquiry made by a member of Council at a Council meeting or at a Committee meeting, the Presiding Officer may require the request to be submitted in writing, signed by the Member, and referred to the CAO/Clerk. The CAO/Clerk shall respond to all of Council on the enquiry. Should the request involve extraordinary staff research time and costs, Council or the Committee will be advised and the request will proceed subject to Council approval.
- (k) A question period shall be held at the conclusion of each regular or special meeting of Council with the following conditions applicable:
 - (i) The maximum time allotment for such question period to be twenty minutes;
 - (ii) A maximum time allotment per individual to be two minutes;
 - (iii) The question period privilege is available to Admaston/Bromley electors and members of the media only;
 - (iv) Questions may be posed only on matters of the agenda of that meeting;
 - (vi) Any questions designed in the view of the Chair, to be derogatory or defamatory to individual members of Council or Staff will be ruled out of order.

- (vii) Attendance shall include remote participation by electronic means. Electronic participation shall be as prescribed in Section 238 in the Municipal Act, regarding procedure by-law. **(Amended by By-Law 2020-21)**

11. MINUTES

- (a) Minutes of meetings of Council and all committees shall record:
 - (i) the place, date, and time of the meeting
 - (ii) the name of the Presiding Officer and the record of Members' attendance;
 - (iii) the late arrivals and early departures of Members
 - (iv) the reading, if requested, correction, and adoption of the minutes of previous Council meetings;
 - (v) all other proceedings of the meeting without note or comment, including all resolutions and decisions.
- (b) If the minutes have been delivered to Members of Council prior to the meeting, the minutes will not be read aloud, and a resolution that the minutes be adopted as if read shall be in order.
- (c) Draft minutes of committee meetings shall be prepared and distributed to members as early as possible after the committee meeting where no scheduled meeting has been set.

12. NO QUORUM

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.

13. CURFEW

Council and Committee meetings shall stand adjourned at 11:00 p.m. but business may be continued upon a resolution being passed by a unanimous vote.

PART V – VOTING DURING COUNCIL MEETINGS

14. VOTING

- (a) When the Presiding Officer calls for a vote on a motion each member shall occupy his/her seat until the result of the vote has been declared by the Presiding Officer, and during such time, no Member shall walk across the room or speak to any other member or make any noise or disturbance. A member who is absent from his/her seat when the vote is called does not have the right to vote.
- (b) Immediately prior to voting on a motion, the Head of Council or presiding officer shall state the question in the precise

form that it is to be recorded in the minutes, including any amendments to the question.

- (c) A member shall not speak more than once to the same question without the consent of the Head of Council or presiding officer.
- (d) Every member present at a Council meeting, when a question is put, shall vote thereon unless the member has a pecuniary interest, in which case it shall be recorded. Any member, who abstains from voting, shall be recorded as voting in the negative.
- (e) When a vote is taken and no dissent is declared, such vote is deemed to be unanimously in favour of the question.
- (f) The Head of Council or presiding officer, except where disqualified to vote, may vote on all questions and when so doing, shall vote last.
- (g) If a vote is to be recorded as herein provided, the Clerk shall announce the decision and record it in the minutes.
- (h) No vote shall be taken during a Council meeting by secret ballot or other form of secret vote.
- (i) A motion on which the voting results is a tie shall be declared lost.

PART VI – RULES OF CONDUCT AND DEBATE

15. CONDUCT OF MEMBERS OF COUNCIL AND GUESTS

No member shall:

- (a) speak until he/she has been recognized by the Head of Council/Presiding Officer;
- (b) use offensive words or unparliamentary language in or against the Council or against any member, staff or guest;
- (c) disturb another, or the Council, staff, or guest, by any disorderly conduct disconcerting to the speaker;
- (d) speak on any subject other than the subject in debate;
- (e) resist the rules of Council or disobey the decisions of the Head of Council or Presiding Officer or of Council on questions of order or practice or upon interpretation of the rules of Council. In the case where the Member persists in any such disobedience after having been called to order by the Head of Council/Presiding Officer, the Head of Council/Presiding Officer may immediately put the question- without amendment, adjournment, or debate being allowed “That such Member be ordered to leave his/her seat for the duration of the Meeting of Council”. If the Member apologizes, he/she may, by vote of Council, be permitted to retake his/her seat.
- (f) leave a meeting without first obtaining permission from the Head of Council or presiding officer;

- (g) interrupt the member who has the floor except to raise a point of order. When leave is granted, the Member shall state the point of order with a concise explanation and will follow the decision of the Head of Council/Presiding Officer. A speaker in possession of the floor when a point of order is raised will have the right to the floor when the debate resumes.
- (h) When two or more members seek to address Council the Head of Council or presiding officer shall designate the member who may speak first.

16. REMOVAL OF HEAD OF COUNCIL/PRESIDING OFFICER FROM CHAIR FOR ALL OR PART OF A MEETING

- (a) If the Head of Council/Presiding Officer at a meeting acts improperly, neglects their duties, abuses their authority, or engages in other misconduct that calls into question their fitness for office, the Head of Council/Presiding Officer may be removed as chair.
- (b) The Head of Council/Presiding Officer may be removed as chair of the meeting by majority vote of Council.

17. POINTS OF INFORMATION/ORDER

- (a) A member who directs a request to the Head of Council/Presiding Officer or, through the Head of Council/Presiding Officer to another Member or to staff, for information relevant to the business at hand shall raise a "Point of Information".
- (b) A member who desires to call attention to a violation of the Rules of Procedure shall raise a "Point of Order". When leave is granted, the member shall state the point of order with a concise explanation and will follow the decision of the Head of Council/Presiding Officer. A speaker in possession of the floor when a point of order is raised will have the right to the floor when the debate resumes.
- (c) A member called to order by the Head of Council/Presiding Officer shall immediately remain in his/her seat until the point of order is dealt with and will not speak again without the permission of the Head of Council/Presiding Officer unless to appeal the ruling of the Head of Council/Presiding Officer.

18. APPEAL

- (a) The decision of the Head of Council/Presiding Officer is final subject to an immediate appeal to the members of Council, requested and seconded.
- (b) If the decision is appealed, the Head of Council/Presiding Officer shall give concise reasons for a ruling and shall call a vote, without debate, on the following question: "Will the Chair be sustained?" Council's decision is final.

PART VII – DISCLOSURE OF PECUNIARY INTEREST

19. Disclosure of Pecuniary Interest

- (a) It is the responsibility of each Member to identify and disclose any pecuniary interest (as defined by the Municipal Conflict of Interest Act, R.S.O. 1990, C.M.50) in any item or matter before Council or Committee and the general nature thereof.
- (b) Where a Member, either on their own behalf or while acting, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of Council or Committee at which the matter is the subject of consideration, the member shall:
 - (i) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof.
 - (ii) Not take part in the discussion of, or vote on, any question in respect of the matter.
 - (iii) Not attempt in any way, whether before, during, or after the meeting, to influence the voting on any such question.
- (c) Where a meeting is not open to the public, in addition to complying with the requirements, the Member shall forthwith leave the meeting for the part of the meeting during which the matter is under consideration and also disclose the interest, but not the general nature of that interest at the next meeting that is open to the public.
- (d) Where the interest of a Member has not been disclosed, by reason of absence from the particular meeting, the Member shall disclose the interest and otherwise comply at the first meeting of Council or Committee as the case may be, attended by the Member after the particular meeting.
- (e) If a member attends a meeting where they have to approve minutes and the minutes contain items where the member has a conflict, and the Member has not previously declared a conflict on the matter because they were absent from the meeting where the matter came up, the Member now has to declare the conflict prior to the approval of minutes.
- (f) The CAO/Clerk shall record the nature of any disclosure of pecuniary interest made by Members, as the case may be, and any such record shall appear in the minutes of that particular meeting, as the case may be.
- (g) Notwithstanding the quorum requirements of the By-Law, when a majority of the Members has disclosed an interest in accordance with Section 19 (b) of this By-Law and the Municipal Conflict of Interest Act, the remaining number of Members shall be deemed to constitute a quorum provided such number is not less than two.

PART VIII – MOTIONS AND RESOLUTIONS

20. MOTIONS AND RESOLUTIONS

(a) Notice of Motion

Notice of motions shall:

- (i) be in writing
- (ii) include the name of the mover
- (iii) advise Council that the motion described therein will be an agenda item at the next Council meeting unless stipulated for an alternate date.
- (iv) When a Member's notice of motion has been called from the Presiding Officer and it has not proceeded with, it shall be dropped from the agenda and it shall be deemed to have been withdrawn.

(b) Motion to Suspend Notice Requirements

Council or Committee by a two-thirds vote of the whole number of Members present, may temporarily suspend or waive, for the purpose of that particular meeting or issue, the notice requirements and deal with the motion immediately.

(c) Motion to Withdraw

After the Chair receives a motion, it shall be deemed to be in possession of Council or Committee but may, at the request of the mover and with the permission of Members, be withdrawn at any time before decision or amendment.

(d) Motion to Amend

- (i) A "Motion to Amend" is to add or insert certain words or phrases, to strike out certain words or phrases, or to strike out certain words or phrases and insert other words and phrases.
- (ii) shall be presented in writing;
- (iii) shall be relevant and not contrary to the principle of the motion or report under consideration;
- (iv) may propose a separate and distinct disposition of a motion provided that such altered disposition continues to relate to the main issue and subject matter of the motion;
- (v) the amendment shall be voted on before the main motion.
- (vi) Only one amendment shall be before the meeting at one time. An amendment to an amendment shall not be permitted.

(e) Motion to Refer

- (i) A "Motion to Refer" means a motion to request that a pending motion be referred to Administration or Committee or elsewhere to obtain further information to be provided for consideration.
- (ii) A Motion to Refer must be seconded and shall include:

- The name of the administrative department or Committee to whom the request is to be referred; and
- Instructions or directions respecting the information required, and
- Date the information is to be returned.

(f) **Motion to Rescind (Miscellaneous)**

The purpose of a Motion to Rescind is to annul some action Council has previously taken. Any action of Council can be rescinded regardless of the time that has elapsed.

(g) **Motion to Lay on the Table**

- (i) A motion to lay on the table with some condition, opinion, or qualification added to the motion to table shall be deemed to be a motion to postpone or defer.
- (ii) the matter tabled shall not be considered again by Council until a motion has been made to take up the tabled matter at the same or subsequent Council meeting, or until such time as is identified in the motion to table.
- (iii) A motion to take up a tabled matter is not subject to debate or amendment.
- (iv) A motion that has been tabled and not taken from the table for six months is deemed to be withdrawn and cannot be taken from the table.

(h) **Motion to Postpone or Defer**

The purpose of a Motion to Postpone or Defer is to have a matter postponed or deferred to a definite date. On the date to which the question has been postponed or deferred, the question shall have precedence over all other business on that date.

(i) **Motion for Reconsideration**

The purpose of a Motion for Reconsideration is to suspend all action that the original motion would have required until the reconsideration is acted upon.

Any resolution, By-law, or matter that has previously been adopted by Council may be reconsidered by Council subject to:

- (i) Notice of Motion must be introduced according to the procedures for notices of motion;
- (ii) debate on the question must be confined to reasons for or against.
- (iii) such motion must be supported by a two-thirds majority vote of the Members of Council before the matter to be reconsidered can be debated;
- (iv) a motion to reconsider shall not be considered more once in any twelve-month period.

(j) **Motion to Adjourn**

The purpose of a Motion to Adjourn, is to bring a Council meeting to an end. Council shall not leave their seats until the Head of Council/Presiding Officer has declared the Council meeting adjourned.

21. READING

When a motion is moved and seconded, the author shall read the motion, then pass it to the Head of Council/ Presiding Officer for debate and then voted upon.

22. WITHDRAWAL.

After a motion has been duly moved and seconded, it shall be deemed to be in the possession of Council, and it may only be withdrawn before decision or amendment with the permission of Council.

23. POINTS OF ORDER AND PRIVILEGE

- (a) The Head of Council/ Presiding Officer shall preserve order and shall decide questions of order, and may consult with the Clerk on rules of order, as he/she deems necessary.
- (b) Any member may appeal to Council or the committee on a decision of the Head of Council/ Presiding Officer on a point of order.
- (c) The Council or committee, if appealed to, shall decide the question without debate and its decision shall be final and binding on Council. The question so interrupted shall be resumed at the point where it was suspended.

PART IX – BY-LAWS

24. BY-LAWS

- (a) Except as otherwise provided, no By-Law shall be presented unless the subject matter has been considered and approved by resolution of the Council.
- (b) Every By-Law shall be in writing and be introduced upon the recommendation of a Committee or upon resolution of Council.
- (c) The clerk shall endorse on all By-Laws enacted by the Council, the dates of the readings and the date of passage by Council
- (d) Every by-law, which has been enacted by Council, shall be numbered, dated, signed by the Head of Council and the Clerk, sealed with the seal of the Corporation, and deposited in the office of the Clerk for safekeeping.
- (e) Other than the Confirmation By-law, all By-laws shall be carried in bulk unless upon a request by a Member of Council for the severance of a By-law, the Head of Council is of the opinion that the subject matter of the By-law has not previously been adopted in a report to Council, or a Member

of Council has advised the desire to declare a pecuniary interest regarding the By-law, and in such instance, only that portion of the By-law not previously adopted by report or to which is subject to a declared pecuniary interest, shall be subject to a separate vote.

- (f) The proceedings at every Council meeting shall be confirmed by a Confirmation By-Law so that every decision of the Council at the meeting and every resolution passed thereat, shall have the same force and effect as if each and everyone of them had been the subject matter of a specific matter of a separate By-Law duly enacted.

PART X – GENERAL PROVISIONS

25. GENERAL

- (a) When the Head of Council is absent on a temporary basis, under no circumstances shall the Council make a decision regarding capital spending unless provision for the capital spending is included in the estimates for that given year as approved by By-Law or unless the expenditure is required as a result of an emergency.
- (b) Following a regular or new By-election, the Clerk shall provide each member of Council with a copy of this By-Law, including any amendments thereto.
- (c) Any procedure under this By-Law, which is discretionary and not mandatory under statute, may be suspended with the consent of a majority of the members present.
- (d) If any part of this By-law shall be held void such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this By-law.

26. COUNCIL/STAFF RELATIONSHIP AND ROLES

- (a) No member of Council shall have the authority to direct or interfere with the performance of any work being carried out by an employee of the Municipality; such employee shall be subject only to their superior officer, as established in the formal organization structure of the Municipality.
- (b) No Committee shall have departmental jurisdiction and each committee shall report to Council.
- (c) The roll of Council is to develop and evaluate policies of the Municipality, while the role of management is executed by senior appointed staff with a role to develop strategies for the implementation of the policies established by Council.

27. PREVIOUS BY-LAWS RESCINDED

All previous By-Laws governing the calling, place and proceedings of Council, the conduct of its members and the calling of meetings are hereby repealed.

28. EFFECTIVE DATE

- (a) This By-Law shall come into force and take effect upon the passing thereof.

READ a first and second time this 21st day of April 2022.

READ a third and finally passed this 21st day of April 2022.

MAYOR

CAO/CLERK