

**THE CORPORATION OF THE
TOWNSHIP OF SOUTH GLENGARRY
BY-LAW No. 59-16
FOR THE YEAR 2016**

**BEING A BY-LAW TO GOVERN THE CALLING, PLACE AND
PROCEEDINGS OF MEETINGS.**

AND WHEREAS the *Municipal Act, 2001*, c. 25, S. 238 (2) requires every municipality and local board to pass a procedural by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS the *Municipal Act, 2001*, c. 25 S. 5 (3) provides that the powers of every Council are to be exercised by by-law;

AND WHEREAS Council of the Corporation of the Township of South Glengarry deems it necessary to set rules and regulations with regards to Council proceedings.

NOW THEREFORE the Council of the Corporation of the Township of South Glengarry enacts as follows:

THIS BY-LAW to be known as the “Rules of Procedure”

1. That the rules and regulations contained in this By-law as set out in Schedule “A” “B” and “C” attached hereto and forming part of this By-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business in the Council and Committees thereof. The Clerk shall assure that a copy of this procedural by-law shall be available at every Council meeting.
2. This By-law shall come into force and effect on the date of passing.
3. That By-law No. 23-15 are hereby repealed.

READ A FIRST AND SECOND TIME THIS 11th DAY OF JULY 2016

MAYOR Ian McLeod

CLERK Marilyn LeBrun

READ A THIRD AND FINAL TIME THIS 8th DAY OF AUGUST 2016

MAYOR Ian McLeod

CLERK Marilyn LeBrun

SCHEDULE "A"

DEFINITIONS

1. "Head of Council" shall mean the Mayor.
2. "Acting Head of Council" shall mean the Deputy Mayor or secondly another designate who shall act as the presiding officer in the absence of the Mayor and Deputy Mayor.
3. "Ad Hoc Committee" means a Committee formed for a specific task or objective and dissolved after completion of the task or objective.
4. "Standing Committee" means a Committee of Council established by Council By-law for the purpose of providing on-going advice and/or recommendations to Council on specifically mandated subjects as determined in the Committee Terms of Reference (eg) Heritage Advisory Committee, Agricultural Advisory Committee and Planning Committee (etc). Members of Council who are assigned to Standing Committees must collectively represent less than the majority of the Committees' total membership.
5. "Presiding Officer" is the person presiding over the meeting, who is charged with the responsibility to decide questions and points of order or practice, preserve order and maintain decorum in the proceedings of Council or Committee Meetings.
6. "Council" shall mean the Council of The Corporation of The Township of South Glengarry which was elected at large by registered voters or who has been appointed by virtue of a vacancy.
7. "Member" shall mean a Member of Council or a Committee of Council and includes the Head of Council or Chairperson.
8. "Act" means the Municipal Act, S.O. 2001, c.25.
9. "Committee" shall mean any advisory committee, subcommittee or similar entity composed of Members appointed by Council.
10. "Meeting" shall mean any regular, special, committee or other meeting of Council.
11. "By-law" shall mean a local by-law. A by-law enacted by Council to exercise a power provided by legislation. It is the most formal document used for complex and legal matters providing authority and direction for the Corporation to act on its own affairs.
12. "Pecuniary Interest" (Disclosure of Interest) shall mean a *Pecuniary Interest*, direct or indirect, in any matter within the meaning of the *Municipal Conflict of Interest Act*.
13. "Closed Session" shall mean part of a meeting that is closed to the public in accordance with the *Municipal Act, S.O., 2001, s.239. (2)*. The Clerk or designate by the Clerk, must be present to record the proceedings of a Meeting of Council and a committee or local board.
14. "Quorum" at a Meeting will be deemed to have been achieved when the majority of the Members of Council and/or a Committee are present.

When there are Council and/or Committee Members who are disabled from participating in a meeting by reason of a pecuniary interest or conflict of interest, the remaining number of Members shall be deemed to constitute a quorum, provided the number is not less than two (2).

15. "CAO" shall mean the Chief Administrative Officer of the Township of South Glengarry.
16. "Clerk" shall mean the Clerk of the Township of South Glengarry.
17. "Delegation" shall mean a person or group of persons who are not Members of Council or Township Staff who have requested in writing to appear before Council to address an issue which relates to matters of the Township and fall within the scope of Council to act upon.
18. "New Business" shall mean items set out on the current Agenda under New Business for Council's consideration.
19. "Unfinished Business" shall mean items set out on the current Agenda which have not previously been disposed of and shall be included in the Unfinished Business Listing until such time as the business has been disposed of to the satisfaction of Council.
20. "Committee of the Whole" means a meeting of the whole of Council in committee format where Members consider questions with a greater freedom of debate.
21. "Rules of Procedure" mean the applicable procedural rules of conduct contained in the By-law. The proceedings of Council and 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. Where a matter being considered by Council arises that is not covered in this By-law, Robert's Rules of Order (latest edition) shall apply.
22. "Local Newspaper" means any paper with circulation at least once per week within the boundaries of the SD&G United Counties.
23. "Social Media" shall mean Twitter, Facebook or future appropriate applications.
24. "Website" shall mean the Township of South Glengarry website.

2.0 **GENERAL INTENT OF THE BY-LAW**

2.1. The rules and regulations contained in this By-law shall be observed in all proceedings of Council and shall be the rules and regulations for the order and dispatch of business in Council and in any Committee Meetings thereof, provided that the rules and regulations contained herein are not suspended by a simple majority vote of the Members of Council or Committee present at the Meeting.

3.0 **COUNCIL MEETINGS - LOCATION, TIME AND NOTICE**

3.1. Meetings of Council shall be held at Council Chambers, 6 Oak Street, Lancaster, Ontario or another location designated by Council.

3.2. The inaugural Meeting of a newly elected Council shall take place on the first Monday of December at 7:00 pm in Council Chambers or at an alternative location determined by the Clerk.

3.3. The next and each succeeding Regular Meeting of Council shall be held on the first Monday and third Monday of each month beginning at 7:00 p.m. in accordance with the scheduled list of Meetings of Council prepared by the Clerk and approved by resolution of Council, unless Council by resolution directs otherwise, in which case public notice of forty-eight (48) hours shall be posted of all Meetings advising of the date, time and location or cancellation of a Meeting.

3.4. Notice to the public of all Regular and/or Special Meetings of Council must be provided by posting the Agenda on the Township website as soon as possible after its

delivery to Members of Council. In the case of Special Meetings, notice shall be given by posting a notice as soon as is practicable after notice of the Special Meeting has been given and any other notification that is permitted within the timeframe. (See 4.4)

3.5. The Chief Administrative Officer or Clerk, in consultation with the Mayor, has the authority to cancel any regular Meeting if it is determined there is not sufficient business to be conducted, provided notification has been given at a prior Meeting or within forty-eight (48) hours (not including weekends or holidays) of the Meeting. Notice of cancellation shall be sent to all recipients on the agenda distribution list. The Chief Administrative Officer or Clerk, in consultation with the Mayor also have the authority to cancel any Meeting of Council due to inclement weather conditions provided sufficient notice is given.

4.0 SPECIAL MEETINGS OF COUNCIL

4.1. In accordance with Section 240 (a) of the *Municipal Act, 2001*, the Mayor may at any time call a Special Meeting of Council. The Special Meeting shall be held on the date, time and location as designated for this purpose by the Mayor.

4.2. In accordance with Section 240 (b) of the *Municipal Act, 2001*, the Clerk shall call a Special Meeting upon receipt of a petition of the majority of the Members of Council for the purpose and at the time and place mentioned in the petition.

4.3. Forty-eight (48) hours notice of all Special Meetings shall be given by delivering a notice personally to a Member or by leaving such notice at his/her residence, place of business or by electronic mail or telephone. Written or verbal notice shall indicate the date, time, place and nature of the business to be considered at the Special Meeting.

4.4. Notwithstanding the notice requirement set out above, the Mayor, may in the event of a bonafide emergency, call a Special Meeting of Council without giving forty-eight (48) hours notice of the Meeting, provided that the Clerk has diligently attempted to advise all Members of Council immediately upon being advised of the intention to hold an emergency meeting. The only business to be dealt with at the Meeting shall be respecting that emergency. The Meeting may be held at public offices kept at any convenient location within or outside the Township. The Clerk or designate shall make his/her best efforts to provide as much notice as is reasonable under the circumstances.

5.0 MEETING OF COUNCIL

5.1. All Meetings of Council and Committees shall be open to the public, except when Council enters into Closed Session and the subject matter being considered is;

- (a) the security of the property of the Township or local board,
- (b) personal matters about an identifiable individual, including Municipal or local board employees,
- (c) a proposed or pending acquisition or disposition of land by the Township or local board,
- (d) labour relations or employee negotiations,
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the Township or local board,
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose,
- (g) a matter in respect of which a Council, local board, committee or other body may hold a closed meeting under another Act and/or

- (h) if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* and/or the educating or training of Council, a Committee or Local Board and at the Meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council, a Committee or Local Board.
- (i) An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman of Ontario, a locally-appointed Ombudsman, or an appointed closed meeting investigator.

5.2. Before part of a Meeting is held Closed Session, Council shall state by resolution; the fact of entering into, the general nature of the matter to be considered during the Closed Session and the Clerk shall identify the subject and qualify the section of the *Municipal Act, 2001*.

5.3. No Meeting shall be closed to the public during the taking of a vote with the exception of the following:

- (a) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Township, Local Board or Committee of either of them or person retained by or under contract with the Township or local board.

5.4. The sitting body, Council or Committee may invite any person deemed appropriate to the portion of a Meeting.

5.5. Council Members, staff and invited guests shall keep confidential any information;

- (a) disclosed or discussed during an portion of a Meeting. The obligation to keep information confidential applies even if the Member ceases to be a Member, and/or
- (b) received in confidence verbally in preparation of the portion of the Meeting.

5.6. Discussion during a Closed Session portion of a Meeting shall be limited to that stated by resolution prior to holding the Closed Session.

5.7. The Mayor shall preside at all Meetings of Council. However, subject to the provisions of *The Municipal Act*, in case the Head of Council does not attend within fifteen (15) minutes after the time appointed for a Meeting of Council, the Deputy Mayor shall preside until the arrival of the Head of Council and shall have all the powers of the Head of Council for the purpose of chairing the Meeting in the absence of the Head of Council.

5.8. Notwithstanding Section 5.7 above, in the absence of both the Mayor and the Deputy Mayor, the Acting Head of Council shall be the Chief Administrative Officer, who in turn will chair the selection process to appoint a Presiding Officer for the Meeting only.

5.9. No person shall be excluded from attending a Meeting that is open to the public except for improper conduct.

5.10. The ring tone on all cell phones and electronic devices in the meeting room shall be turned to vibrate prior to the start of Council and Committee Meetings.

6.0. **QUORUM**

6.1. If no quorum is present one-half hour after the time appointed for a Meeting of Council, the Clerk shall record the names of the Members present and the Meeting shall stand adjourned until the date of the next regular Meeting.

7.0. **CURFEW**

7.1. Unless otherwise ordered by resolution passed by a majority of the Members present, Council shall be adjourned at 11:00 P.M. Any extension to the time for adjournment shall be determined by a majority vote of the Members present.

8.0 SPECIAL COMMITTEES OF COUNCIL – GENERAL RULES

8.1. The Mayor shall be an ex officio Member of all Committees. All Members of Council may attend the Meetings of Standing or Ad Hoc Committees and may, with the consent of the Committee, take part in the discussion, but shall not be entitled to vote on recommendations.

8.2. Committee of the Whole (COTW) is the participation of all members of Council in a Committee Meeting where members of Council consider questions with greater freedom of debate. When sitting as Committee of the Whole, the results of debate undertaken in Committee of the Whole are not final decisions of Council. Rather, the results have the status of recommendations which Council is given the opportunity to consider further at its Regular Council Meeting.

8.3. The general duties of Ad Hoc and Standing Committees shall be as follows;

- (a) The Terms of Reference, Membership and Support Staff assigned to any Committee shall be as stipulated in the by-law or resolution establishing that Committee.
- (b) Committees shall report to Council from time to time, as often as the interests of the Council may require. All matters connected with the Terms of Reference of the Committee will be considered by the Committee(s) and the Committee(s) will in turn make recommendations to Council in relation thereto as may be deemed necessary and expedient. All Committee recommendations shall be referred to Council for consideration before becoming effective.
- (c) Committee(s) shall consider and report upon all matters referred to them by Council and adhere strictly in the transaction of all business to the rules prescribed by the By-laws of Council.
- (d) Each Standing Committee shall at its first Meeting, fix a date and hour for the regular Meetings during the year, or by Call of the Chair and shall elect a Chairperson who shall preside at all Meetings of the Committee.
- (e) Council may at any time, establish an Ad Hoc Committee to study, evaluate, negotiate, investigate, prepare a special report or make recommendations for the resolution of a specific matter or issue.
- (f) A motion to establish an Ad Hoc or Standing Committee shall contain the general nature of the issue or issues, the persons appointed to the Committee, and the terms of reference of the Committee.
- (g) An Ad Hoc Committee shall be automatically dissolved once its work is complete and recommendations have been reported to Council or at the end of the Term of Council.

9.0 ROLE/DUTIES OF THE MAYOR/PRESIDING OFFICE

9.1. It is the role of the Mayor as the Head of Council to:

- (a) Act as Chief Executive Officer of the Township,
- (b) Preside over Council Meetings so that its business can be carried out efficiently and effectively,

- (c) Provide leadership to Council,
- (d) Represent the Township at official functions,
- (e) Carry out the duties of the Head of Council/Presiding Officer under any Act;
and
- (f) Provide overall leadership to the Community Control Group in responding to an emergency as detailed in the Emergency Response Plan for the Township of South Glengarry.

9.2. As Chief Executive Officer of the Township, the Head of Council shall;

- (a) Uphold and promote the purposes of the Township,
- (b) Promote public involvement in the Township's activities,
- (c) Act as the representative of the Township both within and outside the Township and promote the Township locally, provincially, nationally and internationally and
- (d) Participate in and foster activities that enhance the economic, social, historical and environmental well being of the Township and its residents.

10.0 **ROLE OF COUNCIL**

10.1 It is the role of Council to;

- (a) Represent the public and consider the well being and interests of the Township,
- (b) Come prepared to every Meeting by having read all the material supplied including agendas and staff reports in order to facilitate discussion and determine actions at the Meeting. Members are encouraged to make inquiries of staff regarding materials supplied in advance of the Meeting,
- (c) Develop and evaluate the policies and procedures of the Township,
- (d) Determine which services the Township provides,
- (e) Ensure that administrative policies and procedures are in place to implement the decisions of Council,
- (f) Ensure the accountability and transparency of the operations of the Township, including the activities of the Chief Administrative Officer of the Township,
- (g) Maintain the financial integrity of the Township and
- (h) Carry out the duties of Council under any other Act.

11.0 **ROLE OF THE CHIEF ADMINISTRATIVE OFFICER**

11.1 It shall be the role of the Chief Administrative Officer to;

- (a) Exercise general control and management of the affairs of the Township for the purpose of ensuring the efficient and effective operations of the Township and the staff placed under his/her supervision and to perform such other duties as assigned by the Council.

12.0 **ROLE OF THE CLERK**

12.1 It shall be the role of the Clerk to;

- (a) Record without note or comment all resolutions, decisions and other proceedings of the Council,
- (b) Record the name and vote of every Member voting on any matter or question, if requested by a Member present to do so (Recorded Vote),
- (c) Keep the originals of all By-laws and of all Minutes of the proceedings of the Council,
- (d) Execute documents on behalf of the Township as required and
- (e) Make minor corrections to Minutes, Motions and By-laws resulting from technical, formatting or typographical errors provided the intent is not changed prior to the documents being signed.

13.0 **ROLE OF MANAGEMENT AND ADMINISTRATION**

13.1 It is the role of the employees of the Township to;

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

14.0 **THE CONDUCT OF PROCEEDINGS AT A MEETING OF COUNCIL**

14.1. It shall be the duty of the Head of Council or Presiding Officer to;

- (a) Open the Meeting of Council by taking the Chair and calling the Members to order,
- (b) Announce the business before Council in the order in which it is to be acted upon,
- (c) Receive and submit, in the proper manner, all motions presented by the Members of Council,
- (d) Put to vote all questions which are regularly moved and seconded or necessarily arise in the course of proceedings and to announce the result,
- (e) Decline to put to vote motions which infringe on the rules of procedure,
- (f) Restrain the Members, within the rules of order, when engaged in debate,
- (g) Enforce on all occasions the observance of order and decorum among the Members,
- (h) Call by name any Member persisting in breach of the rules or order of Council thereby ordering the Member to vacate Council Chambers,
- (j) Authenticate, by his/her signature when necessary, all By-laws, resolutions, and Minutes of Council,
- (k) Inform Council, when necessary or when referred to for the purpose, on a point of order or usage,

- (l) Represent and support Council, declaring its will and implicitly obeying its decisions in all things,
- (m) Ensure that the decisions of Council are in conformity with the laws and By-laws governing the activities of Council,
- (n) Adjourn the Meeting when the business is concluded,
- (o) Adjourn the Meeting without question in the case of grave disorder arising in Council Chambers and
- (p) 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 an individual or group to vacate Council Chambers where such behaviour persists.

15.0 CONDUCT OF MEMBERS OF COUNCIL & GUESTS

15.1 A Council Member who desires to speak on any motion before Council shall upon recognition, respectfully address the Chair. Discussion shall be confined to the subject matter and shall avoid all offensive personalities.

15.2. No Member shall;

- (a) Use offensive words or un-parliamentary language in or against Council or against any Member, staff or guest,
- (b) Speak disrespectfully of the reigning sovereign or of any member of the Royal Family or of the Governor General, the Lieutenant Governor of any Province or any Member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario,
- (c) Disturb another Member of Council, staff or guests by any disorderly conduct disconcerting to the speaker or the assembly,
- (d) Speak on any subject other than the subject in debate or criticize any decision of Council except for the purpose of moving that the motion be reconsidered,
- (e) Disobey the rules of Council or a decision of the Presiding Officer or of Council on motions of order or practise or upon the interpretation of the rules of Council,
- (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.
- (h) Leave their seat or make a disturbance when the Chair is presenting (reading) the motion and
- (i) Persist in any such disobedience after having been called to order by the Presiding Officer. If he/she does then no amendment, adjournment or debate will be allowed until "that such Member be ordered to leave his/her seat for the duration of the Meeting of the Council", however if the Member apologizes he/she may, by majority vote of the Council, be permitted to retake his/her seat.

16.0 AGENDA

16.1. Prior to each Meeting the CAO and the Clerk, in consultation with the Mayor, shall set the agenda. The Clerk shall prepare for the use of the Members at the regular Meetings of Council an Agenda as set out in Schedule "C".

16.2. The Business of Council shall be considered in the order set forth on the agenda unless otherwise decided by Council. Any undisposed matters will be placed in the Unfinished Business section of the agenda for the next Regular Meeting.

16.3. Council Agendas, along with all associated reports and supporting material, shall be prepared and will be delivered or available to Members either by paper or electronic transmission on the Wednesday preceding the scheduled Council Meeting. The full Agenda will be posted to the website on the Thursday preceding the scheduled Council Meeting before the close of business at (4:00) pm.

16.4. New items of an urgent nature may be considered if Council is under the opinion that the matter is of a time sensitive nature only and that an immediate decision is required. If a matter receives such consideration by Council, it will then be added to the Agenda under New Business.

17.0. **MINUTES OF COUNCIL**

17.1. Minutes of Council shall be a factual account without note or comment and shall be recorded as follows;

- (a) The place, date and time of Meeting,
- (b) The name of the Presiding Officer and the Members in attendance,
- (c) A Member who has declared a Pecuniary Interest on a matter or question and the nature thereof,
- (d) All motions approved,
- (e) Other proceedings of Council without note or comment,
- (f) The approval of the presenting, reading if requested, correction and adoption of Minutes of the prior Meeting,
- (g) Time of Adjournment.

18.0 **DELEGATIONS/PRESENTATIONS**

18.1. In order to appear before Council as a delegation, a proposed delegate must advise the Clerk in writing no later than 4:00 pm on the Monday before the next scheduled Meeting date. (See Schedule "B")

18.2. Those who request to have an audience with Council must provide a hardcopy of what they intend to present by hand or electronic state and detail the nature of the matter to be presented and discussed. The request must include the name, address and telephone number of a spokesperson chosen by the delegation to make the presentation.

18.3. Each delegation shall be limited in speaking to not more than ten (10) minutes. Extensions to this limit will be at the discretion of the majority of Council.

18.4. Upon completion of a presentation by a delegation, any dialogue between the Members and the delegate(s) shall be limited to Members asking questions for clarification and to obtain additional, relevant information only. Questions from Members shall be addressed by the spokesperson to the best of their ability. Members shall not enter into debate with the delegation respecting the presentation. Council will defer and/or direct a decision or action on information received from a delegation to a subsequent Meeting of Council.

18.5. Delegations who have previously addressed the present Council on a topic shall not be granted a delegation again, unless they can provide that they have new information.

18.6. Delegations shall not use indecent, offensive or insulting words, profanity or unparliamentary language against Council, staff, guests or individuals.

18.7. The Clerk will review delegation requests with the CAO and Mayor. The Mayor has the discretionary authority to accept or refuse the request.

19.0 **REPORTS**

19.1 All members of Council shall have the responsibility to report on their Committee related activities that have occurred since the last Meeting.

19.2. All Staff Reports presented to Council as part of the agenda will be formatted, complete with recommendation(s) signed by the CAO or designate for Councils' consideration and be placed accordingly under New Business or Unfinished Business on the current Agenda.

20.0 **BY-LAWS**

20.1. The Clerk shall submit to Council a report of all by-laws proposed for adoption, including the by-law number, title and brief explanation. A full copy of the by-law will be included in the report in the Agenda.

20.2. By-laws that require public notice shall be given in accordance with the Notice Policy of the Township.

20.3. At the conclusion of all Meetings of Council and prior to adjournment, a Confirming By-law shall be brought forward to confirm the proceedings of the Council at that Meeting in respect of each motion, resolution or other action. A Confirming By-law then introduced, shall be read a first, second and third time and finally adopted without debate.

21.0 **MOTIONS**

21.1. The actions and decisions of Council shall be presented and decided upon by way of motions or resolutions, duly introduced, seconded, debated and voted upon.

21.2. All motions must be formally seconded before they can be considered or be recorded in the Minutes.

21.3. All motions presented to Council in writing or orally shall be stated by the Presiding Officer before debate.

21.4. Immediately preceding the taking of the vote, the Chair shall read the motion on the floor for consideration aloud. If requested by another Member of Council, the Chair shall again read the motion aloud.

22.0 **NOTICE OF MOTION**

22.1. Notice of Motion may be introduced by any one (1) Member verbally at a Meeting of Council for consideration at a subsequent Meeting or may be given in writing to the Clerk by 12:00 noon on the Tuesday preceding the regular Council Meeting for insertion in the Agenda, for consideration at a Meeting subsequent to the Meeting for which the Agenda is prepared or at a date designated by the mover.

22.2. Notwithstanding the above, a written Notice of Motion to reopen a matter may be dealt with at the same meeting at which notice is first given if it pertains to a matter included on the Agenda.

22.3. Notices of Motion shall be listed on the Agenda under two (2) categories:

- (a) Notice of Motion for consideration at this Meeting or
- (b) Notice of Motion for consideration at a future Meeting of the Council.

23.0 **NO INTERRUPTION AFTER THE QUESTION**

23.1. After a question is finally put by the Head of Council or the Presiding Officer no Member shall speak to the question nor shall any other motion be made until the vote is taken and the result has been declared.

24.0 **VOTING**

24.1. The Head of Council or the Presiding Officer, except where said individual is disqualified to vote by reason of pecuniary or conflict of interest may vote with the other Members on all questions. Any question on which there is an equality of votes shall be deemed to be negative.

24.2. The Mayor or Presiding Officer can debate any motion only if the Mayor or Presiding Officer vacates his/her seat and designate another Member to act in his/her capacity until the Chair resumes his/her seat.

24.3. If a Member disagrees with the announcement of the results of the vote by the Chair, he/she may object immediately to the declaration and require that the Members be polled individually.

24.4. Voting shall be done by a show of hands unless there has been a request for a recorded vote or unless a recorded vote is required by the *Municipal Act, 2001*. Where a vote is taken for any purpose, a Member may request immediately prior or immediately subsequent to the taking of the vote, that the vote be recorded. With respect to recorded votes, the Clerk may ask those Members in favour to stand and then those Members opposed to stand and shall record the name and vote of every Member. On any vote, any Member, except a Member who is disqualified from voting under any Act, who does not vote in favour or in opposition, shall be deemed to have voted in the negative.

24.5. No vote shall be taken by ballot or by any other method of secret voting and every vote so taken is of no effect.

24.6. Pursuant to the *Municipal Conflict of Interest Act*, a Member of Council who has a pecuniary or conflict of interest on a matter to be reviewed by Council shall make a written declaration of such interest as soon as practicable after the commencement of the Meeting or if he/she fails to declare such conflict, shall declare his/her interest at the first Meeting attended by him/her after acquiring such interest. Such declaration of interest and the reason therefore, shall be made publicly and shall be recorded in the Minutes by the Clerk.

25.0 **RECONSIDERATION**

25.1. A resolution, by-law or any question or matter that has previously been adopted by Council may be reconsidered by Council subject to the following;

- (a) A Notice of Motion can be moved by any Member of Council.
- (b) A Notice of Motion for Reconsideration must be supported by a simple majority vote of the Members of Council present at the Meeting, before the matter to be reconsidered can be debated.
- (c) A vote to reconsider shall not be considered more than once in any twelve month period.
- (d) No motion passed or debated at a Meeting of Council shall be reconsidered at the same Meeting without consent of the majority of its Members.

25.2 These rules do not apply when a motion pertains to a decision of a previous Council.

26.0 MOTION TO AMEND

26.1. A Motion to Amend shall;

- (a) Be presented in writing,
- (b) Be disposed of before a previous amendment to the motion can be considered,
- (c) Be relevant to the question,
- (d) Not be directly negative to the main motion, and
- (e) Be disposed of in the reverse order to that in which it is moved.

26.2 A "Friendly Amendment" may be allowed by the Head of Council or the Presiding Officer as an amendment to a motion under debate that is perceived by all Members as an enhancement to the original motion, often only as clarification of the motion's intent.

26.3. All motions shall be in writing and signed by the mover and seconder.

26.4. Once read or stated by the Head of Council or Presiding Officer, a motion may not be withdrawn without the consent of the majority of the Members.

26.5. Members shall not speak more than twice to the same question without the consent of the Head of Council or Presiding Officer.

26.6. Postponing or deferring a motion is used if the Members need more time to make a decision. The motion is debatable, amendable and needs a majority vote to pass.

27.0 RULES OF DEBATE

27.1. Every Member, prior to speaking, shall be recognized by the Presiding Officer. Every Member present at a Meeting of Council when a question is put forth shall vote thereon unless prohibited by Statute.

27.2. When the Presiding Officer calls for the vote on a question, each Member shall occupy his/her seat and shall remain in his/her place until the result of the vote has been declared by the Presiding Officer. During such time, no Member shall speak to any other Member or make any noise or disturbance.

27.3. When a Member is speaking, no other Member shall pass between him/her and the Presiding Officer or interrupt him/her except to raise a Point of Order.

27.4. 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.

27.5. Unless otherwise authorized by the Head of Council, all Members, staff and guests shall address Council through the Presiding Officer and only when recognized, do so.

27.6. When two or more Members seek to address Council, the Head of Council shall designate the Member who may speak first.

28.0 POINTS OF ORDER

28.1. A Point of Order may be raised if the rules appear to have been breached or broken. This may interrupt a Member during debate, or anything else if the breach of the rules warrants it. The point must be resolved before business continues.

29.0 SUSPENSION OF RULES

29.1 Any procedure required by this By-law may be suspended with the consent of a

majority of the Members of Council present, except where such suspension would contravene the provisions of any Statute Law or Regulation.

30.0 AMENDMENT TO PROCEDURAL BY-LAW

30.1 No amendment or repeal of this By-law or any part thereof shall be considered at any Meeting of Council unless notice of proposed amendment or repeal has been given at a previous regular Meeting of Council. The waiving of the notice of this By-law by Council is prohibited.

31.0 SEVERABILITY

31.1 The provisions of this By-law are severable. If any provision, section or word is held to be invalid or illegal, such invalidity or illegality shall not affect or impair any of the remaining provisions, sections or words of this By-law.

32.0 CONFLICT

32.1 Where the terms of any By-law passed prior to this By-law conflict with this By-law, the terms of this By-law shall prevail.

33.0 EFFECTIVE DATE

33.1 This By-law shall become effective upon the date of the passing.