



# Procedure Bylaw 2022.05

Being a Bylaw to Establish Rules of  
Procedure for Meetings of Council and  
Applicable Committees

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THE CORPORATION OF THE TOWNSHIP OF RAMARA

BYLAW NO. 2022.

BEING A BYLAW TO ESTABLISH THE CORPORATION OF THE TOWNSHIP OF RAMARA'S RULES OF PROCEDURE FOR MEETINGS OF COUNCIL AND APPLICABLE COMMITTEES, AND TO REPEAL BYLAW 2018.08, AS AMENDED

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WHEREAS the Municipal Act, S.O. 2001, Chapter 25, Section 238(2) provides that every municipality shall pass a By-law to govern the rules of procedure and public notice of its meetings;

AND WHEREAS Council of the Corporation of the Township of Ramara deems it expedient to adopt a new procedure bylaw in accordance with the Municipal Act, 2001 and to repeal its existing procedure bylaw and all amendments thereto.

NOW THEREFORE the Council of The Corporation of the Township of Ramara enacts as follows:

1. SHORT TITLE

This Bylaw shall be cited as the "Procedure Bylaw"

2. DEFINITIONS

For the purpose of this bylaw the following words shall have the meaning given herein:

- 2.1 "Chair: shall mean the Head of Council or the Presiding Officer at a Council or Committee meeting;
- 2.2 "Calendar Year" means the period from January 1<sup>st</sup> of any one year to and including December 31<sup>st</sup> of the same year;
- 2.3 "Chairperson" means the Mayor or Presiding Officer of the meeting;
- 2.4 "Clerk" means the Clerk of The Corporation of the Township of Ramara or his/her designate who shall have all the powers and duties of the clerk under this and every other Act;
- 2.5 "Closed Session" shall mean closed to the public as further described in Section 4 of this Bylaw;
- 2.6 "Committee" means any advisory or other committee, subcommittee or similar entity composed of members of Council alone or together with members of another Council or the public;
- 2.7 "Committee of the Whole" means a committee of all the members elected to Council;
- 2.8 "Communications" means, but is not limited to: letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, newspaper/magazine article, photograph, etc.
- 2.9 "Confirmation Bylaw" means a bylaw of Council that adopts all resolutions passed at a Council meeting;
- 2.10 "Conflict of Interest" means a direct or indirect pecuniary interest as defined in the Municipal Conflict of Interest Act, R.S.O. 1990, chapter M.50, as amended (MCIA) and any successor legislation thereto;
- 2.11 "Consent Agenda" means a list of communications on the Council Agenda for

consent and information purposes only, but any of which may be transferred onto the Agenda for consideration.

- 2.12 "Council" means the elected and sworn members of the Council of The Corporation of the Township of Ramara;
- 2.13 "Electronic Meeting" means a meeting called and held in full or in part via electronic means (including, but not limited to, audio teleconference, video teleconference, or via means of the internet), and with or without in person attendance;
- 2.14 "Electronic Participation" means any period of time during which an Emergency has been declared to exist in all of the municipality by the Head of Council or the Province under Sections 4 or 7.0.1. of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E. 9, as amended;
- 2.15 "Electronic Recording" means recording equipment and any other device of a mechanical, electronic or similar nature used for transcribing or recording proceedings by auditory or visual means.
- 2.16 "Head of Council" means the Mayor;
- 2.17 "Holiday" means any holiday as defined in the Retail Business Holidays Act, R.S.O. 1990, Chapter R.30, Section 1(1), and includes Family Day, Easter Monday, Boxing Day, Civic Holiday and includes Remembrance Day;
- 2.18 "Local Board" means a body of local authority established or exercising any power under any Act and appointed by Council with respect to the affairs of this municipality of which less than 50% are members of Council;
- 2.19 "Meeting: means any regular, special or other meeting of a council, of a local board or of a committee of either of them, where;
- a) A quorum of members is present, and
  - b) 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.
- 2.20 "Member" means a member of the Council or Committee and includes the Head of Council or Chair;
- 2.21 "Point of Order" means a statement made by a Member of Council during a meeting drawing to the attention of the Mayor or Chair a breach of the Rules of Procedure;
- 2.22 "Point of Privilege" means the raising of a question that concerns a Member of Council, or all of the Members of Council, when a Member believes that their rights, immunities or integrity or the rights, immunities or integrity of Council as a whole have been challenged.
- 2.23 "Presiding Officer" means the Mayor, or the person elected or chosen to run a Council, Committee or other type of meeting.
- 2.24 "Reconsideration" means a motion that has the effect of allowing a motion to proceed as though it had never been previously voted on.
- 2.25 "Recorded Vote" means the recording of the name and vote of every member present on any matter of question;

### 3. GENERAL

- 3.1 All meetings of Council and Committee of the Whole shall be held at the Administration Centre, 2297 Highway #12, Brechin.

- a) In the event the Council Chambers may not be suitable for a meeting, Council or Committee of the Whole may relocate the meeting to another convenient location within or outside of the Township as determined by the Mayor and Municipal Clerk
  - b) In the event of an emergency and the Administration Centre is not available, Council may meet at a convenient location within or outside of the Township as determined by the Mayor and Municipal Clerk.
- 3.2 Notwithstanding Section 3.1, that while every effort shall be made by members to attend meetings physically in person, during the following circumstance members may participate electronically in a meeting to the extent and in the manner set out in this Bylaw:
- (a) It is not safe or possible to attend an in person meeting due to a natural weather event;
  - (b) Health and safety restrictions as determined by the CAO in consultation with the Mayor or Emergency Management Committee;
  - (c) Restrictions or guidelines set out by the Simcoe Muskoka District Health Unit, the Ontario Provincial Police or the Province of Ontario
  - (d) At the discretion of the Mayor and Clerk.
- 3.3 The Mayor may cancel any meeting of Council or Committee if he/she is of the opinion that a meeting is not warranted. The Clerk shall inform the members and post notice on the Township's website.
- 3.4 The rules and regulations contained in this bylaw shall be observed in all proceedings of the Council, Committee of the Whole, and Ad Hoc Committees of Council, and shall be the rules and regulations for the order and dispatch of business. These rules and regulations do not apply to Local Boards.
- 3.5 Except as specifically noted to the contrary, any procedure required by this bylaw may be temporarily suspended with the consent of two thirds of the members of the Council, Committee of the Whole or Special Committee presents
- Two-thirds of seven members present equals five members;
  - Two-thirds of six members present equals four members;
  - Two-thirds of five members present equals four members;
  - Two-thirds of four members present equals three members.
- 3.6 The "Roberts Rules of Order" 11<sup>th</sup> Edition shall be the basis of interpretation of questions of procedure or order, providing that the existing procedure bylaw does not cover the question.
- 3.7 Except in an emergency situation, a person who is not a member of the Council or Committee shall not be allowed to address the Council or Committee, unless otherwise permitted to do so as set out on the Agenda.
- 3.8 All meetings of the Council, Committee of the Whole and Ad Hoc Committees shall be open to the public, except as set out in Section 4 below.

#### 4. CLOSED MEETINGS

- 4.1 All meetings shall be open to the public.
- 4.2 Notwithstanding Section 4.1, a meeting or part of a meeting may be closed to the public in accordance with Section 239(2), (3) and (3.1) of the Act.
- 4.3 Before holding a meeting or part of a meeting that is to be closed to the public, Council, Committee of the Whole and Special Committee shall state by resolution:

- a) The fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting.

4.4 Following a Closed Meeting of Council or Committee, the Mayor or Chair shall disclose in a general manner how the Agenda items were dealt with in the Closed Meeting.

## 5. DISCLOSURE OF PECUNIARY INTEREST

- 5.1 Where any member has a pecuniary interest in accordance with the Municipal Conflict of Interest Act, either direct or indirect, in any question, the member shall at the first opportunity disclose his interest and the general nature thereof and shall refrain from taking part in the discussion and from voting on the particular question.
- 5.2 Members declaring a pecuniary interest shall complete a written disclosure statement form online, read it aloud and pass submit it to the Clerk.
- 5.3 The Clerk shall maintain a Registry of the disclosure statement forms, which shall be posted on the Township's website.

## 6. INAUGURAL MEETING

- 6.1 The first meeting of Council following a regular Election shall be held on the fourth (4<sup>th</sup>) Monday in November of an Election year.
- 6.2 At the Inaugural Meeting each member present shall make his or her declaration, sign Council's Code of Conduct, and appoint the Council liaison person described in Section 32. The Clerk may provide additional policies or procedures to Council as appropriate. Council shall not proceed with any regular business at this meeting.

## 7. COUNCIL MEETINGS

- 7.1 The Council shall hold its regular meetings in the Council Chambers of the Administration Centre, unless otherwise specified, on the fourth Monday in each month commencing at 6:30 p.m. in Closed Session, if required, and the open portion of the meeting commencing at 7:00 p.m., and as otherwise established by Council or on such other day as may be determined from time to time by resolution of the Council. In the event that such a day is a holiday, or a day on which a municipal election is being held, in which case the Council shall not meet until the next regularly scheduled meeting day, the same not being a holiday, or a day on which a municipal election is being held. Council shall by resolution in the previous year determine the meeting dates.

Notwithstanding the above, in months where only one Council or Committee of the Whole meeting can be scheduled due to holidays or a Municipal Election, a Combined Committee of the Whole and Council will be scheduled with a start time of 9:30 a.m.

- 7.2 Where a regular meeting of the Council is to be held at a time or day other than as set out in Section 7.1 above, the Council shall give notice at least five days in advance of such meeting and in accordance with the notice provisions in the Procedures for Notices Bylaw.
- 7.3 It shall be the responsibility of the Clerk to forward the agenda and background information for regular Council meetings a minimum of 48 hours in advance of the meeting. Additions to the agenda of regular meetings shall be available to members a minimum of one hour prior to the meeting.
- 7.4 Council may at any time resolve itself into Committee of the Whole.

## 8. COUNCIL MEETINGS UNDER THE PROVISIONS OF THE PLANNING

## ACT, R.S.O. 1990, c.P.13, as amended

- 8.1 The purpose of a Council meeting under the provisions of the Planning Act, R.S.O. 1990, c.P.13 as amended, is to hold required public meetings on planning applications at a duly convened time and place with notice as required by the Planning Act.
- 8.2 The Council shall hold its public meetings under the Planning Act, as required, on a Monday where a regular meeting of Council or Committee of the Whole is not scheduled or as may be determined from time to time by the Clerk.
- 8.3 It shall be the responsibility of the Clerk to forward the agenda and background information for the Public Meeting of Council a minimum of 48 hours in advance of the meeting. Additions to the agenda of the meetings shall be available to members a minimum of one hour prior to the meeting.

## 9. SPECIAL COUNCIL MEETINGS

- 9.1 The purpose of a Special Council meeting is to transact an item or items of corporate affairs where the circumstances will not permit the matter to be transacted at a regularly scheduled Council meeting.
- 9.2 The Mayor may at any time call a special meeting or upon receipt of the petition of the majority of the members of Council, the Clerk shall summon a special meeting for the purpose and at the time and place mentioned in the petition. Except in the case of a disaster, twenty-four hours' notice of all special meetings of the Council shall be given to the members through the Clerk's office.
- 9.3 The notice calling a special meeting of the Council shall state the business to be considered at the special meeting and no business other than that stated in the notice shall be considered at such meeting.
- 9.4 Such notice shall be posted on the Township's website unless otherwise prescribed by Statute.

## 10. COMMITTEE OF THE WHOLE MEETINGS

- 10.1 The purpose of the Committee of the Whole is to evaluate staff or consultant recommendations or other items referred to it for discussion and to develop policies, practices and responses for Council to consider.
- 10.2 Committee of the Whole shall hold its regular meetings in the Council Chambers of the Administration Centre on the second Monday in each month at 9:30 a.m., if necessary, or on such other day as may be determined from time to time by resolution of Committee of the Whole or Council. Council shall in the previous year determine the meeting dates.  
  
Notwithstanding the above, in months where only one Committee of the Whole or Council meeting can be scheduled due to holidays or a Municipal Election, a Combined Committed of the Whole and Council will be scheduled with a start time of 9:30 a.m.
- 10.3 In the event there are insufficient items for the Committee of the Whole Agenda, the Clerk, in consultation with the Mayor, may cancel the meeting five days in advance of the meeting by posting notice on the Township's website and the Ramara Centre sign.
- 10.4 It shall be the responsibility of the Clerk to forward the agenda and background information for regular Committee of the Whole meetings a minimum of forty-eight hours in advance of the meeting. Additions to the agenda shall be available to members a minimum of one hour in advance of the meeting.
- 10.5 Committee of the Whole shall recommend to Council in report format. Any



recommendation of a Committee, once adopted by the Council, shall be considered and deemed to be the proceedings of the Council.

- 10.6 Members of the Committee of the Whole may meet from time to time in addition to the times specified in this bylaw, for the purpose of considering any matter or thing referred to it and to report. The Mayor may call a Special Committee of the Whole meeting at any time or upon receipt of the petition of the majority of the members of the council, the Clerk shall summon a special meeting for the purpose and on the date and time and place mentioned in the petition. Twenty-four hours' notice of all special meetings shall be given to the members by the Clerk's office, stating the purpose of the meeting and matters to be considered.

## 11. MEETINGS OF AD-HOC COMMITTEES

- 11.1 Council may appoint an ad-hoc committee for a purpose established by Council. Council shall determine the membership, chairperson, mandate and terms of reference.
- 11.2 Meetings of the Ad-Hoc Committees of Council shall be held at times and locations as established by that body. The Mayor and Clerk shall be advised of the particulars.
- 11.3 The Chairperson may at any time call a meeting of the Ad-Hoc Committee or upon receipt of the petition of the majority of the members of the Committee, the Clerk shall summon a special meeting for the purpose and at the time and place mentioned in the petition.
- 11.4 It shall be the responsibility of the Clerk, or designate, to forward the agenda for meetings of Ad-Hoc Committees a minimum of forty-eight hours in advance.
- 11.5 Ad-Hoc Committee of Council shall recommend to Council in report format. Any recommendation of an Ad-Hoc Committee, once adopted by the Council, shall be considered and deemed to be the proceedings of the Council.

## 12. ADJOURNMENT

- 12.1 The hour for adjournment for evening meetings shall be no later than 11:00 p.m. At 10:45 p.m. the Mayor will ask if Council, Committee of the Whole or Ad Hoc Committee wishes to proceed beyond 11:00 p.m. This motion is not debatable and must be a unanimous vote of the members present. If the motion is not achieved to extend the meeting, Council, Committee of the Whole or Ad Hoc Committee will consider the time sensitive items and at 10:55 p.m. Council will move directly to bylaws.
- 12.2 If Council is adjourned before the Agenda is completed, Council shall establish a time and date for consolidation of the balance of the Agenda in accordance with Section 28 herein.
- 12.3 The hour for adjournment for Committee of the Whole meeting commencing at 9:30 a.m. shall be no later than 3:30 p.m. At 3:15 p.m. the Mayor will ask if Committee of the Whole wishes to proceed beyond 3:30 p.m. This motion is not debatable and must be a unanimous vote of the members present. If the motion is not achieved to extend the meeting, Committee of the Whole will consider the time sensitive items and adjourn at 3:30 p.m.

## 13. ORDER OF PROCEEDINGS OF COUNCIL AND COMMITTEES

- 13.1 As soon after the hour fixed for the meeting as there is a quorum present, the Presiding Officer shall take the Chair and call the members to order. A majority of the members shall constitute a quorum.
- 13.2 Where the Mayor advises the Clerk that he/she will not be present, the Deputy Mayor shall preside during the meeting. When the Liaison of a specific jurisdiction advises the Clerk he/she will not be present, the members shall

choose one amongst themselves to be Chairperson.

- 13.3 In case the Mayor does not attend Council or Committee of the Whole within fifteen minutes after the time appointed and unless the Clerk has received prior notice of his/her absence, the Deputy Mayor shall call the members to order and if a quorum is present, shall preside during the meeting or until the arrival of the Mayor.
- 13.4 In case the Presiding Officer does not attend a Special Committee meeting within 15 minutes after the time appointed, and unless the Clerk has received prior notice of his/her absence, the Clerk, if a quorum is present, shall call the members to order. An Acting Chairperson shall be chosen from the members present who shall preside during the meeting or until the arrival of the Presiding Officer.
- 13.5 While presiding, the Deputy Mayor or the Acting Chairperson chosen shall have all the powers of the Mayor or the Chairperson and shall be entitled to vote as a member.
- 13.6 If a member cannot attend a meeting, notification shall be made to the Clerk.
- 13.7 Special / Emergency Meetings
- a) That the Mayor or a majority of Council members may at any time call a special or emergency meeting of Council with 24 hours' notice.
  - b) That notice shall be given on the website and social media, or whichever means is available during an emergency.
  - c) That the call of a special or emergency meeting, the Clerk shall compose an agenda to indicate the nature of the business to be considered at the meeting including the time, date and place of the meeting.
  - d) That all special or emergency meetings of Council shall be held at the Municipal Office, unless an alternative location or electronic meeting is specified in the agenda.
  - e) That the only business to be dealt with at a special or emergency meeting is that which is listed on the agenda.
- 13.8 Electronic Meeting Participation
- a) All regular, special, emergency and closed session meetings will be held in person in the Council Chambers unless an alternate location is specified;
  - b) Members may participate electronically in a meeting to the extent and in the manner set out in this Bylaw:
    - i) It is not safe or possible to attend an in person meeting due to a natural weather event;
    - ii) Health and safety restrictions as determined the CAO and/or Clerk in consultation with the Mayor and/or Emergency Management Committee;
    - iii) Restrictions or guidelines set out by the Simcoe Muskoka Health Unit, the Ontario Provincial Police or the Province of Ontario;
    - iv) at the discretion of the Mayor;
  - c) In accordance with Section 13.8. b), a member of Council, local board or committee, consultants, contracted employees/agents and staff may

participate fully in a meeting by electronic means (via teleconference or video conference). This applies to regular, special, emergency and closed sessions of council and meetings of local boards and committees;

- d) Electronic participation may apply to consultants, contracted employees/agents, staff and members of the public when necessary.
- e) Electronic participation by members of Council, Local Boards and Committees shall count towards quorum in accordance with section 238(3.3)(a) of the *Municipal Act*, 2001, as amended.
- f) Members of Council, Local Boards and Committees shall be permitted to participate electronically in a meeting that is open or closed to the public in accordance with section 238(3.3)(b) of the *Municipal Act*, 2001, as amended.
- g) In the case that members of Council participate electronically in closed sessions, all members must attest to the fact that they recognize they will be in a closed session and are able to ensure confidentiality.
- i) In the event of technical failure during the meeting, Council, local board or committee may take a recess to allow staff to reinstate the electronic participation. If a member can no longer participate by electronic means, it will not affect the validity of the meeting or decisions made unless quorum is lost.
- j) Meetings will be livestreamed to allow for public participation and viewing.

13.9 If there is no quorum within thirty minutes after the time appointed for the meeting, the Clerk shall call the roll and record the names of the members present and the meeting shall stand adjourned until the next regular meeting or until a special meeting is called.

13.10 In the absence of the Mayor and Deputy Mayor, the Councillor with the most years served on Council shall be appointed Acting Mayor and have all the powers of the Mayor. In the event that two members of Council have served the same amount of years on Council, the appointment of Acting Mayor shall be alphabetical using their surname.

13.11 At Committee of the Whole meetings, the Mayor shall call the meeting to order and preside except that the Council Liaison Member appointed under Section 32 of this bylaw shall Chair that section of the agenda that references their area of jurisdiction.

## 14. DUTIES OF THE PRESIDING OFFICER

The Presiding Officer shall:

14.1 Preserve order and decorum, decide questions of order (subject to an appeal by any member) and, without unnecessary comment, cite the rule or authority (as commonly accepted under parliamentary procedures) applicable to the case, if called upon to do so.

- a) Where a Member appeals the decision of the Presiding Officer on a question of order, the Council, Committee of the Whole or Ad Hoc Committee, as the case may be, shall decide the question and its decision shall be final.
- b) Where a Member persists in a breach of the rules order, the Presiding Officer shall, but only after an affirmative vote of the members present, order the Member in breach to vacate the meeting place.

14.2 Open the meeting by taking the Chair and calling the members to order.

14.3 Announce the business in the order in which it is to be acted upon.

- 14.4 Receive and submit, in the proper manner, all motions presented by the members.
- 14.5 Put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the results.
- 14.6 Decline to put to vote motions which infringe on the rules of procedure.
- 14.7 Restrain the members, within the rules of order, when engaged in debate.
- 14.8 Enforce on all occasions the observance of order and decorum among the members.
- 14.9 Call by name any member persisting in breach of the rules of order thereby ordering that member to vacate the meeting place by motion.
- 14.10 Receive all messages and other communications and announce them.
- 14.11 Authenticate, by his signature when applicable, all bylaws, resolutions and minutes.
- 14.12 Represent and support the Council, declaring its decision in all things.
- 14.13 Ensure that the decisions are in conformity with the laws and bylaws governing activities of the Council, Committee of the Whole or Ad Hoc Committee.
- 14.14 Adjourn the meeting when the business is concluded.
- 14.15 Adjourn the meeting without question put in the case of grave disorder arising in the meeting place.
- 14.16 Be permitted to take part in any debate without leaving the Chair.

## 15. CONDUCT OF MEMBERS

No member shall:

- 15.1 Speak disrespectfully of Her Majesty the Queen or any of the Royal Family, or of the Governor-General, Lieutenant-Governor or any member of the Senate, the House of Commons of Canada, the Legislative Assembly of Ontario, or another member of Council;
- 15.2 Speak until the member has properly addressed the Presiding Officer and any other member where information is requested or a question asked. Terms such as Your Worship, Chairperson, Mayor, Deputy Mayor or Councillor shall be used.
- 15.3 Use offensive words or unparliamentary language.
- 15.4 Speak on any subject other than the subject in debate;
- 15.5 Criticize any decision except for the purpose of moving that the question be reconsidered;
- 15.6 Disobey the rules, a decision of the Presiding Officer on questions of order or practice, or upon the interpretation of the rules;
- 15.7 Disturb another member of the Council, Committee of the Whole or Ad Hoc Committee by any disorderly deportment disconcerting to any member speaking;
- 15.8 Be permitted to retake his/her seat at any meeting after being ordered by the Presiding Officer to vacate after committing a breach of any rule without making apology and the consent of the Council, Committee of the Whole or Special Committee expressed by a majority vote of the other members present, determined without debate;

- 15.9 Walk across or out of the meeting place or make any noise or disturbance when the Presiding Officer is putting a question and the member shall occupy his/her seat while a vote is being taken and until the result thereof is declared.
- 15.10 Violate the Code of Conduct for Elected Members, and Council-Staff Relations Policy.

## 16. RULES OF DEBATE

- 16.1 Every member when speaking to any question or motion shall respectfully address the Presiding Officer.
- 16.2 The Presiding Officer shall designate the member who has the floor when two or more members ask to speak.
- 16.3 When a member is speaking, no other member shall pass between him/her and the Presiding Officer, or interrupt except to raise a point of order.
- 16.4 Any member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.
- 16.5 No member shall speak to the same question for longer than five (5) minutes. With the leave of the Council, Committee of the Whole or Ad Hoc Committee a supplementary question with a further three (3) minutes may be granted.
- 16.6 A member may ask a question only for the purpose of obtaining facts relevant to the matter under discussion and necessary for a clear understanding thereof.
- 16.7 All questions shall be stated succinctly, and questions shall not be used as a means of making statements or assertions.
- 16.8 Questions may be asked only of the mover, previous speaker, Presiding Officer, an official, staff, or consultant of the Township.

## 17. VOTING ON QUESTIONS

- 17.1 When the Presiding Officer calls for the vote on a question, each member shall occupy his/her seat and shall remain there 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.
- 17.2 When the Presiding Officer calls for the vote on a question, each member present must vote by a show of hand, except when a member has requested a recorded vote or the Member has declared a Pecuniary Interest.
- 17.3 A member of Council may request a recorded vote on any matter where a vote on a question has been called except for a motion of adjournment.
- 17.4 If a member who has voted on a question disagrees with the declaration of the Presiding Officer that the question is carried, or lost, he/she may, but only immediately after the declaration, object to the Presiding Officer's declaration and in the case of Council, require a Recorded Vote to be taken in the manner prescribed in Subsection 17.5 of this bylaw or in the case of a Committee, request a recount of the show of hands.
- 17.5 When a member of the Council requests a Recorded Vote, that member shall vote first, followed by each remaining member of Council in alphabetical order announcing his/her vote upon request openly and individually in the Council unless otherwise prohibited by statute, and the Clerk shall record the same and shall announce the result of the said vote.
- 17.6 When a question is put, every member present at a meeting of the Council, Committee of the Whole or Ad Hoc Committee shall vote thereon, except when

he/she has any pecuniary interest, direct or indirect in the question. Every member present who is required to vote on a question, but in fact does not vote thereon, shall be deemed to be voting in the negative.

17.7 The Presiding Officer (except where disqualified from voting by reason of interest or otherwise) may vote with the members on all questions.

17.8 Any questions on which there is an equality of votes shall be deemed to be negative and shall be recorded as lost.

## 18. AGENDA

18.1 The Clerk shall have prepared an electronic copy of the agenda for the use of the members at the regular meetings of the Council under the following headings:

- a) Closed Session, if required, 6:00 p.m.
- b) Opening of the Meeting by the Mayor; 7:00 p.m.
  - a. Remarks by Mayor;
  - b. Remarks by CAO.
- c) Adoption of Agenda and/or Agenda Additions
- d) Open Forum regarding Agenda Items only – 10 minutes
- e) Adoption of Minutes;
- f) Disclosure of Pecuniary Interest;
- g) Motions of which notice has been previously given;
- h) Public Meetings;
- i) Presentations, Receiving of Petitions and Deputations;
- j) Consent Agenda;
- k) Reports of Committees and Boards;
- l) Items Requiring the Immediate Attention of Council;
- m) Unfinished Business;
- n) County Council Update;
- o) Announcements and Inquiries - Members of Council;
- p) Request for Reports from Council Members;
- q) Notices of Motion;
- r) Bills and Bylaws;
- s) Confirmation Bylaw;
- t) Adjournment.

18.2 The Clerk shall have an electronic copy of the agenda prepared, for the use of the members at the regular meetings of Committee of the Whole, an agenda under the following headings:

- a) Opening of the Meeting;

- b) Disclosure of Pecuniary Interest;
- c) Deputations by Township Consultants and Staff;
- d) Recommendations of Committee, consultants and staff divided into the following categories on a rotating basis:
  - i. Administration, Finance and Personnel Services  
Unfinished or New Business
  - ii. Culture and Recreation Services  
Unfinished or New Business
  - iii. Environmental Services  
Unfinished or New Business
  - iv. Planning & Development Services  
Unfinished or New Business
  - v. Protective Services  
Unfinished or New Business
  - vi. Transportation Services  
Unfinished or New Business
  - vii. Closed Session, if required
  - viii. Adjournment.

18.3 The staff person appointed by the Clerk to the Ad Hoc Committee shall have prepared an electronic agenda for the use of the members at the regular meetings of the Ad Hoc Committee.

18.4 The business of Council, Committee of the Whole or Ad Hoc Committee shall in all cases be taken up in the order in which it stands upon the agendas, unless otherwise decided by the members present.

## 19. MOTIONS AND ORDER OF PUTTING QUESTIONS TO COUNCIL

19.1 The following matters may be introduced orally without written notice and without leave;

- a) A point of order or personal privilege;
- b) A motion to comply with a rule of procedure;
- c) A motion to adjourn (not debatable);
- d) A motion that the vote now be taken;
- e) A motion that the Council resolves itself into a Committee of the Whole (not debatable).

19.2 Except as provided in Subsection 19.1 above, all motions and notices thereof shall be in writing.

19.3 Any motion may be introduced without notice if the Council, without debate, dispenses with notice on the affirmative vote of at least two-thirds of the members of Council present.

19.4 All motions shall be seconded before being put from the Mayor or debated. When a motion is seconded, it shall be read or stated by the Mayor before debate.

- 19.5 After a motion has been read or stated by the Mayor, it shall be deemed to be in the possession of the Council but it may, with the majority consent of the Council members present, be withdrawn by the mover and seconder at any time before decision or amendment.
- 19.6 Should the Mayor desire to introduce a motion or bylaw, the Mayor shall leave the Chair for that purpose and shall call on the Deputy Mayor to fill his/her place until he/she resumes the Chair.
- 19.7 A Motion to Amend:
- a) Shall be presented in writing;
  - b) Shall receive disposition of the Council before a previous amendment or the question;
  - c) Shall not be further amended more than once provided that further amendment (maximum 2 amendments) may be made to the main question;
  - d) Shall be relevant to the question to be received;
  - e) Shall not be received proposing a direct negative to the question;
  - f) May propose a separate and distinct disposition of a question;
  - g) Shall be put in the reverse order to that in which it is moved.
- 19.8 When a motion is under debate, no motion shall be received other than a motion to amend, to defer action, to refer, that the vote now be taken or to adjourn the meeting. A motion that the vote be now taken shall take precedence over any other motion except a motion to adjourn the meeting, and, subject to Section 19.3 shall be put immediately without debate.
- 19.9 No member shall speak to a resolution more than once, without leave from the Mayor, or accept an explanation of the material part of his report, which may have been misunderstood but otherwise shall not be permitted to introduce another matter. A reply shall be allowed to a member who has made a substantive resolution, to any member who has moved an amendment, the previous question and/or instruction to a Committee. Each member shall confine his/her remarks to a limit of three (3) minutes.
- 19.10 Immediately preceding the taking of the vote, the Mayor shall state the question in the precise form in which it will be recorded in the minutes.
- 19.11 After a question is finally put by the Mayor, no member shall speak to the question, nor shall any other motion be made, until after the result of the vote has been declared.
- 19.12 Any resolution shall require a majority of votes in order to be valid and binding on the Council.
- 19.13 After any question has been decided the following shall prevail:
- a) Any member of the Council may give notice within the calendar year in which the question was decided for a reconsideration of the Council. A majority vote of the total members of Council (7) will be required to carry the motion for reconsideration;
  - b) No discussion of the main question shall be allowed until the motion for reconsideration is carried, and no question shall be reconsidered more than once in the calendar year.
- 19.14 Point of Order



- a) A member may raise a point of order at any time, whereupon the Mayor or Chair shall:
  - i. Interrupt the matter under consideration;
  - ii. Ask the member raising the point of order to state the substance of, and the basis, for, the point of order; and
  - iii. Rule on the point of order immediately without debate by Council or Committee
- b) A Member of Council or Committee may appeal the ruling of the Mayor or Chair to Council or Committee which will then decide on the appeal, without debate, by way of a majority vote of the members present. If there is no appeal, the decision of the Mayor or Chair shall be final.

#### 19.15 Point of Privilege

- a) A member may raise a point of privilege at any time if he or she considers that their integrity, the integrity of Council or the Committee as a whole or staff has been impugned, whereupon the Mayor or Chair shall:
  - i. Interrupt the matter under consideration;
  - ii. Ask the member raising the point the privilege to state the substance of, and the basis for, the point of privilege; and
  - iii. Rule on the point of privilege immediately without debate by Council or Committee.
- b) A Member of Council or Committee may appeal the ruling of the Mayor or Chair to Council or Committee.
- c) If there is no appeal, the decision of the Mayor or Chair shall be final. The Council or Committee, if appealed to, shall vote on the motion without debate by way of a majority vote of the members present and its decision shall be final.
- d) Where the Mayor or Chair considers that the integrity of any Municipal employee has been impugned or questioned, the Mayor or Chair may permit staff to make a statement to Council or Committee.

### 20. MOTIONS AND ORDER OF PUTTING QUESTIONS TO COMMITTEE OF THE WHOLE

- 20.1 Section 19 of this Bylaw will generally apply to meetings of Committee of the Whole except as amended by this Section;
- 20.2 Motions and amendments to motions need not be in writing, but must have a mover and seconder;
- 20.3 Motions may be introduced without notice;
- 20.4 Members may speak to any motion as many times as desired to provide new information or clarification;
- 20.5 Proceedings of Committee of the Whole shall be in report format. Members may request separate reports for any resolution without debate immediately following an affirmative vote;
- 20.6 Any resolution where a member has disclosed a pecuniary interest will be a separate report.

### 21. MOTIONS AND ORDER OF PUTTING QUESTIONS TO AD HOC COMMITTEES

- 21.1 Section 19 of this Bylaw will generally apply to meetings of all Ad Hoc Committees

except as amended by this Section or agreed upon by the members of the Special Committee;

- 21.2 Motions and amendments to motions need not be in writing, but must have a mover and seconder;
- 21.3 Motions may be introduced without notice;
- 21.4 Members may speak to any motion as many times as desired to provide new information or clarification;
- 21.5 Proceedings will be in report format. Members may request a separate report for any resolution without debate immediately following an affirmative vote;

## 22. ADDITIONS TO THE AGENDA

- 22.1 If information is received between the time the agenda for the meeting is published and the meeting is held, and the Clerk is of the opinion the matter must receive direction from or brought to the attention of Council, the Clerk shall add the matter to the agenda.

## 23. MINUTES

- 23.1 The Council minutes shall record:
  - a) The place, date and time of meeting;
  - b) The name(s) of the Presiding Officer(s) and record of attendance of the members and staff;
  - c) The reading, if requested, correction and/or adoption of the minutes of the prior meetings;
  - d) All other proceedings of the meeting without note or comment.
- 23.2 Minutes for closed sessions of Council shall, in addition to any motion, provide statements of all matters discussed.
- 23.3 Minutes for public meetings of Council concerning planning applications shall be prepared individually for each application.
- 23.4 Minutes of Council meetings shall be available to members of Council on the following Council agenda.

## 24. PUBLIC MEETINGS

- 24.1 Public meetings at Council shall include meetings required under the provisions of the Municipal Act, Planning Act, other statutory acts or any item where Council desires to receive additional public input.
- 24.2 The Clerk shall schedule any statutory meeting and in the case of the Planning Act will schedule the required public meeting for small, site specific planning applications once he/she is advised by the Township's Planner that all the required information is received. In the case of larger planning applications, including plans of subdivision, the required information shall be presented and a motion of Council is required directing that the public meeting be scheduled.

## 25. COMMUNICATIONS

- 25.1 Every communication to be presented to the Council, Committee of the Whole or Ad Hoc Committee, shall be legibly written or printed and shall not contain any obscene or improper matter or language, and shall be signed and dated by at least one person, filed with the Clerk, and shall include an address and telephone

number where return correspondence or contact is to be directed.

- 25.2 Every communication shall be delivered to the Clerk's office by 9:00 a.m. on the Wednesday prior to the Council or Committee of the Whole meeting for inclusion on the agenda.
- 25.3 All communications directed to Council shall be listed on the agenda as Consent Agenda. A single motion to consent to the recommendations of the Clerk shall be adopted.
- 25.4 Notwithstanding Section 25.3, any member of Council may verbally remove a Consent Agenda Item to deal with it separately;
- 25.5 The Clerk in grouping the communications that require action shall:
  - a) Prepare recommendations of communication items from Township residents, member municipalities within the County of Simcoe and our local MP and MPP.
  - b) Forward communications generally discussed at budget to the appropriate committee of Council.
  - c) Forward communications requiring a staff report to the appropriate staff member, and
  - d) Provide any additional grouping as he/she deems appropriate.
- 25.6 Members of Council shall contact the Clerk to request a draft motion to be prepared or advise of a motion that will be brought forward by the member.

## 26. DEPUTATIONS/DELEGATIONS

- 26.1 A person desiring to present information on any matter or make a request in writing on the form attached hereto as Schedule 'B', of the Council shall give notice to the Clerk's office by 9:00 a.m. on the Wednesday prior to the Council Meeting, stating the purpose of the deputation and providing a specific detailed outline of the subject matter of the presentation. Deputations/delegations may be heard by leave of the Council but shall be limited in speaking to not more than ten (10) minutes. Persons requesting to appear before the Council shall be advised of the time limitation in advance of their presentation.
  - a) Notwithstanding Section 26.1, all deputations at regular Council meetings shall be limited to items of concern to Council as determined by the Clerk in consultation with the Mayor.
- 26.2 Persons presenting deputations/delegations shall confine their remarks to the specific matter of the presentation.
- 26.3 No member of Council shall interrupt a presentation while they are addressing Council/Committee, except on a point of order, or if the Mayor deems it necessary to advise them of the time limitation.
- 26.4 Members of Council may ask questions, through the Chair, of the presenter following completion of the deputation/delegation but shall not enter into debate with the presenter.
- 26.5 All deputations will be "Received as Presented" only and may be forwarded to Committee of the Whole for further consideration.

## 27. ITEMS REQUIRING THE IMMEDIATE ATTENTION OF COUNCIL

- 27.1 If a Notice has been provided to the public and Council is to discuss the particular topic, it shall be placed on the agenda under this section. E.g. budget, road closure, surplus lands.

27.2 If a matter arises between the time of the Committee or Council meeting that must be dispatched by Council prior to Council's next regularly scheduled meeting, the Clerk may add the matter to the agenda. E.g. time sensitive matters.

## 28. UNFINISHED BUSINESS (Council) UNFINISHED OR NEW BUSINESS (Committee)

28.1 In the event Council or Committee does not complete the transaction of all of its agenda items by the time of adjournment, the Clerk shall schedule all remaining business on the next agenda at a regular scheduled meeting of the Council or Committee, as the case may be. New business may be introduced at Committee.

## 29. REQUESTS OF COUNCIL

29.1 In the event a member of Council requests a staff report or further information on a certain matter, a resolution of Council detailing the request is required.

## 30. OPEN FORUM

30.1 Open Forum allows for comments from the public relating to any item appearing on the current Council meeting agenda.

30.2 All comments are to be addressed through the Mayor or Chairperson.

30.3 Individuals shall sign the 'Open Forum Register' prior to being permitted to speak to Council or a Committee during Open Forum.

30.4 Open Forum shall last no longer than ten (10) minutes. The length of time each individual has to address Council or a Committee shall be at the discretion of the Mayor or Chairperson, but as a general practice shall not be longer than one (1) minute.

30.5 Members and staff shall not be engaged in a debate or discussion during Open Forum. No motions shall be made during Open Forum as a result of comments made during Open Forum other than matters of procedure as outlined in this Bylaw. During Open Forum, no member of the public shall:

- a) Speak disrespectfully of any person;
- b) use offensive language;
- c) disobey the rules of procedure or a decision of the Mayor or Chairperson; or
- d) speak to Council about matters:
  - i. Involving current or pending litigation;
  - ii. Involving insurance claims;
  - iii. Administrative complaints that have not been reported and investigated through the Customer Service process;
  - iv. Beyond the jurisdiction of Council; or
  - v. Contrary to MFIPPA.

Comments made during Open Forum will not form part of the Minutes of Meeting. Material received during Open Forum may be included on the Consent Agenda of a subsequent Council meeting.

## 31. READING OF BYLAWS AND PROCEEDINGS THEREON OF COUNCIL

31.1 All bylaws with the exception of the Confirmation Bylaw shall be introduced as

Bills with one motion by a member of Council, specifying Bill numbers. If a member has declared a pecuniary interest on a matter or previously requested that the matter be considered separately, the Bill shall be presented by separate motion.

- 31.2 Every Bill and the Confirming Bylaw when introduced shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with provisions of any act and shall be complete with the exception of the number and date thereof.
- 31.3 Every Bill and Confirming Bylaw are deemed to be read three times in place of the complete reading of the bylaw.
- 31.4 A Confirmation Bylaw shall be passed at the conclusion of every meeting confirming the proceedings of Council at its meeting held on that day.
- 31.5 Every Bill once passed shall become a Bylaw enacted by the Council, shall be numbered and dated and shall be sealed with the seal of The Corporation and signed by the Mayor and the Clerk and shall be deposited by the Clerk in the vault for safekeeping.

## 32. COUNCIL LIAISON PERSONS

- 32.1 The Mayor-elect, following consultation with all members of the Council-elect, shall appoint the Council Liaison Persons at the Inaugural Meeting of the Council.
  - a) The appointment of Council Liaison Persons shall include co-chairs when deemed necessary by the Mayor.
- 32.2 The Council Liaison Persons shall be appointed for the following areas of jurisdiction:
  - a) Administration, Finance and Personnel Services;
  - b) Culture and Recreation Services;
  - c) Environment Services;
  - d) Protective Services;
  - e) Planning and Development Services;
  - f) Transportation Services;
- 32.3 The areas of jurisdiction are further defined on Schedule 'A' to this bylaw and may be amended from time to time by a resolution of Council.
- 32.4 The Council Liaison Person shall Chair the portion of the Committee of the Whole meetings dealing with matters relating to their specific jurisdiction.

## 33. STRIKING COMMITTEE

- 33.1 A Striking Committee meeting shall consist of all members of Council and shall take place at the first meeting after the Inaugural Meeting. The purpose of the meeting is to appoint members of the public to various Boards, Commissions, and other statutory positions.
- 33.2 Notwithstanding Section 33.1 above, Council may from time to time make appointments by resolution to the various Boards Commissions and Special Bodies as Council deems necessary.

## 34. TENDER OPENING COMMITTEE

- 34.1 A committee for the opening of tenders will consist of the applicable Council



BASIL CLARKE, MAYOR

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JENNIFER CONNOR, CLERK

## LIAISON JURISDICTIONS

### I. Administration/Finance/Personnel

- a. procedure bylaw
- b. budget
  - 10 year capital forecast
  - annual operating estimates
- c. audit
- d. election selection
- e. organization structure
- f. salary and benefits
- g. property purchases (general) and sales
- h. intergovernmental affairs
- i. CAO's review
- j. grants
- k. tenders and quotations for administration office
- l. information technology
- m. internet infrastructure
- n. document management
- o. financial matters
- p. taxation
- q. asset management
- r. development charges
- s. assessment
- t. cemeteries
- u. transparency

### II. Culture & Recreation

- a. community centre boards
- b. library relations
- c. Recreation Master Plan
- d. park maintenance
- e. swim program
- f. tourism
- g. tenders and quotations for parks
- h. Rama recreation liaison
- i. Accessibility and Inclusion
- j. Recreation programs

### III. Environment

- a. sanitary sewers
- b. sewage treatment plant, lagoons, spray fields
- c. water works including wells, plant, mains, fire hydrants
- d. septic approvals
- e. sludge spreading
- f. noise
- g. tenders and quotations for sewer and water
- h. spill containment
- i. nutrient management
- j. well head protection/intake protection zones
- k. water quality assurance
- l. source water protection
- m. Lake Simcoe Protection Plan
- n. sustainability
- o. energy initiatives
- p. soil removal and dumping
- q. backflow prevention



#### IV. Planning & Development

- a. economic development
- b. community improvement
- c. strategic plan
- d. official plan
- e. zoning
- f. committee of adjustment liaison
- g. building inspection
- h. property standards inspection
- i. septic inspection and re-inspection
- j. property standards committee relations
- k. site plan control, standards and agreements
- l. subdivision, condominium and consent agreements
- m. lot grading
- n. conservation authority liaison
- o. draft approvals of subdivision and condominium plans

#### V. Protective Services

- a. police matters
- b. fire and rescue services matters
- c. fire prevention
- d. ambulance service liaison
- e. tenders and quotations for fire equipment
- f. Community Policing Advisory Committee (CPAC) relations
- g. Community Policing Committee liaison
- h. provincial offences administrative matters
- i. licencing
- j. bylaw enforcement and provincial offences enforcement
- k. canine control
- l. health & safety
- m. mosquito control
- n. emergency management
- o. radio communication system

#### VI. Transportation Services

- a. road construction
- b. road maintenance
- c. winter control
- d. bridges
- e. storm water management
- f. drainage works - award drains, municipal drains, tile drainage
- g. transportation planning
- h. active transportation planning
- i. trail construction and maintenance
- j. garbage and recycling liaison with County
- k. rail liaison
- l. municipal docks and boat launches
- m. fencing bonuses
- n. street lighting
- o. municipal franchise agreements
- p. tenders and quotations for road work, road services and equipment
- q. Rama road maintenance liaison
- r. weed control
- s. litter control
- t. engineering design criteria
- u. traffic controls
- v. traffic counts

