

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

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**BY-LAW NO. 2018-1470**

**PROCEDURAL BY-LAW AMENDMENT**

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

**AND WHEREAS**, the Council of the Corporation of the Township of Lanark Highlands enacted and passed By-Law No. 2012-1205 and Amendment to By-Law 2015-1313, being a by-law to govern the proceedings of the Council of the Corporation of the Township of Lanark Highlands;

**AND WHEREAS**, Council deems it expedient to further amend By-Law No. 2012-1205 as hereinafter set out to address changes in legislation as a result of *Bill 8, Public Sector and MPP Accountability and Transparency Act, 2014* and *Bill 68, Modernizing Ontario's Municipal Legislation Act, 2017* ;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of the Township of Lanark Highlands enacts as follows:

**1. GENERAL REGULATIONS**

**1.1 THAT**, Section 1.0 be amended to replace "Council Meeting" with the following definition:  
"Meeting" means any regular, special or other meeting of a council, of a local board or of a committee of either of them, where,

- a) a quorum of members is present, and
- b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

**1.2 THAT**, Schedule 'B' be amended to include items h) through n):

- (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;

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- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board;
- (l) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act;
- (m) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of this the *Municipal Act, 2001*, S.O. 2001, c. 25, or the investigator referred to in subsection 239.2 (1).
- (n) the meeting is held for the purpose of educating or training the members 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 the council, local board or committee.

*\*Note: The Township of Lanark Highlands will not be using item (k) as Council will be following the recommendation outlined in the Association of Municipal Clerks and Treasurers of Ontario's Submission on Bill 68 (April 2017).*

**1.3 THAT**, Section 4.1.4 be amended to add the following at the end of the paragraph:

And while so acting such member has all the powers and duties of the head of council or designated member, as the case may be, with respect to the role of presiding at meetings.

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**2. ULTRA VIRES**

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

**3. BY-LAWS AMENDED**

**3.1** By-Law No. 2012-1205 is hereby amended.

**3.2** All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

**4. EFFECTIVE DATE**

ENACTED AND PASSED this 16<sup>th</sup> day of January, 2018.



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**Brian Stewart, Mayor**



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**Allison Vereyken, Clerk/Administrator**



