

# THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

## BY-LAW NO. 09-845 AS AMENDED

**CONSOLIDATED OFFICE COPY FOR USE BY COUNCIL AND STAFF.**  
**CONSOLIDATED DATE: JANUARY 31, 2011. INCLUDES AMENDMENTS**  
**PASSED BY BYLAWS: 09-881, 10-940, 11-979, 11-987, 11-988, 11-998, 11-1002 and 12-1055.**

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### **Being a by-law to regulate the proceedings of Council of the Municipality of Temagami.**

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WHEREAS under Section 238 (2), the Municipal Act, S.O., 2001, c.25, c.M. 45, as amended, requires every municipality and local board to pass a procedure by-law governing the calling, place and proceedings of meetings;

AND WHEREAS under section 251 it provides for public notice of meetings;

AND WHEREAS under Section 239, the Municipal Act, S.O., 2001, c.25, as amended, provides exceptions and procedures prior to and for the holding of meetings that are closed to the public;

AND WHEREAS the Municipal Council of the Corporation of the Municipality of Temagami deems it advisable to enact a By-law to govern the proceedings of Council, the conduct of its members and the calling and place of meetings;

NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:

1. In this By-law:
  - 1.1 “Advisory Committee” shall mean any Committee, or similar entity composed of a member or members of Council along with members of the public; and municipal staff.*(definition added by 11-987)*
  - 1.2 “Chair” shall mean the person presiding at the Meeting whether it be the Head of Council or any other Member.
  - 1.3 “CAO” shall mean the Chief Administrative Officer of the Municipality of Temagami. *(definitions 1.3 and 1.4 and references to these as amended by 11-979)*
  - 1.4 “Clerk” shall mean the Municipal Clerk of the Municipality of Temagami.
  - 1.5 “Committee of Council” shall mean any Committee, or similar entity composed of the Members of Council.
  - 1.6 “Committee of the Whole” shall mean the Members of Council present at a Meeting sitting in Committee.
  - 1.7 “Council” shall mean the Council of the Municipality of Temagami.
  - 1.8 “Corporation” shall mean The Corporation of the Municipality of Temagami.
  - 1.9 “Deputation/Delegation” shall mean a person making a verbal presentation to Council.
  - 1.10 “Designated Area” shall mean the spectator areas within the Council Chambers.
  - 1.11 “Head of Council”: The Mayor is the Head of Council.
  - 1.12 “Holiday” shall mean any holiday as defined in The Interpretation Act, R.S.O. 1990, c. I.11, Boxing Day, or any day proclaimed by the Head of Council as a Civic Holiday.
  - 1.13 “Member” shall mean a member of Council or member of a committee appointed by Council and includes the Head of Council.
  - 1.14 “Meeting” shall mean any Regular, Special, Committee or other meeting of Council.

- 1.15 “Municipal Election” shall mean a general, Municipality-wide municipal election.
- 1.16 “Recorded Vote” shall mean the recording of the name and vote of every Member on any matter or question.

2. GENERAL

- 2.1 The rules and regulations contained in this By-law shall be observed and shall be the rules and regulations for order and dispatch of business in all Meetings of Council and Committees of Council which meet the criteria for a Committee as defined in the Municipal Act, 2001, as amended, including Committee of the Whole. In the Municipal Act, 2001 as amended, “committee” means “any advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also members of one or more councils or local boards.” Where a Standing Advisory Committee or other Advisory Committee does not meet the criteria for a Committee as defined in the Municipal Act, 2001, as amended, then the rules of procedure for such a committee shall be as specified in section 18.6 of this bylaw. *(Section 2.1 as amended by 11-987)*
- 2.2 Subject to provisions of this By-law, all Meetings shall be open to the public.
- 2.3 Notwithstanding section 2.2, meetings may be closed under the authority of section 239(2) of the Municipal Act, S.O., 2001, c.25, c.M. 45, as amended.
- 2.4 The use of recording equipment or devices during an open meeting is not permitted within the Designated Area unless the Chair or the majority of the Council Members permit the use of such equipment or devices and it is not disruptive to the conduct of the Meeting at which the recording privileges are granted.

3. MEETINGS OF COUNCIL – Inaugural

- 3.1 The inaugural meeting of Council shall be held in the evening of the first scheduled Regular Council Meeting in the month of December at the hour of 6:30 p.m.

4. MEETINGS OF COUNCIL – Regular

- 4.1 The Council shall hold its Regular Meetings at 6:30 p.m on the Second Thursday of January each year and every third Thursday thereafter for the remainder of the calendar year. *(Section 4.1 as amended by 11-1002)*
- 4.2 The schedule of Regular Meetings shall be posted for the current calendar year on the website and on the bulletin board at the Municipal Office, no later than the last working day of the previous year. Where a Regular Meeting is rescheduled and held on a day other than the Thursday of the third week following the preceding meeting, this shall not change the schedule of subsequent meetings in that year. *(Section 4.2 as amended by 11-1002)*
- 4.3 Subject to section 4.5 Meetings shall take place in the Council Chambers or other meeting rooms at the Municipal Office at 7 Lakeshore Drive in the Municipality of Temagami unless a motion is passed. (See Section 4.5)
- 4.4 In the event that such day is a Holiday or a day on which a Municipal Election or municipal by-election is being held, the Council shall meet at the same hour on the first Thursday thereafter which is not a Holiday or a day on which a Municipal

Election or municipal by-election is being held, unless otherwise provided by motion of Council.

- 4.5 Where a Regular Meeting is to be held at a time, day or place other than set out in Section 4.1 to 4.3 above, Council shall give notice, at least 48 hours in advance of such Meeting, to be posted on the Municipal website and placed on the front door of the Municipal Office.

5. MEETINGS OF COUNCIL - Special

- 5.1 The Mayor, at any time, may summon a Special Meeting of Council under section 240(b) of the Municipal Act, with two working days notice through the Clerk's office to the Members of Council, or upon receipt of a petition of the majority of the Members of Council, the Clerk shall summon a Special Meeting for the purpose and the time mentioned in the petition.
- 5.2 The only business to be dealt with at a Special Meeting is that which is listed in the notice of the meeting or petition.
- 5.3 In the absence of a petition fixing the location of a Special Meeting, that Meeting shall be held at the place where the last Regular Meeting was held.
- 5.4 It shall be the responsibility of the Clerk to forward to Members all notices and agendas for Regular and Special Council Meetings a minimum of two working days in advance of such Meetings.

6. ORDER OF PROCEEDINGS OF COUNCIL

- 6.1 As soon after the hour fixed for the Meeting and there is a quorum present, the Head of Council shall take the chair and call the Members to order.
- 6.2 In the event the Mayor does not attend the Meeting within fifteen minutes after the time appointed, or in the event of prior written notice of his/her absence, the Deputy Mayor shall call the Members to order and if a quorum is present, shall preside as Chair during the Meeting or until the arrival of the Head of Council. In the absence of the Head of Council and the Deputy Mayor, the Clerk or designate shall be present and, if a quorum is present, shall call the Members to order. A Chair shall then be chosen by the Members present from amongst the Members and shall preside during the Meeting or until the arrival of the Head of Council or the Deputy Mayor.
- 6.3 While presiding, the Deputy Mayor or Chair chosen by the Members shall have all the powers and obligations of the Head of Council and shall be entitled to vote as Members.
- 6.4 Council shall not hear or deal with issues over which it does not have jurisdiction.

7. AGENDA

- 7.1 The Clerk, along with the Mayor and CAO, shall prepare the Regular Meeting of Council agenda using the following headings:
  1. Adoption of Agenda
  2. Disclosure of Conflict or Pecuniary Interest and general nature thereof
  3. Adoption of the Minutes
  4. Business Arising from the Minutes

5. Delegations or Presentations
6. Staff Reports
7. Council Committee Reports
8. Correspondence – Action
9. Reading of By-laws
10. Correspondence – Information
11. Approved Minutes of Committee meetings
12. Unfinished Business
13. New Business
14. Notices of Motions
15. Closed Session if required
16. Confirmation Bylaw
17. Adjournment *(Section 7.1 as amended by 11-979)*

## 7.2 Delegations

- (a) Council may hear a maximum of two delegations at each Regular Council Meeting. No delegations shall be made when there are items identified under Committee of the Whole.
- (b) Any person desiring to be heard shall submit to the Clerk a request in writing and signed, stating the full content of the delegation or presentation, by Wednesday at 4:30 p.m., eight days prior to the regular meeting at which the person desires to be heard. Staff will respond with fax request form or email outlining the necessary details and advise if council will hear them.
- (c) Delegations are not allowed to appear on an issue that has already been heard by Council unless there is new information.
- (d) Prior to a delegation being heard at Council, a staff report may be prepared to accompany it.
- (e) Delegations may also be heard at Committees of Council upon making prior arrangements through the Clerk.
- (f) Any person who is not a Member of Council shall not be allowed to address Council or a Committee of Council (unless the person is on the agenda in accordance with Section 7.2 (a) or (b) above).
- (g) Persons addressing Council or Committee of Council shall confine their remarks to the stated business.
- (h) Deputations shall limit their presentations to not more than ten (10) minutes, except that delegations consisting of more than two (2) persons shall be limited to two (2) speakers and limited to speaking not more than fifteen (15) minutes in total.

## 7.3 Invited presentations

- (a) Persons or groups invited by Council to make a special presentation to Council on a specific subject shall not be constrained by the time limits prescribed for other delegations. They will be allowed sufficient time as

required to present their information to Council and to answer questions from Council.

- (b) Depending on the need and nature of the presentation, Council may choose to schedule a special meeting, or to commence the regular council meeting to commence at an earlier than usual time in order to accommodate the presentation.

#### 7.4 Petitions, Communications and Correspondence

- (a) Every petition or communication shall be delivered to the Clerk by the Thursday preceding the Council meeting at 4:30 p.m., but where the Friday preceding the Council meeting falls on a public holiday, every petition or communication shall be delivered to the Clerk by 4:30 p.m. on the Wednesday eight days prior to the Council meeting. *(as amended by 11-998)*
- (b) Every petition or communication shall be delivered to the Clerk by the Thursday preceding the Council meeting at 4:30 p.m.

#### 7.5 Committee Of The Whole

1. Committee of Whole may be scheduled for up to thirty (30) minutes on any regular council meeting. It will be held as a separate meeting from the Regular Council meeting, with its own agenda and minutes. Council may schedule items that it deems necessary to get input from the public. Council can extend the committee of the whole for up to a further thirty minutes upon unanimous consent from Council. *(Section 7.5.1 as amended by 11-1002)*
2. The chair of the Committee of the Whole should be the Deputy Mayor, or the appropriate Committee Chair; if the Deputy Mayor or Committee Chair is not available, then another Chair may be appointed.
3. The Chair of the Committee of the Whole may appoint another Member of the Committee to act as the Chair while he or she is temporarily absent from the Meeting.

#### 7.6 Committee Reports

All Committee or Staff reports shall be written. All reports shall be to the Clerk by 4:30 the Thursday preceding the Council Meeting.

#### 7.7 Agenda Packages

1. The Municipality will provide agenda packages for all of Council in electronic form.
2. The Agenda for regular Council meetings shall be posted on the municipal website and one paper copy shall also be posted on the Municipal Office notice board by 4:00 p.m. on the Monday prior to the Council meeting.
3. The draft agenda and supporting documents shall be posted on a secure section of the municipal website accessible by Council by 4:30 p.m. on the Friday prior to the Council meeting. *(section 7.7.3 as amended by 11-988)*

4. Public agenda packages (which shall include a list of the draft proposed resolutions, but shall not contain items of a confidential nature to be dealt with in camera or other items deemed as confidential by the Clerk or CAO) shall be available on the municipal website for public viewing by 4:00 p.m. on the Monday prior to the Council Meeting. *(section 7.7.4 as amended by 11-988)*
5. When the Friday prior to a Council meeting falls on a public holiday, the draft agenda package shall be posted for Council by 4:30 p.m. on the Thursday. When the Monday prior a Council Meeting falls on a public holiday, the public agenda packages shall be made available by 4:00 p.m. on the Tuesday. *(section 7.7.5 as added by 11-998)*
6. Draft minutes will be posted on the secure section of the website for Council's review as soon as they are produced and will be included in the public website package once released by a quorum of Council prior to their official adoption at the public Council meeting. *(section 7.7.6 as amended by 10-940)*

#### 7.8 In Camera Items

All in camera items must be in a written format, stating the manner and rationale of why it is an in camera item. The written report must be received by 4:30 on the Thursday preceding the Council meeting. Electronic copies of confidential and in camera items shall be provided electronically to Council members by posting on a secure section of the Municipal website. These documents shall be stamped confidential before scanning to create an electronic document, or shall contain a "confidential" water mark if created internally. *(section 7.8 as amended by 10-940)*

#### 7.9 Adjournment

The hour for adjournment for Regular Council Meetings shall be no later than 9:30 p.m. The Council can pass a motion to extend the meeting to 10:30 p.m.

### 8 QUORUM

- 8.1 Quorum shall be more than 50% of the members.
- 8.2 If there is not a quorum within fifteen (15) minutes after the time appointed for the Meeting, the Clerk or designate shall call the roll and record the names of the Members present and the Meeting shall stand adjourned until, in the case of Council, the next Regular Meeting or until a Special Meeting is called and, in the case of a Committee of Council, its next scheduled Meeting.

### 9 DUTY OF THE CHAIR

- 9.1 The chair of a Meeting shall preserve order and decorum, decide questions of order (subject to an appeal to the Council or Committee of Council by any Member) and, without unnecessary comment, cite the rule of authority applicable to the case if called upon to do so.
- 9.2 In addition, it shall be the duty of the Chair to:
  - (a) Open the Meeting by taking the Chair and calling the Members to order.

- (b) Announce the business before the Council or Committee of 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.
- (d) Put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the results.
- (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 Members persisting in breach of the rules of order of the Council, thereby ordering any such Members to vacate the Council Chamber.
- (i) Receive all messages and other communications and announce them to Council or Committee of Council.
- (j) Where the Chair is Head of Council, authenticate, by his or her signature when necessary, all By-laws, motions and minutes of the Council.
- (k) Represent and support the Council or Committee of Council, declaring its decisions in all things.
- (l) In directing the course of debate, the Chair shall:
  - (i) Designate the Member who has the floor when two or more Members raise their hand to speak.
  - (ii) Preserve order and decide questions of order.
  - (iii) Read all motions presented in writing and state all motions presented verbally before permitting debate on the question, except when otherwise provided in this By-law.
  - (iv) May designate the CAO, Clerk or a Councillor to read motions or By-laws.
- (m) Ensure that the decisions of Council or Committee of Council are in conformity with the laws and By-laws governing activities of same.
- (n) Adjourn the Meeting when the business is concluded.
- (o) Adjourn the Meeting without questions put, in the case of grave disorder arising in the Council Chamber.

9.3 The Chair at a Council or Committee of Council Meeting may expel or exclude from the Meeting, any person or persons who, in the opinion of the Chair, have behaved improperly.

9.4 The Chair (except where disqualified from voting by reason of interest or otherwise) may vote with Members on all Questions. Any questions on which there is an equality of votes shall be deemed to be negative.

- 9.5 The Chair, including the Head of Council, may state his or her position on any matter before the Council prior to the commencement of debate and/or at the conclusion of the debate. Should the Chair wish to move or second a motion or take part in the debate, he or she shall vacate the Chair and shall call upon the Acting Chair to fill his or her place until he or she resumes the Chair. *(Section 9.5 as amended by 11-979)*

## 10 DECORUM

No member shall:

- 10.1 Disturb another Member, or the Council or Committee of Council, by any disorderly deportment disconcerting to any Member speaking;
- 10.2 Resist the rules of Council or disobey the decision of the Chair or of the Council or Committee of Council on questions of order or practice or upon the interpretations of the rules of order;
- 10.3 After being expelled for improper behaviour, or after being ordered by the Chair to vacate after committing a breach of any rule of order, a member may be permitted to retake his or her seat at any Meeting, without making apology as long as he or she has the consent of the Council or Committee of Council expressed, without debate, by majority vote of the other Members present.
- 10.4 Speak until he or she is acknowledged by the Chair;
- 10.5 Walk across or out of the Council Chamber or make any noise or disturbance when the Chair is putting a question or shall leave his or her seat while a vote is being taken and until the result thereof is declared.

## 11 RULES OF DEBATE

### 11.1 Conflict of Interest

- (a) Every Member present at a Meeting where a question is put shall vote thereon, except that, if the Member has any pecuniary or other conflict of interest, direct or indirect in the question, he or she shall at the first opportunity disclose his or her interest and shall refrain from taking part in the discussion and shall vacate his or her seat and refrain from voting on the particular question. If a member declares a conflict of interest for the in camera session, the Councillor must vacate the chamber.
- (b) No member, after having disclosed a conflict of interest on any matter, may move, second, speak or vote on a confirmation by-law.

### 11.2 In addressing the Council or a Committee of Council, no Member shall:

- (a) Speak disrespectfully of Her Majesty the Queen or any of the Royal Family, or of the Governor-General, Lieutenant-Governor or any member of the Senate, the House of Commons of Canada, or the Legislative Assembly of Ontario, or the Canadian Flag;
- (b) Use indecent, offensive or insulting language in or against the Council, a Committee of Council or any Member thereof;



- (c) Speak on another topic beside the question in debate;
- (d) Criticize any decision of Council or Committee of Council except for the purpose of moving that the question be reconsidered;
- (e) Disobey the rules of Council or a decision of the Chair on questions of order or practice, or upon the interpretation of the rules of the Council.

### 11.3 In Council:

- (a) Every Member, when speaking to any question or motion, shall respectfully address the Chair;
- (b) When a Member is speaking, no other Member shall pass between that Member and the Chair, or interrupt the Member except to raise a point of order;
- (c) 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;
- (d) No Member shall speak to the same question for longer than Five (5) minutes, without the leave of Council or Committee of Council. A supplementary question with further two (2) minutes may be granted;
- (e) A Member may ask a question only for the purpose of obtaining facts relevant to the matter under discussion and necessary for clear understanding thereof;
- (f) All questions shall be stated succinctly and questions shall not be used as a means of making statements or assertions;
- (g) Questions may be asked only:
  - (i) of the previous speakers;
  - (ii) of the Chair; or
  - (iii) of an Official or member of staff of the Municipality.
- (h) Where appropriate, with the consent of the majority of Council, a Committee of the Whole type discussion amongst Council will be permitted for a maximum of 15 minutes. *(section 11.3( h) added by bylaw 09-881.)*

## 12 VOTING ON QUESTIONS

- 12.1 When the Chair calls for the vote on a question, each Member shall occupy his or her seat and shall remain there until the result of the vote has been declared by the Chair, and during such time no Member shall walk across the room or speak to any other Member or make any noise or disturbance.
- 12.2 Before a vote is taken, any Member may request a recorded vote. If a Member who has voted on a question disagrees with the declaration of the Chair that the question is carried, or lost, he or she may, but only immediately after the declaration by the Chair, object to the Chair's declaration and require a recorded vote to be taken in the manner prescribed in Section 13 of this By-law.

## 13 RECORDED VOTE

- 13.1 When a Member present requests a recorded vote, the Clerk or designate shall conduct the vote and all Members present at the Meeting must vote in alphabetical order, except the Chair who shall vote last, unless otherwise prohibited by statute or any other Provincial or Federal law. The names of those who voted for and others who voted against shall be noted in the minutes. The recording person shall call the names of the Members and announce the results.
- 13.2 If any Member at a Meeting does not vote when a question is called, he or she shall be deemed as voting in the negative, except where he or she is prohibited from voting by statute.

## 14 MOTIONS

14.1 The following motions may be introduced orally:

- (a) A point of order or personal privilege
- (b) Presentation of petitions
- (c) Motion to adjourn (not debatable)
- (d) Motion that the vote now be taken
- (e) Motion that the Council resolve itself into a Closed Session (not debatable)

14.2 Speakers

A motion for the previous question shall not be put until all speakers listed by the Chair have spoken and the mover has replied.

14.3 Splitting a Motion

When the motion under consideration concerns two or more matters, upon the request of any Member, the vote upon each matter shall be split.

14.4 Withdrawal of a Motion

After a motion has been received and/or read by the Chair, it shall be deemed to be in the possession of the Council or Committee of Council but it may, with the majority consent of the Members present, be withdrawn by the mover prior to discussion or amendment or voting thereon.

14.5 A Motion to Amend

- (a) Shall receive disposition of Council or Committee of Council before a previous amendment or the question
- (b) Shall not be further amended more than once provided that further amendment may be made to the main question
- (c) Shall be relevant to the question to be received
- (d) Shall not be received proposing a direct negative to the question
- (e) May not propose a separate and distinct disposition of a question

- (f) Shall be put in the reverse order to that in which it is move

14.6 A Motion to Defer (*section 14.6 added by By-law 12-1055*)

- a. Must be seconded and is debatable.
- b. Shall receive disposition of Council or Committee of Council before a previous amendment or the question.
- c. Shall state whether it is a motion to table, to defer to a specific time, or to defer indefinitely.
  - i. A motion to table shall only be used to put aside a question so that more urgent business can be attended to and, if carried, may be resumed at any time on a motion that the matter be taken from the table.
  - ii. A motion to defer to a specific time, if carried, shall be reintroduced on the agenda of the meeting specified in the motion.
  - iii. A motion to defer indefinitely, if carried, shall not be reintroduced until it is later revived on motion.
- d. Shall, if carried, cause the motion to which it applies to be removed from debate along with any amendments that have been moved.
- e. Shall not be used to delay a question until more information is provided. If it should be decided that a subject demands fuller consideration than can be given in a regular meeting, a motion to amend the original motion can be made to refer the matter to staff or to a standing or special committee for further information or for recommendation to Council. Such a motion may be amended and debated, but only the issue of reference, not the main question.

14.7 Jurisdiction

A motion in respect of a matter, which is beyond the jurisdiction of Council or Committee of Council, shall not be in order.

14.8 Discussion

- (a) Every motion, when duly moved and seconded, shall be received by the Chair.
- (b) The order of discussion shall be as follows:
  - 1) Mover
  - 2) Seconder
  - 3) Any other Member who wish to speak
  - 4) The mover may sum up his or her position
- (c) No Member shall speak to a motion more than once, without leave from the Chair, or except to provide an explanation of the material part of his or her report which may have been misunderstood, but otherwise shall not be permitted to introduce another matter.
- (d) A reply shall be allowed to a Member who has made a substantive motion, to any Member who has moved an amendment, the previous question and/or instruction to a Committee.

- (e) Each Member shall confine his or her remarks to a limit of five (5) minutes.
- (f) Members of the public may speak only with the unanimous consent of Council.

#### 14.9 Calling the Question

- (a) Immediately preceding the taking of the vote, the Chair may state the motion in the form introduced and shall do so if required by a Member except when a motion for the previous question has been resolved in the affirmative. The Chair shall state the question in the precise form in which it will be recorded in the minutes.
- (b) After a question is finally put by the Chair, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

#### 14.10 Decision

- (a) The manner of determining the decision of the Council or Committee on a motion shall be by a show of hands.
- (b) Any motion shall require a majority of votes of those members present in order to be valid and binding on Council or Committee of Council. Where only a quorum is present, a motion, in order to carry or be passed, must be affirmed by the majority (i.e. three or more Members) present at the Meeting.

#### 14.11 Reconsideration

After any question has been decided, the following shall prevail:

- (a) Any Member of Council who voted thereon with the prevailing side may give notice at a Regular Meeting of Council, including the same meeting, for a reconsideration of the question at any Regular Council Meeting.
- (b) Any Member of Council who voted thereon with the prevailing side may move the motion to reconsider, any Member of Council may second it.
- (c) No discussion of the main question shall be allowed until the motion for reconsideration is carried, and no question shall be reconsidered more than once in a calendar year.

### 15 CLOSED SESSION

#### 15.1 Chair

- (a) Whenever the Council resolves itself into Closed Session, the Mayor or Chair may appoint the Deputy-Mayor as Chair of the Closed Session and vacate the Chair.
- (b) The Chair of the Closed Session shall maintain order and report the proceedings to the Council.

15.2 Referral of Matter

No Report of a Committee shall be referred to a Closed Session of Council unless such Committee Report has been provided to the Members in advance of the Closed Session.

15.3 The rules governing the procedure of the Council and the conduct of Members in Council shall be observed in Closed Session so far as they are applicable.

15.4 *(Section 15.4 deleted by by-law 11-897.)*

16 MINUTES

16.1 The minutes of all meetings shall record the following:

- (a) The place, date and time of Meeting;
- (b) The names of the Chair or Chairs and record of attendance of the Members;
- (c) The reading, if requested, correction and adoption of the minutes of the prior Meeting;
- (d) All other proceedings of the Meeting without note or comment.

17 BY-LAWS

17.1 Every By-law, when introduced, shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedures or to comply with the provisions of any Act and shall be complete with the exception of the date of passing of readings and signature of the Mayor and Clerk.

17.2 Every By-law shall have three readings prior to it being enacted.

17.3 If council so determines, a By-law may be taken as read.

17.4 All three readings of the By-law may be introduced with the same motion by a Member of Council, duly moved and seconded, specifying the title and number of the By-law, and amendments to the By-law shall be made as an amendment to the original motion. However, each of the readings may be read separately at the direction of the Clerk and in that case, the By-law may be amended after first reading and, second reading of a By-law but prior to the vote being taken.

17.5 The Clerk shall set out on all By-laws enacted by Council, the date of the reading thereof.

17.6 Every By-law enacted by the Council shall be numbered and dated, and shall be sealed with the seal of the Corporation and signed by the Clerk and Mayor and the Clerk shall ensure that the By-law is properly stored for safekeeping.

18 STANDING COMMITTEES

- 18.1 There shall be the following Committees, which shall meet as requested and as set out by By-law: *(Section 18.1 as amended by 11-979)*
- (a) General Government and Finance Advisory Committee
  - (b) Public Works and Water Advisory Committee
  - (c) Protection to Persons and Property Advisory Committee
  - (d) Parks and Recreation Advisory Committee
  - (e) Economic Development Advisory Committee
  - (f) Planning Advisory Committee
  - (g) Social Services Committee
- 18.2 The majority of the Members of a Standing or Ad Hoc Committee shall constitute a quorum. Members shall be permitted to attend a Standing or Ad Hoc Committee meeting and vote by phone and such members in attendance by phone shall be counted when determining a quorum. *(section 18.2 as amended by 09-881)*
- 18.3 The membership of all Standing Committees referred to in the Section may be reviewed by Council on an annual basis. Should there be any vacancy on a Standing Committee between annual reviews, Council may fill that vacancy for the period of time prior to the next annual review.
- 18.4 When appointing members to a Standing Committee, Council may appoint one of the members as Chair and indicate who “Alternate Chair(s)” will be if the Chair is unable to attend at any Meeting of an Standing Committee. Alternatively, Council may allow an Advisory Committee to select its own Chair.
- 18.5 Council may, at any time, discontinue any Standing Committee referred to in this Section or replace any Standing Committee member.
- 18.6 Where Advisory Committees do not meet the criteria for a Committee as defined in the Municipal Act, 2001, as amended, (see section 2.1) they will not necessarily be subject to the requirements of the rules of procedure set out in this by-law. They will, however, still be obliged to follow the requirements for: notice of meetings; meetings open to the public; and records of meetings as follows:
- (a) Notice of meetings: Where an Advisory Committee has regularly scheduled meetings, the notice requirements may be met by posting the schedule of meetings on the Municipal website and on the bulletin board in the lobby of the Municipal Office. When a meeting is to be held at a time, day or place other than that posted as above, the Advisory Committee shall give notice, at least 48 hours in advance of such meeting, to be posted on the Municipal website and on the bulletin board in the lobby of the Municipal Office.
  - (b) Meetings open to the public: All meetings of Advisory Committees shall be open to the public to observe the proceedings. No Advisory Committees shall be permitted to go into Closed Session without the specific authorization of Council by resolution, in which case all rules of this by-law and the Municipal Act concerning closed meetings shall apply.
  - (c) Records of meetings: Minutes of the proceedings of all meetings of Advisory Committees shall be recorded in accordance with section 16 of this by-law. Although formal motions shall not be required, they may be used as deemed advisable by the

committee. If formal motions are not used, the amendment, if necessary, and the adoption of the minutes of the previous meeting may be by vote or by affirmation by consensus of the committee at the next meeting where a quorum is present and the manner of adoption shall be recorded. (*Section 18.6 added by 11-987*)

19 OTHER COMMITTEES

19.1 The contents of this By-law shall apply to all Standing, ad hoc and Committees of Council. The general procedures to be followed by all Advisory Committees established shall be set out generally within the relevant terms of reference.

20 CONFIRMATION BY-LAW

20.1 There shall be enacted a By-law at the end of each Council Meeting to confirm each recommendation contained in any Report of Advisory Committees, and in respect of each motion, motion and other actions passed and taken by the Council at the Meeting, except where the prior approval of the Ontario Municipal Board or any other body or agency is required.

20.2 That a motion for leave to pass a By-law to confirm the proceedings of a Meeting of Council shall be voted upon.

21 AMENDMENTS TO THIS BY-LAW

21.1 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 and the waiving of this notice by the Council is prohibited.

22 MATTERS NOT PROVIDED FOR IN THIS BY-LAW

22.1 Where any matter of procedure is not provided for in this By-law, Bourinot's Rules of Order, as revised, shall be followed by Council provided all provisions of this By-law are complied with.

23 SEVERABILITY

23.1 Should any section, subsection, clause, paragraph or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the provisions so declared to be invalid.

24 FORCE AND EFFECT

24.1 By-law No. 07-754 and 07-739 are hereby repealed.

24.2 This By-law shall take effect on the final passing thereof.

BE TAKEN AS READ A FIRST time on this 14<sup>th</sup> day of May, 2009.

BE TAKEN AS READ A SECOND TIME on this 13<sup>th</sup> day of August, 2009.

BE TAKEN AS READ A THIRD TIME AND FINALLY PASSED on this 27<sup>th</sup> day of August 2009.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

AMENDING BYLAW 09-881 PASSED ON THE 12TH DAY OF NOVEMBER, 2009  
AMENDING BYLAW 10-940 PASSED ON THE 26TH DAY OF AUGUST, 2010.  
AMENDING BYLAW 11-979 PASSED ON THE 27TH DAY OF JANUARY 2011.  
AMENDING BYLAW 11-987 PASSED ON THE 10TH DAY OF MARCH, 2011.  
AMENDING BYLAW 11-988 PASSED ON THE 24TH DAY OF MARCH, 2011.  
AMENDING BYLAW 11-998 PASSED ON THE 28TH DAY OF APRIL, 2011.  
AMENDING BYLAW 11-1002 PASSED ON THE 26TH DAY OF MAY, 2011.  
AMENDING BYLAW 12-1055 PASSED ON THE 5TH DAY OF APRIL, 2012.



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