

**THE CORPORATION OF THE  
TOWNSHIP OF LANARK HIGHLANDS**

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**BY-LAW NO. 2010-1078**

**BEING A BY-LAW TO ESTABLISH THE RULES GOVERNING THE ORDER AND  
PROCEEDINGS OF COUNCIL AND COMMITTEES  
OF THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS  
(PROCEDURAL BY-LAW)**

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**WHEREAS**, Section 238 (2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

**AND WHEREAS**, Section 238 (2.1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires 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 Lanark Highlands enacts as follows:

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## 1.0 DEFINITIONS

For the purpose of this By-Law:

**“Agenda”** – shall mean the written Order of Business.

**“Attendee”** – shall mean a person, other than a Member or Staff, who is present at a meeting.

**“By-Law”** – shall mean a local law that has been enacted by Council in order to exercise a power provided in an Act.

**“Chief Administrative Officer”** – shall mean the Chief Administrative Officer (CAO) or designate duly appointed by the Township as prescribed in Section 229 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

**“Clerk”** – shall mean the person or designate duly appointed by the Township as prescribed in Section 228 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

**“Close Debate (Call the Question)”** – shall mean a motion requiring that debate be closed and the vote on the motion be taken immediately.

**“Closed Session (In-Camera)”** – shall mean a meeting or part of a meeting closed to the public as prescribed in Section 239 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

**“Committee”** – shall mean any Committee established by Council, including but not limited to, any Committee of the Whole, Steering or Sub-Committee.

**“Chair (Presiding Officer)”** – shall mean the member who presides at a Council or Committee meeting.

**“Acting Chair”** – shall mean the Member who is temporarily appointed to serve in the Chair’s place.

**“Committee of the Whole Meeting (COW)”** – means a standing committee meeting of Council in which the entire Council becomes a committee for the purpose of conducting business and providing recommendations to Council.

**“Communications”** – shall include, but is not limited to, letters, memos, notices, emails, faxes, petitions, brochures, newspaper/magazine articles, etc.

**“Community Events”** – shall be deemed any event that requests the presence of the Mayor. These may include but are not limited to opening ceremonies, fund raisers/charity events, community celebrations and local fairs.

**“Confidential Item”** – shall include the following:

- (a) any matter marked “confidential” by Staff;
- (b) any matter or item of a confidential nature which has not been lawfully published, disclosed or provided to the public by the Township, or introduced, received or made available to the public at a public meeting or information session/centre;
- (c) a record of any matter in respect of which a meeting or part of a meeting may or shall be closed to the public pursuant to the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or under this By-law;
- (d) any matter which could form the subject matter of an exemption from disclosure or a prohibition against disclosure, pursuant to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56;
- (e) any matter which the Township is prohibited from disclosing pursuant to any contract, legislation or other lawful authority.

**“Confirming By-Law”** – shall mean a By-Law passed prior to adjournment of every Council meeting to confirm by By-Law the resolutions and actions of Council taken at that meeting.

**“Council”** – shall mean the Municipal Council of the Township in accordance with the Township Council Composition By-Law in effect (By-Law No. 2000-116).

**“Council Meeting(s)”** - include Regular, Special and Emergency Meetings of the Council of the Township.

**“Councillor”** – shall mean a person elected or lawfully appointed to the Council of the Township of Lanark Highlands.

**“Debate”** - shall mean discussion on the merits of the question/motion and whether the proposed action should or should not be taken.

**“Delegation”** – shall mean a person or group of persons who are not Members of Council or Township Staff who have requested and are permitted to address Council or Committee, individually or on behalf of a group, on a matter on the agenda for that meeting in accordance with the provisions of this By-Law.

**“Department Head”** – shall mean the person or designate in charge of a Township department and/or service area.

**“Emergency”** – shall mean a situation that poses, in the opinion of Council, an immediate threat to the municipality.

**“Ex-Officio”** – shall mean the Mayor who by virtue of office shall be a member of all Committees and shall have the same rights and privileges as other members of the respective Committee, who is entitled to vote but does not form part of the quorum.

**“Local Board”** – shall mean a municipal service board, transportation commission, board of health, planning board or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities (joint boards), excluding a school board, a conservation authority, public library board and police services board.

**“Majority Vote”**– shall mean a vote where over half of the Members present, and eligible to vote, vote in the same manner.

**“Mayor”** - shall mean the Member of Council elected by general vote as the Mayor and is the Head of Council, the Ex-Officio and who normally presides at all Council meetings.

**“Deputy Mayor”** - shall mean the Member of Council appointed as the Deputy Mayor in accordance with this by-law.

**“Meeting Schedule”** – shall be deemed the Council/Committee Calendar containing the dates of Council and Committee of the Whole meeting dates, including other reserved dates confirmed each year by resolution of Council.

**“Member”** – shall mean a Member of Council or a Member of a Committee.

**“Minutes”** – shall mean a record of the proceedings of a meeting, and shall be made by the Clerk without note or comment.

**“Motion”** – shall mean a recommendation made to Council for consideration.

**“Main Motion”** – shall mean a motion whose introduction brings business before the meeting.

**“Notice”** – shall mean an announcement by the Clerk under this by-law or the Township Notice Policy (By-Law No. 2007-820).

**“Order of Business”** – shall mean the sequence of business under consideration at a meeting.

**“Pecuniary Interest”** – shall mean a direct or indirect pecuniary (monetary) interest within the meaning of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended.

**“Point of Order”** - shall mean any alleged breach of the rules or irregularity in the proceedings of a meeting.

**“Point of Privilege”** – shall mean a statement by a Member calling attention to a matter where the integrity of an individual (personal) or the entire Council or Committee is perceived to be in question.

**“Presentation”** – shall mean the occurrence when, staff, an individual or group have been invited to present information to Council or Committee.

**“Proceedings”** – shall mean the business conducted at a meeting.

**“Public Information Session/Centre (Open House)”** – shall be deemed a meeting held for the purpose of presenting proposals and issues, educating and informing and/or receiving input.

**“Public Meeting (Statutory)”** – shall be deemed a meeting held for the purpose required under an Act or Regulation.

**“Quorum”** - shall mean the number of Members required to be present in the meeting room, in order that business may be conducted.

**“Recess”** – shall mean a break from a meeting.

**“Recorded Vote”** – shall mean documenting in the minutes of a Council Meeting the name of each Member and the Members’ vote on a matter or question.

**“Resolution”** – shall mean a motion that has been passed by Council.

**“Scrutineer”** – shall mean a person not on Council or not a member of Staff who examines votes at an election.

**“Special Meeting”** – shall be deemed a Council or Committee of the Whole Meeting which is in addition to the Meeting Schedule.

**“Standing Committee”** – shall be deemed a Committee of Council constituted to perform a continuing function and which has a continuous existence. For the purpose of this by-law the Committee of the Whole and Sub-Committees are deemed to be Standing Committees.

**“Steering Committee”** – includes any Steering Committee established by resolution of Council which goes out of existence as soon as it has completed the mandate as established by Council.

**“Sub-Committee”** – includes any Sub-Committee established by Council and approved through a resolution of Council which is a Standing Committee.

**“Summer Recess”** - shall be deemed to be the month of July each year where no Council or Committee meetings are held unless a Special Meeting is called by the Mayor or Chair or a petition of Council is received.

**“Township”** – shall mean the Corporation of the Township of Lanark Highlands.

**“Two-Thirds Vote”** – shall mean a vote where at least two-thirds of the members present, and eligible to vote, vote in the same manner.

## **2.0 INTERPRETATION**

- 2.1** The rules and regulations contained in this By-Law shall be observed in all proceedings of Council to which they apply and shall be the rules and regulations for the order and dispatch of business at meetings of Council and its Committees.
- 2.2** All reference to the Mayor shall, in the absence of the Mayor, refer to the Deputy Mayor or to the person so named in accordance with the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.
- 2.3** Subject to the requirements of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, the rules and regulations contained herein may be suspended by resolution for a single occasion by a vote of at least two-thirds of the entire Council, unless otherwise provided by law.
- 2.4** Committees may not pass a motion to suspend the rules of this By-Law.
- 2.5** Subject to the right of appeal by a Member, the Chair shall be responsible to interpret the rules of procedure under this By-Law with the advice and assistance of the Clerk.
- 2.6** The Clerk or the Clerks' designate shall be secretary of Council and Committees of Council and shall be in attendance at all times.
- 2.7** Where procedural matters of Council or Committees of Council are not provided for in this by-law and are not governed by the *Municipal Act, 2001* and the *Municipal Conflict of Interest Act*, Bourinot's Rules of Order shall apply.

### **3.0 ROLE OF THE CHAIR**

#### **3.1 A Chair shall:**

- 3.1.1** preside over Council or Committee Meetings;
- 3.1.2** provide order and decorum
- 3.1.3** be the political liaison with other members of Council and Committee Members;
- 3.1.4** review and understand the Agenda with the Clerk;
- 3.1.5** provide the Committee direction when required regarding meeting conduct and procedures;
- 3.1.6** represent Council initiatives and decisions to the public, where appropriate;
- 3.1.7** consult with the CAO on matters of operational concerns and complaints;
- 3.1.8** not have the authority to direct Department Heads or staff;
- 3.1.9** work with the Mayor and CAO to take the lead role, where possible, on provincial delegations, in particular at the Association of Municipalities of Ontario (AMO) and the Ontario Good Roads Association/Rural Ontario Municipal Association (OGRA/ROMA).

## **4.0 RULES OF CONDUCT FOR MEMBERS, STAFF AND ATTENDEES**

### **4.1 Chair at Meetings**

- 4.1.1** It shall be the duty of the Chair of a meeting to:
- a) open the meeting by calling the meeting to order;
  - b) ensure that a quorum is established and is maintained throughout the course of the meeting;
  - c) announce the business in the order in which it is to be considered;
  - d) direct discussion in such a manner that all questions and comments shall be presented through the Chair;
  - e) receive and submit, in the proper manner, all motions presented by the Members;
  - f) put to vote all motions which are moved, and seconded when necessary, or all motions that arise in the course of the proceedings, and to announce the result of each vote;
  - g) decline to put to vote motions that infringe upon the rules under this By-Law or the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;
  - h) ensure the Members, Staff and Attendees, conform to the rules of order under this By-Law;
  - i) maintain an appearance of impartiality on all matters;
  - j) undertake all matters required to ensure the meeting proceeds in an orderly and efficient manner;
  - k) authenticate by signature, when necessary, all applicable by-laws and resolutions;
  - l) adjourn the meeting when the business is concluded, or at the designated time.
- 4.1.2** The Mayor shall wear the Chain of Office at all Council meetings.
- 4.1.3** The Chair shall vote on all motions.
- 4.1.4** In the absence of the Chair for Council, or when the Chair steps down, the Deputy Mayor shall be the Acting Chair. In the absence of the Deputy Mayor, Council shall appoint an Acting Chair.
- 4.1.5** In the absence of a Committee Chair or when the Chair steps down, the Committee shall appoint an Acting Chair.
- 4.1.6** The Chair may answer questions and comment in a general way, but if the Chair wishes to participate in debate, make a motion, speak to a motion under consideration or leave the chair for any other reason, the Chair shall first delegate the duties of the Chair to a Member of the Committee in accordance with the provisions of this By-Law, until the Member resumes the position of the Chair.

**4.1.7** The Chair shall not resume the position of the Chair until the Chair has finished debating the issue, motion, etc., at which time the Acting Chair shall relinquish the position of the Chair.

## **4.2 Questions**

**4.2.1** All Members, Staff and Delegations shall address their questions and comments through the Chair.

**4.2.2** A Member, while asking questions through the Chair, shall at no time put into question the personal or professional integrity of a Staff member of the Township.

## **4.3 Speaking at Meetings**

**4.3.1** When two or more Members wish to speak, the Chair shall name the Member who is to speak first.

**4.3.2** When a Member is recognized by the Chair, the Member shall confine his/her remarks to the motion under consideration.

**4.3.3** When a motion is under debate, a Member may ask a question through the Chair of another Member, CAO, Department Head or other employee of the Township.

**4.3.4** Any Member may require the motion under debate to be read at any time during the debate, but in doing so shall not interrupt a Member while speaking.

## **4.4 Materials**

All materials shall be distributed through the Clerk.

## **4.5 Rules of Order**

**4.5.1** No person shall:

- a) disturb a meeting by any disruptive or distracting conduct, including private conversations among Members, Staff or Attendees at a meeting;
- b) use profane or offensive words or insulting expressions;
- c) disobey the rules of procedure;
- d) rise from their seat or make any noise or disturbance while a vote is being taken;
- e) speak until they have been recognized by the Chair;
- f) speak on any subject other than the subject under debate
- g) display signs, place cards, applaud, heckle or engage in telephone or other conversation or any behaviour which may be considered disruptive.

- 4.5.2** An Attendee shall not participate in a meeting, unless listed on the Agenda as a Delegation or Presentation and shall be subject to the rules and procedures of this By-Law.
- 4.5.3** No Member shall interrupt a Member who is speaking, except to raise a Point of Order or a Point of Privilege.
- 4.5.4** No Member shall permanently leave the meeting without advising the Chair or the Clerk.
- 4.5.5** In the event that a Member or Attendee persists in a breach of Subsection 4.5.1 above, after having been called to order by the Chair, the Chair shall without debate call the question "Shall the Member or Attendee be ordered to leave their seat for the duration of the meeting?", and this question shall not be debatable.
- 4.5.6** If Council or a Committee decides the question set out in Subsection 4.5.4 above in the affirmative by a majority vote of the Members present, the Chair shall order the Member or Attendee to leave their seat for the duration of the meeting.
- 4.5.7** If the Member or Attendee apologizes, the Chair, with the approval of Council or the Committee, may permit them to resume their seat.
- 4.5.8** If a Member or Attendee does not leave their seat after being ordered to do so by the Chair in accordance with Subsection 4.5.4 above, and if the Member or Attendee does not apologize in accordance with Subsection 4.5.6 above, then the Chair shall for a second time without debate call the question "Shall the Member or Attendee be ordered to leave their seat for the duration of the meeting?", and this question shall not be debatable.
- 4.5.9** If Council decides the question set out in Subsection 4.5.7 above in the affirmative by a majority vote of the Members present, the Chair shall direct the Clerk to seek the appropriate assistance from the Lanark County Ontario Provincial Police (OPP).
- 4.5.10** No Member shall use cell phones and electronic devices not required for conducting a meeting. The device shall be either turned off or otherwise set so as not to emit any audible sound during a meeting.
- 4.5.11** During a Council or Committee meeting, Councillor laptops shall be used exclusively for Township business.
- 4.5.12** Recording devices shall not be permitted.

## **5.0 COUNCIL AND COMMITTEE MEETINGS**

### **5.1 Inaugural Meeting**

**5.1.1** The Inaugural Meeting shall be conducted in accordance with Schedule "A".

### **5.2 Election of Deputy Mayor**

**5.2.1** The term of the Deputy Mayor shall be for the Term of Council.

**5.2.2** Notwithstanding Section 5.3.1 above, a candidate for Deputy Mayor may be nominated and elected for consecutive terms.

**5.2.3** The Deputy Mayor shall be elected at the Inaugural Meeting in accordance with Schedule "A".

### **5.3 Council Meetings**

**5.3.1** Township Council meetings shall generally be held in the Council Chambers at the Lanark Highlands Municipal Office, 75 George Street, Lanark, on the fourth Thursday of each month commencing at 7:00 p.m., as outlined in the Meeting Schedule.

### **5.4 Committee of the Whole**

**5.4.1** Township Council shall conduct its business using a Committee of the Whole System. The Committee of the Whole meetings shall be separated into the following five (5) areas of service delivery:

#### **5.4.1.1 Building, Planning & Protective Services**

- a) Building
- b) Emergency Planning
- c) Fire Services
- d) Mississippi-Rideau Source Water Protection
- e) Mississippi Valley Conservation
- f) Planning
- g) Police Services
- h) Other Environmental and Rural Issues

#### **5.4.1.2 Public Works & Waste Management**

- a) Bridges
- b) Fleet
- c) Roads
- d) Sewer & Water
- e) Waste Management

**5.4.1.3** Community Services

- a) Arena
- b) Community Centres
- c) Economic Development
- d) Museums
- e) Public Library
- f) Tourism
- g) Youth Centre

**5.4.1.4** Corporate Services

- a) Accessibility
- b) Coordination of Policy for all Township Departments
- c) Corporate Contracts
- d) Finance
- e) Governance Issues
- f) Human Resources
- g) Information Technology
- h) Legislation Review and Comment
- i) Township Records and Communications
- j) Any issues not presently designated to another Committee of the Whole

**5.4.1.5** General

- a) Budget
- b) Major Projects

**5.4.2** Committee of the Whole meetings shall generally be held in the Council Chambers at the Lanark Highlands Municipal Office, 75 George Street, Lanark, on the second and fourth Tuesdays of each month commencing at 2:30 p.m., as outlined in the Meeting Schedule.

**5.4.3** The authority of the Committee of the Whole is limited to the making of recommendations to Council. No decision to take any action or do anything other than administrative in nature shall be recognized as emanating from the Committee of the Whole, and all affirmative Committee of the Whole recommendations shall be referred to the next regularly scheduled Council Meeting, generally held two weeks later, before becoming effective.

## **5.5 Election of Committee Chairs**

### **5.5.1 Committee of the Whole**

The Chair of the Committee of the Whole shall be the Deputy Mayor.

### **5.5.2 Steering & Sub-Committees**

Each Steering and Sub-Committee shall appoint a Member of that Steering or Sub-Committee to act as Chair on an annual basis at the first meeting each year. The Chair shall be limited to a Member of Council only.

## **5.6 Special Meetings**

**5.6.1** The Mayor at any time may call a special meeting of Council that is in addition to the published Meeting Schedule approved annually by Council.

**5.6.2** The Mayor or Committee of the Whole Chair may call a special meeting of the Committee of the Whole that is in addition to the published Meeting Schedule approved annually by Council.

**5.6.3** A special Council or Committee of the Whole meeting may be called by the Clerk once a resolution to do so has been adopted by Council or upon receiving a petition from a majority of Council or Committee of the Whole Members.

**5.6.4** The resolution or petition shall clearly state the purpose, date and time of the special meeting. The petition shall be signed, by those Members calling the special meeting, and delivered to the Clerk.

**5.6.5** The only business to be dealt with at a special meeting shall be that stated on the Agenda of the meeting.

**5.6.6** A minimum of forty-eight (48) hours notice of all special meetings of Council shall be given to the Members and the Public by posting the meeting on the website.

## **5.7 Emergency Meetings**

**5.7.1** The Mayor at any time may, in the event of an emergency, call an emergency meeting of Council without giving forty-eight (48) hours notice of the meeting, provided that the Clerk has diligently attempted to advise all Members immediately upon being advised of the intention of the Mayor to hold an emergency meeting.

- 5.7.2 The only business to be dealt with at an emergency meeting of Council shall be with respect to that emergency.
- 5.7.3 In the case of an emergency meeting, Council may hold its meeting(s) and keep its public office at any convenient location within or outside of the Municipality.
- 5.7.4 Notice of all emergency meetings of Council shall be given to the Members and the Public by posting the meeting on the website. Notice may be given after the meeting.

## **5.8 Steering and Sub-Committees**

- 5.8.1 Steering and Sub-Committee meetings shall generally be held in the Council Chambers at the Lanark Highlands Municipal Office, 75 George Street, Lanark.
- 5.8.2 Steering and Sub-Committee meetings shall generally be scheduled during regular office hours, Monday to Friday from 8:30 a.m. to 4:30 p.m.
- 5.8.3 Every Steering and Sub-Committee shall have a Terms of Reference approved by Council. The Terms of Reference shall contain a mandate and purpose, committee structure, number of meetings, number of members required for quorum, reporting process, staff and support services, budget (if applicable) and completion date.
- 5.8.4 The authority of any Steering or Sub-Committee is limited to making recommendations to the Committee of the Whole. No decision to take any action other than administrative in nature shall be recognized as emanating from any Steering or Sub-Committee.
- 5.8.5 Minutes of Steering and Sub-Committees shall be included in the Committee of the Whole agenda as information. Any action items requiring Council approval will be presented in the form of a motion to the Committee of the Whole for recommendation.
- 5.8.6 A Steering Committee shall be deemed to be dissolved at the completion of its mandate based on the Terms of Reference or by a resolution of Council.
- 5.8.7 Steering and Sub-Committees shall adjourn no later than thirty minutes prior to all Council and Committee of the Whole meetings.
- 5.8.8 Public Members shall be appointed by Council.

## **5.9 Boards & Commissions**

**5.9.1** Council shall appoint Members to sit on various Boards and Commissions for the term of Council at the first regularly scheduled Council Meeting following the Inaugural Meeting, unless otherwise provided by an Act or Regulation.

**5.9.2** The Member of the Board or Commission shall provide a verbal Report on the Board or Commission at the applicable Committee of the Whole Committee as information.

## **5.10 Closed Session (“In Camera”)**

**5.10.1** Except as provided in this By-Law, all meetings of Council and its Committees shall be open to the public.

**5.10.2** No person shall be excluded from a meeting except for:  
a) improper conduct determined by the Mayor/Chair or;  
b) where a meeting or portion of a meeting is closed to all persons other than the Members of that body and those identified to remain in the room.

**5.10.3** The Clerk shall remain in the room for all closed sessions.

**5.10.4** In accordance with Schedule “B” a meeting or part of a meeting may be closed to the public.

**5.10.5** Should it become necessary to address more than one closed session matter on one agenda, each closed matter shall be addressed in a separate closed session.

**5.10.6** Council or Committee shall move into closed session by using the prescribed resolution form in Schedule “B”.

**5.10.7** Closed meetings are to be listed on the agenda in such a way as to provide the most information possible without compromising confidentiality or adversely affecting the municipal position. For example, the agenda item should read: Litigation Matter – Litigation Regarding a Property Located at 123 Example Avenue.

**5.10.8** A meeting shall not be closed to the public during the taking of a vote except where:  
a) the vote is for a procedural matter or giving directions or instructions to officers, employees or agents of the municipality or persons retained by or under contract with the municipality.

- 5.10.9** Confidential discussion during a closed session shall be limited to the issue described in the authorizing public resolution and nothing in this by-law confers the power of any Member or Members of Council to make any decision or take any action unless, or until such action is presented and decided upon at a duly called and constituted open meeting of Council.
- 5.10.10** No Member, Staff or other person present shall in any way, notify, distribute or make available to any person or other body, by any means, any reports or items, or disclose the nature or content of any documents or of discussions regarding any matters that are confidential without approval of such release by Council.
- 5.10.11** No Member, Staff or other person present, other than the Clerk or Chief Administrative Officer, shall take notes during closed session.
- 5.10.12** Upon returning to open session, the Chair shall rise and report the following:  
a) a statement resulting from the closed session;  
b) declarations of pecuniary interest during the closed session.
- 5.10.13** The Clerk shall be responsible to secure and maintain a confidential record of all original documentation distributed or presented, relating to closed sessions.
- 5.10.14** A separate set of closed session minutes shall be kept for each closed session.
- 5.10.15** Copies of any confidential documents, including minutes, circulated during the meeting shall be returned to the Clerk at the end of the closed session and destroyed.
- 5.10.16** Minutes of closed sessions shall be circulated by the Clerk at the next closed session for adoption. The minutes shall be kept in a secure and confidential location under the control of the Clerk and shall only be open to those in attendance at the meeting, to others approved by the Council or as legislated.
- 5.10.17** Where practical, closed sessions shall be scheduled at the end of the meeting.
- 5.10.18** All Members and Staff have a personal obligation to the Township to treat identified documents in confidence and not to use them to the detriment of the Township.
- 5.10.19** The obligation to keep information confidential shall continue after the Member ceases to be a Member of Council or Staff ceases to be employed by the Township.

## **5.11 Public Information Sessions/Centres (Open Houses)**

**5.11.1** Public Information Sessions/Centres (Open Houses) may be scheduled from time to time as warranted.

**5.11.2** A Public Information Session/Centre (Open House) shall be called by the Clerk once a resolution to do so has been adopted by Council or upon receiving a petition from a majority of Council Members. The petition shall clearly state the purpose, date, and time of the meeting, and the person who will act as Chair of the session.

## **5.12 Public Meetings (Statutory)**

**5.12.1** Public Meetings shall be scheduled as prescribed for the purpose of meeting the requirements of an Act, Regulation or By-Law.

**5.12.2** A Public Meeting shall be called by the Clerk as required under the Public Notice Policy (By-Law No. 2007-820) and amendments thereto or as required under an Act or Regulation. The notice shall clearly state the purpose, date, time and location of the meeting, and the person who will act as Chair of the session.

**5.12.3** The Clerk shall prepare an agenda for the meeting and keep a record of the proceedings.

## **5.13 Notice of Meetings**

**5.13.1** The Clerk shall give notice of each meeting to the Members, Department Heads, Media and the Public.

**5.13.2** The meeting agenda shall constitute notice, except for Public Meetings (Statutory).

**5.13.3** Notice for Public Meetings shall be as prescribed.

**5.13.4** Council and Committee agendas shall be made available by 1:00 p.m. on the Friday prior to the meeting.

**5.13.5** Agendas shall be posted on the Township website.

**5.13.6** Refer to Subsections 5.6 and 5.7 for Special and Emergency Meetings.

**5.13.7** Committee meetings may be cancelled in consultation with the Mayor, Chair, Chief Administrative Officer and Clerk if insufficient business will be before the Committee. Notice of cancellation should be provided as soon as possible.

**5.13.8** If it appears that inclement weather, or like occurrence, or an emergency situation will prevent the Members from attending a meeting, the Mayor may direct the Clerk to postpone that meeting by contacting as many members as they are able to reach.

#### **5.14 Meeting Schedule**

**5.14.1** The Meeting Schedule will outline the dates of Regular Council and Committee of the Whole meetings and Professional Development Events.

**5.14.2** Regular Council Meetings are held once a month except during the month that has been declared the "Summer Recess".

**5.14.3** Committee of the Whole Meetings are held twice per month except during the month that has been declared the "Summer Recess".

**5.14.4** Special and Emergency Meetings may be called during the month that has been declared the "Summer Recess".

**5.14.5** Any Council or Committee of the Whole Meeting that is not on the Meeting Schedule shall be deemed to be a "Special" Council or Committee of the Whole Meeting.

**5.14.6** A rescheduled meeting shall not be considered a "Special" Council or Committee of the Whole Meeting.

**5.14.7** A proposed Meeting Schedule will be presented by the Clerk to Council for approval by December of each year, for the subsequent year.

#### **5.15 Election Year**

**5.15.1** In the year of a municipal election, after the election an orientation shall be held for all members of Council to provide an overview of the expectations of elected office (ex. processes of Council, procedure by-law, code of conduct, payroll and a general overview of the Township's role and function).

**5.15.2** The orientation shall be conducted by the Chief Administrative Officer, the Clerk and Department Heads.

## **6.0 ORDER OF BUSINESS AND GENERAL RULES**

### **6.1 Format of Agenda**

#### **6.1.1 Council Agenda**

**6.1.1.1** The Clerk shall have prepared for the use of the Members at all meetings, an agenda as follows:

- (i) Call to Order
- (ii) Moment of Silent Meditation
- (iii) Roll Call
- (iv) Disclosure of Pecuniary Interest and General Nature Thereof
- (v) Approval of Agenda
- (vi) Approval of Council Minutes
- (vii) Delegations & Presentations
- (viii) Communications
- (ix) Reports
- (x) Motions
- (xi) By-Laws
- (xii) In-Camera Items
- (xiii) New/Other Business
- (xiv) Notice of Meetings
- (xiii) Confirm Council Proceedings
- (xiv) Deferred Items
- (xv) Adjournment
- (xvi) Singing of "O Canada"

## **6.1.2 Committee of the Whole Agenda**

**6.1.2.1** The Clerk shall have prepared for the use of the Members at all meetings, an agenda as follows:

- (i) Call to Order
- (ii) Disclosure of Pecuniary Interest and General Nature Thereof
- (iii) Approval of Agenda
- (iv) Approval of Minutes
- (v) Delegations & Presentations
- (vi) Communications
- (vii) Reports
  - General
  - Community Services
  - Corporate Services
  - Building, Planning & Protective Services
  - Public Works & Waste Management
- (viii) In-Camera Items
- (ix) New/Other Business
- (x) Deferred Items
- (xi) Adjournment

## **6.1.3 “Special” and “Emergency” Meeting Agendas**

**6.1.3.1** The Clerk shall have prepared for the use of the Members at special and emergency meetings, an agenda as follows:

- (i) Call to Order
- (ii) Disclosure of Pecuniary Interest and General Nature Thereof
- (iii) “Business”
- (iv) Adjournment

## **6.1.4 Steering and Sub-Committee Meeting Agendas**

**6.1.4.1** The Clerk shall have prepared for the use of the Members at Steering and Sub-Committee meetings, an agenda as follows:

- (i) Call to Order
- (ii) Disclosure of Pecuniary Interest and General Nature Thereof
- (iii) Approval of Agenda
- (iv) Approval of Minutes
- (v) "Business"
- (vi) New/Other Business
- (vii) Next Meeting
- (viii) Deferred Items
- (ix) Adjournment

## **6.2 General**

**6.2.1** The business of each meeting shall be taken up in the order in which it stands on the agenda unless, by a majority vote, the Members decide otherwise.

**6.2.2** The Clerk shall determine the appropriate meeting at which items of business shall be considered in accordance with this By-Law.

**6.2.3** Where further information or reports are necessary for Council or Committees to review an item of business, the Clerk or CAO may postpone the placement of an item on the Agenda.

**6.2.4** Where employees of the Township have been directed by Council to carry out a specific action and it is determined subsequently that the action cannot be carried out in accordance with Council's directions, the CAO will notify Council as soon as possible of these findings and further direction shall be requested of Council.

**6.2.5** The CAO shall attend Council and Committee meetings (both open and closed session).

**6.2.6** Department Heads shall attend Council and Committee of the Whole meetings unless otherwise notified by the CAO.

### **6.3 Declaration of Pecuniary Interest**

- 6.3.1** A Member shall declare a direct or indirect pecuniary interest in accordance with the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended.
- 6.3.2** A Member shall declare a direct or indirect pecuniary interest by using the prescribed form in Schedule "C".
- 6.3.3** If the declared pecuniary interest under Section 6.3.1 above is with respect to an item on a closed session agenda, in addition to complying with the requirements of Section 6.3.1 above, the Member shall forthwith leave the closed session, or that part of the closed session during which the matter is under consideration. The Chair in their Rise and Report shall state the declaration of pecuniary interest disclosed during the closed session.
- 6.3.4** Where the interest of a Member has not been disclosed as required by Section 6.3.1 above, by reason of the Member's absence from the meeting, the Member shall disclose the interest at the first subsequent meeting thereafter.
- 6.3.5** A Council Member shall not ask another Member of Township Council, Township Staff, or Township Solicitors whether that member should declare a pecuniary interest.
- 6.3.6** Notwithstanding section 6.3.5 a Member of Township Council, Township Staff, or the Township Solicitor shall not offer an opinion to any Member of Council with regards to a potential conflict of interest.
- 6.3.7** A Member that requires a legal opinion regarding a pecuniary interest shall obtain independent legal counsel at their own expense.

### **6.4 Delegations and Presentations**

#### **6.4.1 Delegations**

- 6.4.1.1** Persons who wish to appear as delegations must submit a written request to the Clerk outlining the purpose of their delegation to appear before a Committee, at least ten (10) days in advance of the meeting.
- 6.4.1.2** The Clerk shall assign Delegations to a Committee of the Whole agenda and only assign to a Council agenda if time sensitive.
- 6.4.1.3** Delegations with time sensitive issues or in regards to items on the agenda that have not submitted a request within the specified time may be heard by the Committee by a two-thirds vote.

- 6.4.1.4** A staff report will only be provided at a subsequent meeting for all delegations described in subsection 6.4.1.3, when directed by Council or Committee.
- 6.4.1.5** Delegations are to be limited to ten (10) minutes followed by a question period for Committee or Council Members.
- 6.4.1.6** The number of Delegations per agenda shall be limited to three (3).
- 6.4.1.7** The role of delegations is to provide information and not enter into debate with Council or Committee Members, or Staff.
- 6.4.1.8** Verbal reports will be accepted however, written and electronic reports are preferred and shall be retained by the Clerk as an official record.
- 6.4.1.9** Delegations may only speak at a meeting with respect to matters listed on the agenda for that particular meeting.
- 6.4.1.10** Delegations who have previously appeared on the same subject matter, shall be limited to providing new information only in their subsequent appearances.
- 6.4.1.11** Delegations consisting of more than one person shall be limited to two speakers, being limited to no more than five minutes each. The second speaker shall not repeat information provided by the previous speaker from that delegation and will be confined by the Chair to presenting new and/or additional information.
- 6.4.1.12** Questions directed to Staff by any delegate shall be received through the Chair.
- 6.4.1.13** Delegations requesting to appear at a meeting may be declined if they have failed to follow established by-laws, policy, procedure or protocol or as prescribed in an applicable governing statute or regulation.
- 6.4.1.14** The CAO and Clerk have discretion to decline a request to appear as a Delegation and to refer the matter to be resolved by Staff.

## **6.4.2 Presentations**

- 6.4.2.1** The purpose of presentations shall be when staff, an individual or group have been invited to present information to Council or Committee.
- 6.4.2.2** Presentations shall be assigned to a Committee of the Whole agenda and only assigned to a Council agenda if time sensitive.
- 6.4.2.3** A staff report will be provided only if directed by Council or Committee.
- 6.4.2.4** Presentations are limited to ten (10) minutes, unless otherwise directed by the Clerk or Chief Administrative Officer, followed by a question period for Committee or Council Members.
- 6.4.2.5** The role of the presenter is to provide information and not enter into debate with Council or Committee Members or staff.
- 6.4.2.6** Verbal reports will be accepted, however, written and electronic reports are preferred and shall be retained by the Clerk as an official record.
- 6.4.2.7** Presentations that have previously appeared on the same subject matter shall be limited to providing new information only in their subsequent appearances.
- 6.4.2.8** Presentations consisting of more than one person shall be limited to two speakers, being limited to no more than five minutes each, unless otherwise directed by Council or Committee. The second speaker shall not repeat information provided by the previous speaker from that presentation and will be confined by the Chair to presenting new and/or additional information.
- 6.4.2.9** Questions directed to staff by any presenter shall be received through the Chair.

## **6.5 Communications**

- 6.5.1** Communications that are addressed to Council or that relate to Township matters shall be circulated to the appropriate Committee of the Whole.
- 6.5.2** Communications that may be of interest to Members of Council but do not fall under the communications listed in Subsection 6.5.1 will be circulated by way of the Councillor Communication Package.

- 6.5.3** The Councillor Communication Package shall be circulated in a timely manner and will be listed on the next Committee of the Whole Agenda for information. At that time any Member of Council may bring forward any communication item in the Package for discussion and/or action.
- 6.5.4** Communications that are not legible or that contain any defamatory allegations, or impertinent or improper matter, will not be circulated to Council. Every communication shall be signed by at least one person giving their name and mailing address.
- 6.5.5** Communications delivered by electronic mail shall contain the electronic mail address of the sender as well as a name and mailing address, and have attached to it only those documents which are in a printable format.
- 6.5.6** Correspondence delivered by facsimile transmission shall contain the facsimile number as well as the name and mailing address of the sender.

## **6.6 Reports**

### **6.6.1 Committee of the Whole Report to Council**

- 6.6.1.1** The Committee of the Whole shall report to Council.
- 6.6.1.2** The Deputy Mayor as Chair of the Committee of the Whole shall offer a report for approval which shall contain an "A" section for information, and a "B" section requiring action by Council.
- 6.6.1.3** The "A" section of reports will be read only when the Chair of the Committee of the Whole is directed by Council, by unanimous consent, to do so.
- 6.6.1.4** Recommended motions for information only, may be included in Section "A" of the Report.
- 6.6.1.5** The "B" section of reports will be read at the podium by the Chair of the Committee of the Whole in its entirety unless otherwise requested or directed by Council, by majority consent, not to do so.
- 6.6.1.6** Prior to the adoption of a Committee of the Whole report, any Member may request that an item be separated for consideration, or to be voted on separately.

- 6.6.1.7 When a request to separate an item from the report is accepted by the Chair, a motion to consider the separated item as recommended by the Committee of the Whole will be the next order of business prior to the adoption of the remaining report.

## 6.6.2 Staff Reports to Committee of the Whole

- 6.6.2.1 The standard staff report format has been adopted as set out in Schedule "D".
- 6.6.2.2 Staff shall not read the report at the meeting, unless requested to do so by the Chair, but only speak to the recommendations.
- 6.6.2.3 Reports are due to the Chief Administrative Officer for approval by 9:00 a.m. on the Monday, the week prior to the meeting.
- 6.6.2.4 If the report deadlines are not met, the report will be placed on the subsequent agenda.

## 6.6.3 Confidential Reports

- 6.6.3.1 Staff reports that are "confidential" will be copied onto brown paper and marked "**CONFIDENTIAL**" in the upper right hand corner. (See Sub-Section 5.10 Closed Session).
- 6.6.3.2 The Clerk shall ensure that any material relating to any matter, for which a meeting may resolve into "closed session" under the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, is circulated as confidential material pending Council's approval of release to the public.

## 6.7 New/Other Business

- 6.7.1 New Business shall not be considered unless it is of an emergency, time sensitive, congratulatory or condolence nature.
- 6.7.2 Other Business shall not be considered unless it is of an urgent nature or time sensitive and should otherwise be referred to the next meeting of the Committee or the appropriate Committee.
- 6.7.3 New/Other Business may be heard by a Two-Thirds Vote.
- 6.7.4 The request to hear New/Other Business shall not be debatable.

## **6.8 Deferred Items**

**6.8.1** Items on an agenda which have not been dealt with shall be repeated on each subsequent agenda until resolved or removed from the agenda by resolution and shall be listed under Deferred Items.

## **7.0 COMMENCEMENT AND ADJOURNMENT OF MEETINGS**

### **7.1 Quorum**

**7.1.1** If no quorum is present thirty (30) minutes after the time appointed for a Meeting of Council or Committee, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the date of the next meeting; regular, special or emergency.

**7.1.2** When quorum is lost as a result of declarations of pecuniary interest by one or more Members, the remaining Members shall be deemed to constitute quorum, provided the number is not fewer than two.

**7.1.3** The Chair shall call the meeting to order as soon after the hour fixed for the holding of the meeting that a quorum is present.

**7.1.4** If the chair is not available at the time appointed for a Meeting of Council, the Deputy Mayor will conduct the meeting until the arrival of the Mayor.

**7.1.5** If the Chair is not available at the time appointed for a Meeting of Committee, the Committee shall appoint an Acting Chair to conduct the meeting until the arrival of the Committee Chair.

**7.1.6** Member shall notify the Clerk when intending to be absent from a Council, Committee, Special or Emergency meeting for the purpose of ensuring a quorum.

**7.1.7** When a quorum is lost, the meeting shall stand recessed and no further action shall be taken. If a quorum is regained within 10 minutes the meeting shall proceed. However, if quorum is not regained within 10 minutes, the meeting shall stand adjourned.

### **7.2 Recess**

**7.2.1** At a Council meeting, a motion to recess shall be brought forward and shall set a time (ex. recess for 5 minutes) or state "until called to order by the Chair".

**7.2.2** At a Committee meeting, the Committee shall recess by majority consent and shall set a time (ex. recess for 5 minutes) or state "until called to order by the Chair".

### **7.3 Adjournment**

**7.3.1** All meetings shall adjourn no later than 9:00 p.m., unless a motion to proceed beyond 9:00 p.m. is approved.

**7.3.2** Notwithstanding Subsection 7.3.1 above, no meetings shall proceed beyond the hour of 10:00 p.m.

## **8.0 MOTIONS**

### **8.1 Motion Process**

(Refer to the Motion Table in Schedule "E")

**8.1.1** Where members of the public are to be heard on a matter, no motion shall be received until they have been heard, and no further public participation shall be allowed at that meeting after the motion has been duly moved and seconded.

**8.1.2** For Council and Committee of the Whole meetings, a motion shall be formally moved and seconded before the Chair can put the question or a motion can be recorded in the minutes.

**8.1.3** For Steering and Sub-Committee meetings, a motion shall only need to be formally moved before the Chair can put the question or a motion can be recorded in the minutes.

**8.1.4** A Motion for a Council meeting shall be reduced to writing and shall contain the signatures of the mover and seconder.

**8.1.5** A Motion for a Committee meeting shall not need to be reduced to writing.

**8.1.6** Every Member present is entitled to vote on every motion, unless the Member has declared a pecuniary interest.

**8.1.7** Every Member present, shall be deemed to vote against the motion if they decline or abstain from voting, unless disqualified from voting by reason of a declared pecuniary interest.

**8.1.8** The Chair shall vote on all motions.

**8.1.9** After a motion has been duly moved, seconded, and read, it shall immediately be open to debate. The mover shall have the opportunity to make the introductory and closing remarks thereon.

**8.1.10** No Member shall speak more than twice until every Member has had an opportunity to speak towards the motion.

**8.1.11** Any Member may request that any motion under debate be repeated by the Clerk or Chair for the benefit of clarification but not so far as to interrupt a Member while speaking.

**8.1.12** A motion on which the voting results in a tie shall be considered lost.

**8.1.13** When the motion under consideration contains distinct recommendations, a Member may request that the vote be taken separately on each proposal. (See the motion to “Divide” in the Motion Table)

**8.1.14** The Chair shall call the vote immediately after all Members desiring to speak to the motion have spoken.

**8.1.15** Upon the Chair calling for a vote, no further speakers shall be permitted.

**8.1.16** The manner of determining the vote on a motion shall be by show of hands.

**8.1.17** No vote shall be taken at any meeting by any method of secret voting, except where permitted or required by law.

**8.1.18** The Chair shall announce the result of every vote.

**8.1.19** If a Member disagrees with the announcement of the result of any vote, the Member may object immediately to the announcement and require that the vote be retaken.

## **8.2 Reconsideration of a Motion**

### **8.2.1 General Provisions**

**8.2.1.1** Reconsideration of a motion shall only be permitted at Council meetings.

**8.2.1.2** A motion to reconsider a previous decision of Council shall only be introduced by a Member who voted with the majority on the original motion.

**8.2.1.3** A motion to reconsider may be seconded by any Member.

**8.2.1.4** No original motion shall be reconsidered more than once, during a two year period.

**8.2.1.5** No motion to reconsider shall be presented more than once.

**8.2.1.6** A motion to reconsider shall not be in order if Council is made aware the question or by-law has been implemented, resulting in legally binding commitments as of the date the motion to reconsider is moved.

## **8.2.2 Notice of Intention**

**8.2.2.1** A notice of the intention to reconsider a motion shall be placed on the next Council agenda. At the meeting a motion to reconsider will be brought forward.

## **8.2.3 Motion to Reconsider**

**8.2.3.1** When a motion for reconsideration is introduced, no discussion of the original motion shall be allowed unless the motion for reconsideration is approved by at least two-thirds of the Council Members present.

**8.2.3.2** A motion to reconsider shall not be amended, but may be debated.

**8.2.3.3** Debate on a motion for reconsideration shall be confined to reasons for or against reconsideration or to such matters as new information which has come forward, an error in documentation presented or incorrect statements made during the original debate.

**8.2.3.4** A motion to reconsider shall include the date of when the original motion is to be reconsidered. The original motion may be reconsidered as the next order of business.

**8.2.3.5** Should a motion to reconsider be defeated, the original motion shall not be debated or voted upon until eligible under this By-Law.

## **8.2.4 Original Motion**

**8.3.4.1** The original motion being considered shall be stated in the exact manner in which it was first presented and voted on.

**8.3.4.2** The debate on the original motion being considered as a result of an affirmative motion of reconsideration shall proceed as though it had never previously been voted on.

### **8.3 Recorded Votes**

- 8.3.1** Recorded votes shall only be permitted at Council meetings.
- 8.3.2** A recorded vote shall be taken when called for by any Member or when required by law.
- 8.3.3** A Member may call for a recorded vote prior or immediately subsequent to the taking of the vote.
- 8.3.4** All Members, including the Mayor, shall be required to vote when a recorded vote is called for, except when absent or disqualified by a declared pecuniary interest.
- 8.3.5** When a recorded vote is permitted and required, the Chair will pose the question and the Clerk will call upon each Member in Ward order for their vote in favour or in opposition, with the Mayor voting last, at which time the Clerk shall record the Members vote. The Clerk will also record the number of Members absent and/or abstained.
- 8.3.6** On a recorded vote, failure to vote by a Member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed a negative vote.
- 8.3.7** When a recorded vote is taken, the names of those who voted for and those who voted against the motion and those absent shall be entered in the Council minutes.
- 8.3.8** The Clerk shall tabulate and announce the results of the vote.

### **8.4 Point of Privilege**

- 8.4.1** A Member may raise a point of privilege directing attention to a matter that affects the rights of the Member or Members.
- 8.4.2** A point of privilege shall take precedence over any other matter except during verification of a vote.
- 8.4.3** A Member shall state the point of privilege to the Chair at the time of occurrence.
- 8.4.4** A Member shall not be permitted to enter into any argument or introduce any motion not related to the point of privilege.
- 8.4.5** The Chair shall decide upon the point of privilege and advise the Members of the decision.

- 8.4.6** Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.
- 8.4.7** If the decision of the Chair is appealed, the question "Shall the ruling of the Chair be upheld?" a vote shall be called without debate, and its results shall be final. A Recorded Vote shall not be permitted.
- 8.4.8** When the matter has been determined to be a point of privilege, the Member shall be afforded an opportunity to propose a motion in relation to that point of privilege.
- 8.4.9** When the integrity of the CAO or other employee of the Corporation has been questioned, the CAO shall be permitted to make a statement to the Members.

## **8.5 Point of Order**

- 8.5.1** A Member may raise a point of order to a perceived violation of the rules of procedure, except during verification of a vote.
- 8.5.2** A Member shall state the point of order to the Chair at the time of the occurrence and shall quote the appropriate section of this By-Law.
- 8.5.3** The Chair shall decide upon the point of order and advise the Members of the decision.
- 8.5.4** Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.
- 8.5.5** If the decision of the Chair is appealed, the question "Shall the ruling of the Chair be upheld?" a vote shall be called without debate, and its results shall be final. A Recorded Vote shall not be permitted.

## **9.0 BY-LAWS**

### **9.1 By-Law Approval Process**

- 9.1.1** Every by-law shall be listed on the agenda by an identifying number, followed by a brief description of the intent of the By-Law.
- 9.1.2** No By-Law, except a By-Law to confirm the proceedings of Council, shall be presented to Council unless the subject matter thereof has been considered by Committee of the Whole.
- 9.1.3** Notwithstanding Subsection 9.1.2 above, new By-Laws of an urgent nature, requiring an immediate decision may be considered.
- 9.1.4** Upon accepting a motion to approve a by-law listed on the agenda, the Chair shall announce first, second and third reading of the by-law, pausing at third reading to determine if there are any questions or discussion by the Members, before putting final approval of the by-laws to a vote.
- 9.1.5** After third reading is introduced, every by-law may be debated, subject to amendment, and may be deferred or referred to a committee or staff for further consideration.
- 9.1.6** Upon a two-thirds vote of the Members present, third reading of any by-law may be postponed until the next meeting.
- 9.1.7** Every by-law passed by Council shall be signed by the Mayor and the Clerk, sealed with the seal of the Corporation, show the date of all readings, and shall be bound in a volume for the year in which it was passed.
- 9.1.8** The Clerk shall be authorized to make minor corrections to any by-law resulting from technical, or typographical errors prior to the by-law being signed.

### **9.2 By-Law versus Resolution**

- 9.2.1** A resolution is a less permanent rule and shall express the decision of a council in respect of a temporary or distinct matter. A resolution shall be passed to give direction to staff. A resolution shall not prescribe a permanent rule of local government. A resolution expresses the will of the governing body on a special occasion which is not likely to recur. A resolution shall not replace a by-law required by law.

**9.2.2** A by-law shall be used, but not limited to, implement policy, memorandums of understanding, agreements and permanent rules. Whether an authorizing by-law is required depends on the subject matter of the item of business transacted by a municipal corporation and whether it is being transacted under the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or any other Act.

### **9.3 Confirming By-Law**

**9.3.1** The proceedings at every regular and special meeting of Council shall be confirmed by by-law, so that every decision, unless required by an Act, Regulation or By-Law, of Council at that meeting and every resolution passed thereat shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.

## **10.0 AMENDMENT OF PROCEDURAL BY-LAW**

**10.1** No amendment or repeal of this by-law or any part thereof shall be considered at any meeting of Council unless:

- a) Notice of intention of proposed amendment or repeal has been given at a previous regular meeting of Council; and
- b) One notice in a local paper, a minimum of fourteen (14) days prior to passing the by-law is given (By-Law No. 2007-820).

**10.2** The waiving of this notice by Council is prohibited (By-Law No. 2007-820).

**10.3** The Clerk shall be responsible for reviewing this by-law at least once every term of Council.

## **11.0 ULTRA VIRES**

Should any sections of this by-law, including any section or part of any schedules attached hereto be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

## **12.0 BY-LAWS TO BE REPEALED**

**THAT**, By-Laws 2002-370, 2004-500, 2006-711 and 2009-997 be repealed.

## **13.0 EFFECTIVE DATE**

This By-Law will come into effect on the day of its passing.

**This By-Law read a first, second and third time this 7<sup>th</sup> day of September, 2010.**

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**Bob Fletcher, Mayor**

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**Amanda Mabo, Clerk**

**SCHEDULE "A"**  
**Inaugural Meeting**

	<b>Agenda Item:</b>	<b>Rules:</b>	<b>Conducted By:</b>
i	Call to Order	<p>The first meeting of Council in the year of a Municipal Election shall be on the first Tuesday of December at 7:00 p.m. or at such hour as may be fixed by by-law.</p> <p>The Clerk shall notify all Members at least one (1) week in advance of the meeting as to time and date.</p>	Clerk
ii	Roll Call	The Clerk shall ensure that a majority of the members are present.	Clerk
iii	Devotional Service	Selected by the Clerk	Reverend
iv	Declaration of Office for All Members of Council	Conducted as per Section 232 (1), the <i>Municipal Act, 2001</i> , S.O. 2001, c. 25, as amended.	Clerk
v	Oath of Office for All Members of Council		Clerk
vi	Mayor Assumes the Chain of Office	The Chain of Office is placed on the newly elected Mayor and the Mayor takes the Chair.	Clerk
vii	Councillor Remarks	Each Councillor, in reverse order of Ward may give opening remarks.	Mayor
viii	Mayor's Inaugural Remarks and Introduction of Special Guests		Mayor

	<b>Agenda Item:</b>	<b>Rules:</b>	<b>Conducted By:</b>
ix	<b>Election of Deputy Mayor (County Councillor)</b>	The Clerk shall act as Presiding Officer for the purpose of election of the Deputy Mayor.	Clerk
xii	Call for Nominations from the Floor	Verbal Motion(s) for Nominations  Up to a maximum of five (5) minutes shall be devoted to receiving nominations, after which no nominations shall be received.  Each mover and seconder shall be entitled to a maximum of five (5) minutes to address Council in support of their nominee.	Clerk
xiii	Nominations Close	Verbal Motion	Clerk
xiv	Nominations Stand	Clerks asks candidates if they wish their name to stand.  If only one Councillor accepts the nomination for the position then Councillor shall be acclaimed. (skip to step xx)	Clerk
xv	Candidates to Address Council	Nominees shall speak in the reverse order of their nomination.	Clerk
xvi	Questions of Candidates from the Floor	Up to a maximum of five (5) minutes shall be devoted to receiving questions of Candidates, after which no questions shall be received.	Clerk
xvii	Appointment of Scrutineer	Verbal Motion	Clerk
xviii	Declare Recess to Vote		Clerk
xix	Voting	The election shall be by secret ballot.  Each member shall have one (1) vote.  The nominee receiving the majority of the votes cast shall be declared as Deputy Mayor.  Where no nominee receives in excess of half of the votes cast, the nominee receiving the lowest number of votes shall be dropped from the future ballots.	Clerk, CAO and Scrutineer

	<b>Agenda Item:</b>	<b>Rules:</b>	<b>Conducted By:</b>
		<p>In case of equality of votes, the successful nominee shall be determined by the Clerk, by placing the names of the nominees on equal size pieces of paper in a container and one (1) name being drawn by a person chosen by the Clerk.</p> <p>The Clerk and Chief Administrative Officer shall count the votes and shall forthwith announce the results.</p> <p>The number of votes cast per candidate shall remain confidential.</p> <p>All ballots shall be destroyed following the election.</p>	
xx	Announcement of Successful Candidate		Clerk
xxi	Deputy Mayor's Inaugural Remarks		Deputy Mayor
xxii	Singing of "O Canada"		Mayor
xxiii	Adjournment until Regular Meeting	Verbal Motion.	Clerk

**SCHEDULE "B"**  
**In-Camera Motion Form**



The Corporation of  
**THE TOWNSHIP OF LANARK HIGHLANDS**

**IN-CAMERA  
MOTION FORM**

**Date:** \_\_\_\_\_ **Topic:** \_\_\_\_\_

**Township Council**     **Committee of the Whole**     **Other** \_\_\_\_\_

**RESOLUTION #:** \_\_\_\_\_

**Moved By:** \_\_\_\_\_ **Seconded By:** \_\_\_\_\_

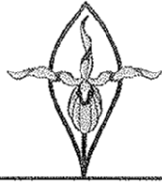
**"THAT, Council/Committee move "in camera" at \_\_\_\_\_ to address a matter pertaining to:**

- security of the property of the municipality or local board;  
\_\_\_\_\_
- personal matters about an identifiable individual, including municipal or local board employees;  
\_\_\_\_\_
- a proposed or pending acquisition or dispersion of land by the municipal or local board;  
\_\_\_\_\_
- labour relations or employee negotiations;  
\_\_\_\_\_
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;  
\_\_\_\_\_
- the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose;  
\_\_\_\_\_
- a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act;  
\_\_\_\_\_
- the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act.

**regarding** \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Mayor/Chair

[M.A. 2001, c. 25, s. 239(2) &(3)]



The Corporation of  
**THE TOWNSHIP OF LANARK HIGHLANDS**

**IN-CAMERA  
MOTION FORM  
(EDUCATION & TRAINING)**

**Date:** \_\_\_\_\_ **Topic:** \_\_\_\_\_

**Township Council**     **Committee of the Whole**     **Other** \_\_\_\_\_

**RESOLUTION #:** \_\_\_\_\_

**Moved By:** \_\_\_\_\_

**Seconded By:** \_\_\_\_\_

**“THAT**, Council/Committee move “in camera” at \_\_\_\_\_ to hold a meeting under subsection 3.1 of the Municipal Act, 2001 for the purpose of educating or training the members with regards to \_\_\_\_\_;

**THAT**, at this meeting no member will discuss or otherwise deal with any matter in a way that materially advances business or decision-making of the council, local board or committee.”

\_\_\_\_\_  
Mayor/Chair

[M.A. 2001, c. 25, s. 239(3)]

**SCHEDULE "C"**  
**Declaration of Direct or Indirect Pecuniary Interest Form**



The Corporation of  
**THE TOWNSHIP OF LANARK HIGHLANDS**

**PECUNIARY INTEREST  
FORM**

Date: \_\_\_\_\_

Name of Member: \_\_\_\_\_

Committee:

Township Council       Committee of the Whole       Other \_\_\_\_\_

I \_\_\_\_\_ declare a pecuniary interest on item

\_\_\_\_\_

because \_\_\_\_\_.

\_\_\_\_\_  
Signature of Member

[M.C.I.A. 1990, c.M. 50, s.5]

**SCHEDULE "D"**  
**Staff Report Format**

**THE CORPORATION OF THE  
TOWNSHIP OF LANARK HIGHLANDS**

***COMMITTEE NAME***

DATE

Report #  
of the Authors Title

**TITLE OF REPORT**

**STAFF RECOMMENDATION(S)**

It is recommended:

“THAT,

**BACKGROUND**

**DISCUSSION**

**OPTIONS CONSIDERED**

**FINANCIAL IMPLICATIONS**

**CONCLUSIONS**

**ATTACHMENTS**

**Prepared and Submitted By:**

**Approved for Submission By:**

**Name,  
Title**

**Name,  
Chief Administrative Officer**

**SCHEDULE "E"**  
**Motions**

<b>Motion Ranking</b>	<b>Moved &amp; Seconded</b>	<b>Debatable</b>	<b>Disposition Priority</b>	<b>If Affirmative</b>	<b>If Negative</b>	<b>Amendable</b>	<b>Conditions</b>
<b>Adjourn</b>	<b>YES</b>	<b>NO</b>	<ul style="list-style-type: none"> <li>shall be resolved prior to any other motion being moved</li> </ul>	<ul style="list-style-type: none"> <li>Council shall immediately rise and no further proceedings shall take place</li> <li>all unfinished business on the agenda shall be included on the agenda of the next meeting</li> </ul>	<ul style="list-style-type: none"> <li>the meeting shall resume at the point immediately prior to the point at which the motion to adjourn was moved</li> <li>a subsequent motion to adjourn at the same meeting may not be introduced prior to further business being conducted</li> </ul>	<b>NO</b>	<ul style="list-style-type: none"> <li>shall not include qualifications or additional statements</li> <li>shall always be in order except when a Member is speaking or the Members are voting</li> </ul>
<b>Extend Curfew</b>	<b>YES</b>	<b>NO</b>	<ul style="list-style-type: none"> <li>shall be resolved prior to any other motion being moved</li> </ul>	<ul style="list-style-type: none"> <li>no meetings shall proceed beyond the hour of 9:00 p.m.</li> </ul>	<ul style="list-style-type: none"> <li>the Chair shall immediately declare the meeting adjourned</li> </ul>	<b>NO</b>	<ul style="list-style-type: none"> <li>shall always be in order except when a Member is speaking or the Members are voting</li> <li>shall require a two-thirds vote of the Members present</li> </ul>
<b>Recess</b>	<b>YES EXCEPT AT COMMITTEE</b>	<b>NO</b>	<ul style="list-style-type: none"> <li>shall be resolved prior to any other motion being moved</li> </ul>	<ul style="list-style-type: none"> <li>the meeting shall recess</li> </ul>	<ul style="list-style-type: none"> <li>the meeting shall not recess</li> </ul>	<b>TIME ONLY</b>	<ul style="list-style-type: none"> <li>shall be in order if no question is pending</li> </ul>
<b>Withdraw</b>	<b>YES</b> Mover & Seconder of the main motion	<b>NO</b>	<ul style="list-style-type: none"> <li>shall receive disposition prior to any other motion being presented</li> </ul>	<ul style="list-style-type: none"> <li>the motion is withdrawn</li> </ul>	<ul style="list-style-type: none"> <li>vote on the main motion</li> </ul>	<b>NO</b>	<ul style="list-style-type: none"> <li>majority vote</li> <li>shall be in order if decision has not been made</li> </ul>

<b>Motion Ranking</b>	<b>Moved &amp; Seconded</b>	<b>Debatable</b>	<b>Disposition Priority</b>	<b>If Affirmative</b>	<b>If Negative</b>	<b>Amendable</b>	<b>Conditions</b>
<b>Close Debate (Call the Question)</b>	<b>YES</b>	<b>NO</b>	<ul style="list-style-type: none"> <li>shall apply to the motion or amendment under debate</li> </ul>	<ul style="list-style-type: none"> <li>Council shall immediately vote on the question without further debate or comment</li> </ul>	<ul style="list-style-type: none"> <li>debate shall continue</li> </ul>	<b>NO</b>	<ul style="list-style-type: none"> <li>shall not be permitted in any committee</li> <li>shall require a two-thirds vote of the Members present</li> </ul>
<b>Defer (Postpone/ Table)</b>	<b>YES</b>	<b>YES DATE AND TIME ONLY</b>	<ul style="list-style-type: none"> <li>shall be resolved prior to the main motion</li> <li>shall be resolved prior to the preceding motion</li> </ul>	<ul style="list-style-type: none"> <li>no further debate until motion returns to the agenda</li> </ul>	<ul style="list-style-type: none"> <li>vote on the main motion</li> </ul>	<b>YES DATE AND TIME ONLY</b>	<ul style="list-style-type: none"> <li>shall not include qualifications or additional statements</li> <li>shall preclude amendment, but not debate, to the preceding motion until the motion to defer to a certain date and/or time is resolved</li> </ul>
<b>Refer (Commit)</b>	<b>YES</b>	<b>YES</b>	<ul style="list-style-type: none"> <li>shall preclude any amendment or debate to any previous motion unless resolved in the negative</li> </ul>	<ul style="list-style-type: none"> <li>there shall be no further debate</li> </ul>	<ul style="list-style-type: none"> <li>vote on the main motion</li> </ul>	<b>YES</b>	<ul style="list-style-type: none"> <li>shall state the committee, employee or solicitor of the Corporation to which the matter shall be referred</li> </ul>
<b>Amend Main Motion (Primary Amendment)</b>	<b>YES</b>	<b>YES</b>	<ul style="list-style-type: none"> <li>shall receive disposition prior to the main motion</li> </ul>	<ul style="list-style-type: none"> <li>Council shall vote on the main motion as amended</li> </ul>	<ul style="list-style-type: none"> <li>vote on the main motion or</li> <li>secondary amendment may be proposed</li> </ul>	<b>YES</b>	<ul style="list-style-type: none"> <li>shall not propose a negative to the main motion</li> <li>shall not propose two distinct proposals of amendment to the main motion</li> <li>shall not change the intent of the main motion</li> <li>shall have only one motion to amend the main motion at one time</li> </ul>

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
<b>“Friendly” Amendment</b>	<b>YES</b>	<b>YES</b>	<ul style="list-style-type: none"> <li>shall receive disposition prior to the main motion</li> </ul>	<ul style="list-style-type: none"> <li>Council shall vote on the main motion as amended</li> </ul>	<ul style="list-style-type: none"> <li>vote on the main motion or</li> <li>secondary “friendly” amendment may be proposed</li> </ul>	<b>NO</b>	<ul style="list-style-type: none"> <li>shall not propose a direct negative to the main motion</li> <li>shall not propose two distinct proposals of amendment to the main motion</li> <li>shall not change the intent of the main motion</li> <li>shall have only one motion to amend the main motion at one time</li> <li>voted on formally unless adopted by unanimous consent</li> </ul>
<b>Amend Amendment (Secondary Amendment)</b>	<b>YES</b>	<b>YES</b>	<ul style="list-style-type: none"> <li>shall receive disposition prior to the primary amending motion</li> </ul>	<ul style="list-style-type: none"> <li>Council shall vote on the primary amending motion as amended</li> </ul>	<ul style="list-style-type: none"> <li>vote on the primary amending motion</li> <li>propose a secondary amendment</li> </ul>	<b>NO</b>	<ul style="list-style-type: none"> <li>shall not propose a direct negative to the primary amending motion</li> <li>shall not propose two distinct proposals of amendment to the primary amending motion</li> <li>shall not change the intent of the primary amending motion</li> <li>shall have only one motion to amend the primary amending motion at one time</li> <li>an amendment of the third degree is not permitted</li> </ul>

<b>Motion Ranking</b>	<b>Moved &amp; Seconded</b>	<b>Debatable</b>	<b>Disposition Priority</b>	<b>If Affirmative</b>	<b>If Negative</b>	<b>Amendable</b>	<b>Conditions</b>
<b>Defer Indefinitely (Postpone/ Table Indefinitely)</b>	<b>YES</b>	<b>YES</b>	<ul style="list-style-type: none"> <li>• shall be resolved prior to the main motion</li> <li>• shall be resolved prior to any preceding motion</li> </ul>	<ul style="list-style-type: none"> <li>• the preceding motion and any amendments thereto shall be removed from Council's consideration indefinitely</li> <li>• the motion to defer indefinitely may be reconsidered</li> </ul>	<ul style="list-style-type: none"> <li>• disposition of the main motion</li> <li>• cannot put forward another motion to defer indefinitely regarding the main motion</li> </ul>	<b>NO</b>	<ul style="list-style-type: none"> <li>• shall not include qualifications or additional statements</li> <li>• shall preclude amendment, but not debate, to the preceding motion until the motion to defer indefinitely is resolved</li> </ul>
<b>Divide</b>	<b>YES</b>	<b>YES</b>	<ul style="list-style-type: none"> <li>• shall receive disposition prior to the main motion</li> </ul>	<ul style="list-style-type: none"> <li>• the debate and vote shall be on separate and distinct proposals from the main motion</li> </ul>	<ul style="list-style-type: none"> <li>• disposition of the main motion in its entirety</li> </ul>	<b>YES</b>	<ul style="list-style-type: none"> <li>• shall only be in order when the main motion to be divided contains two or more separate and distinct proposals</li> <li>• divide when pecuniary interest declared</li> </ul>
<b>Main</b>	<b>YES</b>	<b>YES</b>	N/A	<ul style="list-style-type: none"> <li>• the motion is carried</li> </ul>	<ul style="list-style-type: none"> <li>• the motion is defeated</li> </ul>	<b>YES</b>	<ul style="list-style-type: none"> <li>• majority vote unless otherwise provided</li> </ul>

## Ranking Motions

The following list ranks motions in descending order, such that each takes precedence and shall be decided before others ranking below it in the list:

- a) adjourn;
- b) extend curfew;
- c) recess;
- d) withdraw;
- e) close debate (call the question);
- f) defer (postpone/table);
- g) refer (commit);
- h) amend amendment;
- i) amend main motion;
- j) defer indefinitely (postpone/table indefinitely);
- k) divide;
- l) main motion.