



The Corporation of Loyalist Township
Rules and Regulations Governing the Calling, Location,
and Proceeding of Meetings of Council and
Committees

“The Procedural By-law”

Adopted by By-law: 2024-11

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1. Definitions

- 1.1 “**Act**” shall mean the *Municipal Act, 2001, SO 2001, c 25* as amended.
- 1.2 “**Addendum**” shall mean the addition of an item to the Agenda.
- 1.3 “**Agenda**” shall mean the order in which business is conducted at a Meeting.
- 1.4 “**Chair**” or “**Presiding Officer**” shall mean the Member of Council or Committee who shall have all rights and powers in accordance with this By-law and is responsible to conduct the meeting in an orderly fashion.
- 1.5 “**Chief Administrative Officer**” or “**CAO**” shall mean the Chief Administrative Officer of the Township referred to in Section 229 of the Act, or their designate.
- 1.6 “**Clerk**” shall mean the Clerk of the Township appointed pursuant to Section 228 of the Act, or their designate.
- 1.7 “**Closed Meeting**” or “**Closed Session**” shall mean a meeting or the part of a meeting held in accordance with Section 8.6 of this By-law.
- 1.8 “**Committee**” shall mean any advisory or statutory committee, board or other body constituted and appointed by Council, and does not include Committee of the Whole or Committee of Adjustment.
- 1.9 “**Committee of the Whole**” shall mean a Committee comprised of all members of Council which, if established, would serve as the principal forum for the consideration of recommendations and public input on matters of Council business prior to consideration by Council where:
 - a. Members consider and debate matters in an environment that is procedurally more relaxed than the formal portion of a Council Meeting; and
 - b. substantive motions adopted therein are not deemed to represent the final decision until ratified by Council.
- 1.10 “**Consent Agenda**” shall mean a listing of general or regularly occurring matters presented to Council for its consideration that can be passed by a single vote.
- 1.11 “**Council**” shall mean the Council of Loyalist Township.
- 1.12 “**Delegation**” shall mean a person or group of persons who have requested and been permitted to address Council, Committee or Local Board.
- 1.13 “**Deputy Mayor**” shall mean the person that fulfills the responsibilities of the Mayor in their absence.
- 1.14 “**Direct Motion**” shall mean a motion to consider items which, due to time constraints or urgency, require the immediate attention of Council.

- 1.15 “**Electronic Participation**” or “**Participate Electronically**” means participating in a Meeting from a remote location by such electronic means or service as determined and provided by the Clerk, provided that such participation ensures that the Member, staff, and members of the public can hear and see other Members, staff, and members of the public.
- 1.16 “**Emergency**” shall mean any period of time during which an emergency has been declared to exist in all or part of Loyalist Township by the Head of Council or the Province of Ontario under Section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E. 9*, as amended.
- 1.17 “**Friendly Amendment**” shall mean the motion under debate is amended with the consent of the mover and seconder, and without the requirement for an amending motion to be made.
- 1.18 “**Local Board**” shall mean any board established by Council but does not include the Police Services Board or the Library Board.
- 1.19 “**Mayor**” shall mean the Head of Council of The Corporation of Loyalist Township referred to in Section 225 of the Act.
- 1.20 “**Meeting**” shall mean any meeting of Council, Committee of the Whole, Committee of Adjustment, Committee or Local Board, where:
- a. a Quorum 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, Committee of the Whole, Committee of Adjustment, Committee or Local Board.
- 1.21 “**Member**” shall mean a Member of Council, including the Mayor and Deputy Mayor, or a person appointed to a Local Board, Committee or Committee of Adjustment.
- 1.22 “**Notice of Motion**” shall mean a verbal announcement made by any Member of Council to inform Council of their intent to bring forward a motion at a subsequent meeting of Council.
- 1.23 “**Open Forum**” shall mean an opportunity for members of the public to voice opinions on matters listed on the current Agenda excluding any matters in the same Agenda under Statutory Public Meeting for items under the *Planning Act, R.S.O. 1990, c. P.13*.
- 1.24 “**Pecuniary Interest**” shall mean a direct or indirect pecuniary interest within the meaning of the *Municipal Conflict of Interest Act, RSO 1990, c M.50*, as may be amended.

- 1.25 **“Point of Order”** shall mean a statement/question by a Member with the view to calling attention to any issue relating to this By-law or the conduct of Council’s business or in order to assist the Member in understanding Council’s procedures, making an appropriate motion, or understanding the effect of a motion.
- 1.26 **“Point of Privilege”** or **“Personal Privilege”** shall mean a question by a Member who believes that their integrity, or the integrity of Council, Committee, Committee of the Whole, Committee of Adjustment or Local Board, or the integrity of anyone present at the Meeting has been called into question by another Member or by anyone present at the Meeting.
- 1.27 **“Presentation”** shall mean information presented by staff, consultants, senior levels of government and other organizations on any matters as determined by Council, Committee, CAO or staff.
- 1.28 **“Quorum”** shall mean a majority of the Members.
- 1.29 **“Recorded Vote”** shall mean the recording by the Clerk of the name and vote of every Member on any matter or question.
- 1.30 **“Resolution”** means a decision of Council, may include a formal expression of opinion or intention.
- 1.31 **“Township”** shall mean Loyalist Township.
- 1.32 **“Super Majority”** shall mean an affirmative vote of at least two-thirds (2/3) of the Members present, if:
- a. 7 Members are present, 5 are required;
 - b. 6 Members are present, 4 are required;
 - c. 5 Members are present, 4 are required; and
 - d. 4 Members are present, 3 are required.

2. General Application

- 2.1 The Township hereby establishes its Procedural By-law in accordance with the Act. This By-law establishes Council’s structure and rules of procedure for Meetings of Council, Committee of the Whole, Committee of Adjustment, and its Local Boards and Committees (referred to as “The Procedural By-law”). The Clerk may from time to time establish procedures as they may determine to be required.
- 2.2 Where a word is used in this By-law with its first letter capitalized, the term is being used as it is defined in Section 1. Where a word appears in ordinary case, its regularly applied meaning in the English language is intended.

- 2.3 The rules in this By-law apply to all proceedings of Council, Committee of the Whole, Committee of Adjustment, and its Local Boards and Committees, and must be observed at all times unless otherwise indicated in this By-law. Where Council convenes for the purpose of holding a hearing as required by any statute, the provisions of the statute and the Statutory Powers Procedure Act, RSO 1990, c S.22, as applicable, shall govern the proceedings.
- 2.4 In any matter of procedure for which provision is not made in this By-law the procedure to be followed shall be, as near as may be applied, the procedure followed in "Meeting Procedures: Parliamentary Law and Rules of Order for the 21st Century" by James Lochrie.

3. Suspension of the Rules

- 3.1 A motion to suspend any provisions of this By-law shall always require a Super Majority vote. The rules of statutory requirements with respect to proceedings, voting protocol, quorum requirements and the special meeting provision in Section 5.4 d may not be suspended.

4. Livestreaming and Recording

- 4.1 Meetings shall be livestreamed and recorded in accordance with Appendix A of this By-law: Livestreaming and Recording Protocol.
- 4.2 Except for Closed Sessions, members of the public or media may record the proceedings of Meetings if approved by the Chair. These devices may not be used in such a way as to obstruct or disrupt the proceedings of the Meetings.

5. Meetings, Location, Times and Notice

5.1 Inaugural Meeting

- a. The inaugural Meeting of Council shall be held at a time, date and place set by the Clerk in consultation with the Mayor-elect but not later than 31 days after the Council term commences.
- b. At the inaugural Meeting, Members shall take the Declaration of Office, unless circumstances require Members to take the Declaration of Office earlier.

5.2 Regular Council Meetings

- a. Regular Council Meetings shall be held on the second and fourth Tuesday of each month.
- b. Regular Council Meetings shall commence at 6:00 p.m. except as otherwise set by Council from time to time. All regular Council Meetings shall adjourn at 10:00 p.m. unless extended in accordance with this By-law. Any extensions of time shall be in one-hour increments and shall require a Super Majority vote of the Members present at the Meeting.

- c. Unless otherwise described on the Agenda, Closed Session shall be held no earlier than 4:30 p.m. on the day of a regular Council Meeting. Before holding any Closed Session, there shall be a motion in a Meeting open to the public, stating the following:
 - i. that a Closed Session is to be held;
 - ii. the general nature of the matter(s) to be considered at the Closed Session; and
 - iii. the statutory authority under which each matter to be considered in Closed Session is authorized.
- d. Following the Closed Session, Council will recess to start the open meeting portion of the Agenda at 6:00 p.m.
- e. Council shall adopt a regular Meeting schedule for its regular Meetings to be held in the following year including the dates, times and locations for such Meetings and the Clerk shall publish the schedule on the Township website.
- f. The Mayor, in consultation with the CAO and Clerk, may cancel a Council Meeting:
 - i. when there are insufficient Agenda items;
 - ii. in the event of inclement weather; or
 - iii. where a conflict between the scheduled date or time of a regular Council Meeting and another event of significance arises provided that adequate notice of the cancellation is posted pursuant to the notice of Meeting provisions.
- g. In the event of a Meeting cancellation, the Clerk will post notice of the Council Meeting cancellation on the Township's website and on the door at the Meeting location if applicable, and will notify the Members by email or by telephone. Notice shall be posted as soon as it is practical to do so.

5.3 Location

- a. Regular Council Meetings shall be held in the Council Chambers located at 263 Main Street, Odessa, Ontario, unless otherwise permitted under this By-law.
- b. Where the Council Chambers is not available, the Clerk in consultation with the Mayor shall designate another location that is accessible to the public for purposes of holding Council Meetings.
- c. Meetings, including Closed Session, may be held wholly or partially electronically as authorized by the Mayor in the case of Council or Committee of the Whole, or by the Chair in consultation with the Clerk and CAO in the case of a Committee, Committee of Adjustment, or a Local Board.

5.4 Special Council Meetings

- a. Special Council Meetings may be held from time to time and may be initiated by:
 - i. the Mayor;

- ii. the Clerk upon receipt of a petition or a vote of the majority of the Members with a clear statement of the purpose of the special Meeting; or
 - iii. the Clerk, in consultation with the CAO.
- b. Where a particular matter is expected to generate a large amount of public interest, the Mayor or a majority of Members of Council by petition, may call a special Meeting to afford members of the public an opportunity to address the Council.
- c. The date, time, and location of a Special Council Meeting shall be set by the Clerk in consultation with the Mayor.
- d. The order of business of a special Council Meeting shall be in accordance with Section 8.2 b of this By-law. No business except the business dealing directly with the items listed on the Meeting Agenda shall be transacted at a special Council Meeting.
- e. A special Meeting may be called by the Mayor without notice to deal with an Emergency provided the Clerk has endeavored to notify the Members and public about the Meeting in the most expedient manner.

5.5 Notice of Meetings

- a. Notice of a Meeting shall be provided through:
 - i. release of the Agenda by the Clerk five days prior to the date of the scheduled Meeting; and
 - ii. posting of the time, place, and date of the Meeting on the Township's website. If the Meeting is to be held partially or wholly electronically, the Agenda shall include sufficient information as to provide the public with a means to Participate Electronically in the part of the Meeting open to the public.
- b. Upon release of a Meeting Agenda, the Clerk shall:
 - i. notify all Members that the Agenda has been published;
 - ii. maintain copies of the Agenda in the office of the Clerk for review by members of the public; and
 - iii. post the Agenda on the Township's website.
- c. A minimum of forty-eight hours notice shall be provided to Members and the public for the holding of a special Meeting, which shall be given by release of the special Meeting Agenda in accordance with Section 5.5 b.
- d. If a Meeting notice is substantially given but varies from the form and manner provided in this By-law, the ability to hold the Meeting and actions taken at the Meeting are not invalidated.

6. Quorum

- 6.1 All Meetings shall be held only if Quorum is attained.

- 6.2 If Quorum is not attained within fifteen minutes after the time appointed for a Meeting, the Clerk shall record the names of the Members present and the Meeting shall stand adjourned until the date of the next such regular Meeting, or until a special Meeting is called to deal with the matters on the Meeting Agenda.
- 6.3 All Members who Participate Electronically shall be counted in determining whether or not Quorum is present.
- 6.4 Where the number of Members, who by reason of the provisions of the *Municipal Conflict of Interest Act* are prohibited from participating in a Meeting, is such that, at that Meeting, the remaining members are not of sufficient number to constitute a Quorum, the remaining Members shall be deemed to constitute Quorum, provided that there are at least two Members able to vote on the matter.
- 6.5 Should Quorum be lost due to the departure of one or more Members prior to the adjournment of a Meeting, the Clerk shall declare the Meeting adjourned and all unfinished business shall be carried to the date of the next such regular Meeting, or until a special Meeting is called to deal with the matters.

7. Electronic Participation at Meetings

- 7.1 Members, staff and members of the public may Participate Electronically by such means or service as determined and provided by the Clerk.
- 7.2 A Member who Participates Electronically shall have the same rights to speak and vote as if the Member was physically present.
- 7.3 Excluding Meetings being conducted wholly electronically:
 - a. A Member shall not be permitted to Participate Electronically in Closed Session.
 - b. Members are requested to notify the Clerk twenty-four hours in advance of any Meeting at which they intend to Participate Electronically.
 - c. A maximum of one Members may participate in the same Meeting by electronic means. Where more than one Member requests to participate in the same meeting by electronic means, the requests will be granted to the first Member who made the request.
 - d. A Member may participate in a maximum of two Council Meetings per calendar year by electronic means.
 - e. The Chair must attend the Meeting in person. If unable to attend in person, the vice-chair shall preside over the Meeting.
- 7.4 The following practices shall be followed when a Member Participates Electronically:
 - a. The Member Participating Electronically shall be available at least fifteen minutes before the beginning of the Meeting to assist the Clerk in establishing the electronic connection.

- b. The Member Participating Electronically shall keep their camera on through the entirety of the Meeting and if not on video, the Member is deemed to have left the Meeting. The Member may mute their electronic device when they are not speaking.
- c. The Presiding Officer shall canvass the Member Participating Electronically about their intention to speak to a matter on the floor.
- d. When a motion is put for vote, the Member Participating Electronically shall vote by raising their hand.
- e. The Member shall inform the Chair or Clerk about their intentions to leave the Meeting either on a temporary or permanent basis.
- f. In the case of a loss of connection, or any connection issue which impedes the ability of a Member to participate in the meeting in real time, the Clerk may attempt to reconnect the Member to the Meeting, however, the Meeting will continue. If the loss of connection results in the loss of Quorum, the Clerk may request a recess of fifteen minutes to reconnect the Member to the Meeting. If the Member cannot be reconnected and Quorum cannot be attained within fifteen minutes, the Meeting shall adjourn in accordance with Section 6.5 of this By-law.

8. Agenda

8.1 Agenda Preparation

- a. In preparing a Meeting Agenda, the Clerk shall consult with the Mayor and CAO. The Agenda shall be made available in accordance with Section 5.5.

8.2 Order of Business

- a. The Clerk shall cause to be prepared for regular Council Meetings an Agenda generally in the following order:
 1. Call to Order
 2. National Anthem
 3. Traditional Land Acknowledgement Statement
 4. Confirmation of Agenda
 5. Disclosure of Pecuniary Interest and the General Nature Thereof
 6. Closed Meeting
 - 6.1 Motion to move into Closed Session
 - 6.2 Report from Closed Session
 7. Presentations
 8. Statutory Public Meeting
 9. Open Forum
 10. Delegations
 11. Items for Consideration
 12. Committee of the Whole
 13. Notice of Motion/Direct Motion
 14. Consent Agenda

15. Announcements
16. Confirmatory By-law
17. Adjournment

- b. The Clerk shall cause to be prepared for special Council Meetings an Agenda generally in the following order:
 1. Call to Order
 3. Traditional Land Acknowledgement Statement
 4. Confirmation of Agenda
 5. Disclosure of Pecuniary Interest and the General Nature Thereof
 6. Closed Meeting and Report from Closed Meeting, if needed
 7. Presentations, if dealing with the business of the special Meeting
 8. Statutory Public Meeting, if needed
 9. Open Forum
 10. Delegations, if dealing with the business of the special Meeting
 11. Items for Consideration
 12. Committee of the Whole, if needed
 13. Confirmatory By-law
 14. Adjournment
- c. The Clerk has the authority to change the order of business prior to the publication of the Agenda to facilitate the orderly conduct of business.
- d. Council shall dispense with the business of Council in the order by which it is presented in the Agenda, but Council may change the order of business by a majority vote.
- e. When any Agenda item(s) are left undisposed at any time of adjournment, such item(s) shall be carried to the date of the next such regular Meeting, or until a Special Meeting is called to deal with the matters.

8.3 Opening Procedure

- a. As soon after the appointed time of the Council Meeting and where Quorum is attained, the Mayor or other Presiding Officer shall call the Meeting to order.
- b. The singing of 'O Canada' shall be included as part of the opening procedure at all regular Council Meetings, and other Meetings as may be determined by the Mayor.
- c. A Land Acknowledgement shall be read by the Mayor or such other Presiding Officer.

8.4 Confirmation of the Agenda

- a. Council shall adopt the Meeting Agenda as circulated or as amended.
- b. Any additions to the Agenda for a Meeting may only be for matters of a time sensitive and urgent nature and require a majority approval of the Members present. Items added to the Agenda by amendment will be placed at the end of the relevant Agenda heading.

8.5 Declaration of Pecuniary Interest

- a. Where a Member has a Pecuniary Interest pertaining to any item listed on an Agenda, the Member shall disclose the Pecuniary Interest and the general nature thereof. The Member shall not take part in the discussion of or vote on any question in respect of the matter, and shall not attempt, in any way, whether before, during or after the Meeting, to influence the voting on the matter.
- b. At a Meeting at which a Member discloses a Pecuniary Interest, or as soon as possible afterwards, the Member shall file a written statement of the interest and its general nature with the Clerk.
- c. In addition to complying with the requirements of the *Municipal Conflict of Interest Act*, the Member shall immediately leave the Meeting location for the part of the Meeting during which the matter is under consideration.
- d. Where the interest of a Member has not been disclosed by reason of the Member's absence from a particular Meeting, the Member shall disclose their interest and otherwise comply at the first Meeting attended by the Member after the particular Meeting per the *Municipal Conflict of Interest Act*.
- e. The Clerk shall maintain a registry of statements filed and declarations recorded for public inspection on the Township's website.

8.6 Closed Meetings of Council

- a. All Council Meetings shall be open to the public unless closed pursuant to Section 239 of the Act or any legislation that authorizes holding the Meeting in the absence of the public.
- b. Closed Meetings of Council may be initiated by:
 - i. the Mayor;
 - ii. petition or vote of the majority of the Members; or
 - iii. the Clerk, in consultation with the CAO.
- c. For any Meeting at which there are items to be considered in a Closed Session, there shall be a motion in a Meeting open to the public, stating the following:
 - i. that a Closed Session is to be held;
 - ii. the general nature of the matter(s) to be considered at the Closed Session; and
 - iii. the statutory authority under which each matter to be considered in Closed Session is authorized.
- d. Notice of Closed Meeting shall be provided in accordance with Section 5.5 of this By-law.
- e. In a Closed Meeting, Members may vote:
 - i. on procedural matters;

- ii. on motions to rise, report and introduce a proposed recommendation on an open Meeting Agenda; and/or
 - iii. to give direction or instructions to officers, employees or agents of the Township, or persons retained by or under contract with the Township.
- f. The Clerk shall attend all Closed Meetings and record:
 - i. the matter(s) discussed;
 - ii. the specific provision(s) under the legislation permitting the Closed Session;
 - iii. the Members and staff in attendance;
 - iv. any Declarations of Pecuniary Interest;
 - v. the disposition of the matter(s); and
 - vi. the starting and concluding times for the Closed Meeting.
- g. A summary of any discussion held during a Closed Meeting and any required motion in open will occur following the Closed Session.
- h. No Member shall disclose or discuss, through written, electronic or verbal communication, to any individual or third party, any information that has been or will be discussed at a Closed Session until such time that it has determined or has been advised by staff that the matter, or any part of the matter, can be made public, subject to review by the Clerk under the *Municipal Freedom of Information and Protection of Privacy Act*, or if directed to do so by a court.
- i. A person may request that an investigation be undertaken to determine whether a closed session meeting complied with the requirements of the Act and this By-law by completing and submitting the Application for Investigation of Closed Meetings form.

8.7 Presentations

- a. Presentations are information presented to Council by an individual or group on an issue which typically does not require any action to be taken. Presentations may be made by staff, consultants, senior levels of government and other organizations with respect to ceremonial and any matter as requested by Chair, a Member, or staff.
- b. Presentations should be limited to twenty minutes unless otherwise indicated on the Agenda.
- c. Any supporting documentation shall be provided to the Clerk no later than seven business days preceding the Meeting for inclusion on the Agenda.

8.8 Statutory Public Meeting

- a. Where Council is required by law to hold a statutory public meeting, or otherwise has resolved to hold a public meeting, such a Meeting may be conducted at a Regular or Special Council Meeting.
- b. The Clerk shall ensure that public meetings are incorporated in the Agenda as appropriate to address any requirements of law as may apply.

- c. Any person who attends a public meeting may address Council on any item listed under Statutory Public Meeting without the provision of notice.
- d. The Chair shall note for those in attendance that in order to maintain the right to appeal decisions on certain *Planning Act* matters to the Ontario Land Tribunal, a person may be required to demonstrate that they have made written submissions to Council or oral submissions at a statutory public meeting, and ensure that all persons in attendance who wish to provide oral submissions have the opportunity.
- e. The Chair shall call each item listed on the Agenda for which a statutory public meeting is required under the *Planning Act* and shall determine:
 - i. if staff wish to report on the application at the public meeting;
 - ii. if the applicant or their representative is present and wishes to make any oral submissions to Council at the statutory public meeting;
 - iii. if there are any person(s) in attendance at the public meeting who wish to make oral submissions to Council with respect to an application;
 - iv. if any Member of Council wishes to discuss or further consider the application that is the subject of the public meeting, ask any questions of staff or the applicant or their representative, or provide direction to staff with respect to the application that is the subject of a public meeting; and
 - v. If staff or the applicant or their representative wishes to provide answers to comments heard at the public meeting.
- f. The applicant, or a person representing an applicant with respect to an application that is the subject of the statutory public meeting, shall be limited to speaking for a total of not more than ten minutes. Council may extend the ten-minute time period by a majority vote of the Council Members present without debate.
- g. Members of the public who wish to make oral submissions with respect to an application that is the subject of the statutory public meeting shall be limited to speaking not more than three minutes per person, per application. Council may extend the three-minute time-period by a majority vote of the Council Members present without debate.
- h. Staff reports and matters postponed/referred from previous statutory public meetings will be considered under Items for Consideration on a subsequent Agenda.

8.9 Open Forum

- a. During Open Forum, any person may address Council on any matter that is listed on the Agenda except items that will be subject to a statutory public meeting pursuant to the *Planning Act* on the same Agenda.
- b. The time allotted to Open Forum at the meeting will be limited to no more than fifteen minutes in total except during special Meeting. Council may by motion extend the time allotted by majority vote, in which case the time shall be extended for such reasonable time as Council determines.

- c. A person addressing Council during Open Forum shall be limited to speaking for not more than three minutes. Council may extend the three-minute time period by a majority vote of the Council Members present without debate.
- d. After the person has provided their comments, Members shall have an opportunity to ask questions of the speaker for clarification purposes only.
- e. Members of the public are required to sign the register prior to the beginning of Meeting if they wish to speak at Open Forum.
- f. The Chair may curtail the time or excuse any individual from speaking if the topic is not listed on the Agenda or is unduly repetitious. The Chair may adjust the order of the speakers to allow for a broad range of topics during the allotted time.
- g. No decision shall be made as a result of comments made during Open Forum. Council may consider comments made during Open Forum when deliberating the item on the Agenda.

8.10 Delegations

- a. Any person may, by written notice to the Clerk, request an opportunity to address the Members of the Council on any matter within the jurisdiction of the Township.
- b. Every request to be listed on an Agenda as a Delegation shall be received by the Clerk seven days prior to the Meeting which the person desires to be heard, and shall include:
 - i. the complete name of the person requesting the opportunity to be a Delegation;
 - ii. the reasons for the Delegation;
 - iii. a brief written summary or presentation of their comments for inclusion on the Agenda. All materials must be legibly written, typed or printed and shall not contain any obscene matter or language.
 - iv. A person who is under eighteen years of age must provide to the Clerk, written permission from their parent or guardian to appear as a Delegate.
- c. All requests for Delegation shall be reviewed by the Clerk to ensure they comply with the provisions of this section. Delegations may not be immediately scheduled and may be referred to staff for review.
- d. Delegations are not permitted to address Council, Local Board or Committee related to:
 - i. staff performance;
 - ii. labour relations;
 - iii. applications under the *Planning Act*;
 - iv. tenders, requests for proposals or other procurement matters;
 - v. any materials contrary to the *Municipal Freedom of Information and Protection of Privacy Act*;

- vi. matters involving insurance claims or pending claims by or against the Township;
 - vii. ongoing legal proceedings;
 - viii. solicitation of business; or
 - ix. a matter for which Council has already made a decision unless the matter is before Council for a decision.
- e. Each Delegation shall be limited in speaking for not more than ten minutes. Council may extend the ten-minute time period by a majority vote of the Council Members present without debate.
 - f. Following each Delegation, Members may ask specific questions relating to the Delegation.
 - g. Except for special Meetings, no more than three Delegations shall be permitted at any Meeting.
 - h. The Chair may curtail any Delegation, any questions of a delegate or debate during a Delegation for disorder or any other breach of this By-law, and if the Chair rules that the Delegation is concluded, the person or persons appearing shall withdraw.
 - i. Following a Delegation, Council may adopt a motion:
 - i. to receive;
 - ii. to refer to another item listed on the Agenda;
 - iii. to refer to a Committee, Committee of the Whole, Local Board or staff; or
 - iv. that was requested by the Delegation or is a substantive motion regarding the matter presented.

8.11 Items for Consideration

- a. Under Items for Consideration, Council shall consider:
 - i. Any unfinished items from a previous Meeting;
 - ii. staff reports;
 - iii. matters referred or postponed from a previous Council meeting or a statutory public meeting;
 - iv. communication for consideration; and
 - v. other matters for consideration.

8.12 Committee of the Whole

- a. Council by resolution may resolve itself into Committee of the Whole in order to consider items under the Committee of the Whole Agenda during a regular or special Meeting if it is included on the Agenda.
- b. The Committee of the Whole Agenda shall include items that warrant individual attention from Council, typically consisting of items where:
 - i. a change to or introduction of a policy is proposed;
 - ii. the staff recommendation requires Council to choose from a range of options; or
 - iii. the item relates to a matter of significance in the community.

- c. The Clerk shall cause to be prepared for regular Committee of the Whole an Agenda generally in the following order:
 - 1. Call to Order
 - 2. Disclosure of Pecuniary Interest and the General Nature Thereof
 - 3. Items for Consideration
 - 4. Adjournment
- d. Notice of Committee of Whole Meetings will be provided upon the publication of the Council Agenda in accordance with Section 5.5 of this By-law.
- e. The provisions of this By-law shall be observed in Committee of the Whole so far as may be applicable, except that:
 - i. Members shall not be limited in the number of times they may speak to a motion as long as new information is being discussed; and
 - ii. discussion may take place in the absence of a motion.
- f. Substantive motions adopted in Committee of the Whole will be recorded as recommendations and are not deemed to represent the final decision of Council until the recommendations are approved and minutes are adopted by Council. Recommendations from Committee of the Whole can be extracted from the minutes for discussion.
- g. Upon completion of business in Committee of the Whole, the Committee of the Whole shall adjourn and Council shall reconvene.
- h. The Deputy Mayor shall preside at all Committee of the Whole Meetings. If the Deputy Mayor is absent from a meeting of the Committee of the Whole, Council may designate another member as Presiding Officer for the Meeting.
- i. While presiding, the Deputy Mayor shall have all the powers of the Presiding Officer with respect to chairing the meeting.

8.13 Notice of Motion/Direct Motion

- a. A Notice of Motion may be introduced by any Member to provide notice of their intent to introduce a motion for the consideration of Council at a future Council Meeting. Members who provided verbal Notice of Motion shall provide the motion in writing to the Clerk for inclusion on the appropriate Agenda.
- b. A Direct Motion may be introduced by any Member without providing Notice of Motion with a Super Majority vote.
- c. The Clerk shall ensure that proposed motions, for which Notice of Motion has been given, or that otherwise failed to secure the requisite minimum Super Majority vote as a Direct Motion at a previous meeting, are included on the appropriate Agenda.

8.14 Consent Agenda

- a. Consent Agenda General
 - i. The Consent Agenda includes items that are to be received for information or contain a general or repetitive request, including staff reports for information, Council minutes for adoption, Committee minutes, communication for information, and by-laws for adoption. The recommended action for each item is provided on the Consent Agenda.
 - ii. Items within the Consent Agenda will be dealt with in a single vote unless an item is extracted in accordance with the following section.
 - iii. Any Member, before the motion to consider all items under the Consent Agenda is voted on, shall identify any items which they wish to speak to and the matter shall be extracted from the Consent Agenda to be dealt with separately.
 - iv. If a Member extracts an item, the item is removed from the Consent Agenda and considered immediately following the disposition of the Consent Agenda.
 - v. In the event a Member discloses a Pecuniary Interest on item that is included in the Consent Agenda, that item shall be removed and dealt with separately and in the order in which the item appears on the Agenda.
- b. Staff reports for information
 - i. Staff reports for information are prepared for the information of Council and do not require a decision or approval from Council other than to receive.
- c. Adoption of By-Laws
 - i. The Agenda shall list all proposed by-laws before Council for consideration.
 - ii. Every by-law shall be introduced to Council either by a report or motion, except if the subject matter thereof has been previously considered and recommended to Council, is administrative in nature and/or authorized by the CAO.
 - iii. The Clerk may correct any typos or administrative errors that are identified within adopted by-laws as necessary without need for further Council approval.
 - iv. Every by-law, once passed, shall be dated and duly signed by the Presiding Officer and the Clerk.

8.15 Council and Committee of the Whole Minutes

- a. Once adopted, minutes are the official and legal record of the actions and directions of Council.
- b. The minutes, as taken by the Clerk, shall consist of:
 - i. the date, time and place of the Meeting;
 - ii. the names of Presiding Officer and record of attendance of the Members;
 - iii. the names of members of the public who spoke or presented at a Statutory Public Meeting as required by any Act and the names of members of the public who spoke or appeared as Delegations, Presentations or in Open Forum;

- iv. the reading, if requested, correction and adoption of the minutes of prior Council Meetings; and
 - v. without note or comment, all resolutions, decisions and other proceedings of the Meeting, whether the Meeting is closed to the public or not.
- c. The Clerk shall maintain a record of all minutes and the minutes shall be signed by the Presiding Officer and the Clerk.
 - d. With the exception of minutes of Closed Sessions, minutes shall be available for public viewing.

8.16 Announcements

- a. Under Announcements, Members may verbally provide information respecting special events, declarations, updates on external boards and committees to which they are appointed, or proclamations that are considered to be of general interest to the community.

8.17 Confirmatory By-law

- a. Council shall adopt a confirmatory by-law so that every decision of Council and every resolution thereof 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.

8.18 Adjournment

- a. Council Meetings shall adjourn in accordance with Section 5 of this By-law.
- b. In the instance of a grave disorder arising during a Council Meeting, adjournment shall be possible at any time.

9. Roles and Responsibilities

9.1 Duties of Council

- a. In exercising its powers, Council shall carry out the duties of Council under the *Act* and any other legislation.

9.2 Duties of the Mayor/Chief Executive Officer

- a. The Mayor shall carry out all the duties as the Head of Council and Chief Executive Officer in accordance with Section 225 and 226.1 of the *Act*.
- b. It shall be the duty of the Mayor to:
 - i. Authenticate by signature all by-laws and minutes of the Council;
 - ii. Act as the Ex-Officio Member on all Committees and Local Boards where appropriate under the terms of reference; and
 - iii. Carry out the duties of the Mayor under this By-Law, the *Act*, *Emergency Management & Civil Protection Act* and all other applicable legislation.

9.3 Duties of the Members

- a. It is the duty of Members to:
 - i. Attend all Council Meetings, prepare for Meetings, including reviewing Agendas and background information prior to the Meeting;
 - ii. speak to only the subject under debate;
 - iii. vote on all motions before Council unless prohibited from voting by law;
 - iv. observe the rules at all Meetings;
 - v. speak through the Presiding Officer at Meetings;
 - vi. attend Meetings of Committees, Local Boards and Committee of Adjustment to which the Member has been appointed by Council;
 - vii. carry out the duties set out in the Act and all other applicable statutes; and,
 - viii. act in accordance with their Declaration of Office.
- b. Except for an absence permitted by subsection 259(1.1) of the Act, a Member must seek authorization of Council pursuant to s. 259(1) if their absence is greater than three consecutive months, otherwise their office becomes vacant.

9.4 Duties of the Clerk

- a. The Clerk shall carry out the duties of the Clerk under the Act and any other legislation.
- b. Other duties of the Clerk as assigned by the Township include:
 - i. to sign every by-law approved at Council;
 - ii. to call the Meetings to order and preside until the election of a Chair;
 - iii. to advise the Chair on procedural matters;
 - iv. to prepare and circulate the Agenda and supporting information;
 - v. to prepare the minutes and distribute to Members
 - vi. to advise all departments of decisions by Council;
 - vii. to schedule Delegations and Presentations for Council Meetings.
- c. In the absence of the Clerk, the Deputy Clerk shall have all of the powers and duties of the Clerk.
- d. The Clerk may delegate in writing to any person, other than a member of Council, any of the Clerk's powers and duties, but may continue to exercise the delegated powers and duties despite the delegation.

10. Rules of Procedure

10.1 Duties of the Presiding Officer

- a. It shall be the duty of the Presiding Officer to ensure an efficient Meeting by:
 - i. Maintaining order and decorum;
 - ii. Recognizing a Member when they indicate their intent to address Council;
 - iii. Deciding on all questions of order, subject to an appeal by any Member;
 - iv. Receiving and submitting, in the proper manner, all motions presented to the Members;

- v. Putting to vote all questions, which are properly brought before Council, or that necessarily arise in the course of proceedings, and announcing the results;
 - vi. Ruling on all procedural matters, without debate or comment;
 - vii. Declining to put to a vote motions which do not comply with the rules of procedure, or which are not within the jurisdiction of Council;
 - viii. Restraining the Members, within the rules of order, when engaged in debate;
 - ix. Calling by name any Member persisting in breaching the rules of order of Council and ordering the Member to vacate the meeting location;
 - x. Adjourning or suspending the meeting if they consider it necessary, because of grave disorder; and
 - xi. Remaining neutral and not entering into debate or discussions while in the Chair.
- b. When the Presiding Officer wishes to move or second a motion before Council or enter into debate on a specific topic, they may call the Deputy Mayor to chair, and remain out of the chair until the motion and all amendments to it have been disposed of. In the event that the Deputy Mayor is unable to assume the Chair, the Mayor shall call for an alternate Member to assume the Chair.
- c. In the absence of the Mayor and Deputy Mayor, the Clerk shall call the Meeting to order and call for a motion to fill the role of Chair. While in the Chair, the Member appointed shall have all powers given to the Presiding Officer by this By-law.

10.2 Conduct of Members

- a. No Member shall:
- i. speak disrespectfully of any member of Federal or Provincial parliaments, Council or staff;
 - ii. interrupt another Member when speaking except to raise a Point of Order or Point of Privilege;
 - iii. use offensive words or un-parliamentary language;
 - iv. engage in private conversation while in a Council Meeting or use electronic devices (including cellular phones and pagers) in a manner which interrupts the proceedings of Council;
 - v. leave their seat or make any noise or disturbance while a vote is being taken and until the result of the vote is announced;
 - vi. speak on any subject other than the subject under debate;
 - vii. where a matter has been discussed in Closed Session and where the matter remains confidential, disclose the content of the matter or the substance of deliberations of the Closed Meeting;
 - viii. criticize any decision of Council except for the purpose of moving that the question be reconsidered; or
 - ix. disobey the rules of Council or a decision of the Chair or of Council on questions of order or practice or upon the interpretation of the rules of Council.
- b. If a Member disobeys a rule in this By-law or a Chair's ruling:

- i. After the first occurrence, the Chair calls the Member to order.
- ii. After the second occurrence, the Chair will immediately order the Member to leave their seat and observe the Meeting from the audience for the remainder of the Meeting.
- iii. Any Member other than the offending Member may appeal the Chair's ruling in Section ii, and Council may overturn or uphold the Chair's ruling. Should the Chair's ruling be overturned, the offending Member may return to their seat.
- iv. If the offending Member informs the Clerk that they wish to apologize, the Clerk will inform the Chair of the Member's request.
- v. The Chair will allow the offending Member to return to their seat to apologize to Council. The apology will not include additional comments or debate by the offending Member or any other Member of Council.
- vi. After an apology is made by the offending Member, Council may consent to allow the offending Member to return to the Meeting.
- vii. Should at any point the offending Member create a disturbance while seated in the audience, the Chair will order the offending Member to leave the Meeting location. Council cannot appeal, and the offending Member cannot seek an apology from Council for the Chair's ruling. If the offending Member refuses to leave their seat or leave the Meeting location, the Chair may request the Clerk to contact security or police for assistance. The Chair may also recess the Meeting or call for an adjournment.

10.3 Conduct of member of the public

- a. Members of the public addressing Council shall do so from the designated area and shall state their name before speaking.
- b. No member of the public shall:
 - i. speak disrespectfully of any person;
 - ii. use offensive language;
 - iii. address Council without being recognized by the Chair;
 - iv. speak on any subject other than the subject for which they have received approval to address Council;
 - v. bring signage, placards, or banners to Meetings;
 - vi. interfere with the conduct of a Meeting in any way; or
 - vii. disobey the rules of procedure or any decision of the Chair on any other procedural matters.
- c. With the exception of assistive devices for people with disabilities or authorized devices which facilitate the official duties of Members and staff related to the Agenda of the Meeting, electronic devices should be turned to silent or vibrate during the meeting.

10.4 Rules of debate

- a. To address Council, a Member shall request to speak, be recognized by the Chair and direct all comments to Council through the Chair.

- b. Should more than one member indicate the intent to address the Chair, the Chair shall determine who is entitled to the floor and the order of the remaining Members for speaking.
- c. A Member may require a motion or question under discussion to be read at any time during the debate but not so as to interrupt the Member speaking.
- d. No Member shall speak more than twice to the same question without the Chair's permission, except that a reply shall be permitted only from the Member who has presented the main motion. The total time a Member may take to speak and obtain any necessary clarification shall not be more than five minutes regardless if they speak one or two times. The mover and seconder of a motion have the opportunity to speak first to a motion. Members must keep their comments relevant to the matter of business before Council. Members must express themselves succinctly without repetition.
- e. A Member may ask a question only for the purpose of obtaining information relating to the matter under discussion and said question must be stated concisely and asked only of the Chair, staff, or the previous speaker.

10.5 Point of Order

- a. A Member may raise a Point of Order at any time, including interrupting another Member who has the floor, to bring Council's attention to:
 - i. any breach of the rules;
 - ii. a deviation from the matter under consideration noting that the current discussion is not within the scope of the motion on the table; and
 - iii. any other informality or irregularity in the proceedings.
- b. When a Member raises a Point of Order, the Member shall ask leave of the Chair to raise the Point of Order and the Chair shall grant such leave, following which the Member shall state the Point of Order.
- c. The Chair shall decide on the Point of Order and state their ruling on the matter.
- d. Once a Point of Order is raised, no further discussion on the main issue shall be conducted until the Chair has decided and has stated their ruling on the Point of Order.
- e. Upon hearing the Point of Order, a Member shall only address the Chair for the purpose of appealing the Chair's ruling to Council.
- f. If no Member appeals, the ruling of the Chair shall be final. If a Member appeals the Chair's ruling on the Point of Order to Council, the Member shall have the right to give reasons for the appeal, following which the Chair shall have the right to reply with reasons, and Council shall decide without further debate and the decision of Council shall be final.

10.6 Point of Personal Privilege

- a. A Member may rise at any time on a Point of Personal Privilege where such Member feels that their integrity, or the integrity of the Council, or the integrity of anyone present at the Meeting has been called into question by another Member or by anyone present at the meeting.
- b. When a Member rises on a Point of Personal Privilege, the Member shall ask leave of the Chair to raise the Point of Personal Privilege and the Chair shall grant such leave, following which the Member shall state the Point of Personal Privilege.
- c. The Chair shall decide on the Point of Personal Privilege and state their ruling on the matter.
- d. Upon the raising of a Point of Personal Privilege, no further discussion on the main issue shall be conducted until the Chair has decided and stated their ruling on the Point of Personal Privilege.
- e. Where the Chair rules that a breach of Personal Privilege has taken place, the Chair shall demand that the offending Member or individual apologize and failing such apology shall require the Member or individual to vacate the Meeting for the duration of the Meeting.
- f. With the exception of providing an apology, the Member shall only address the Chair for the purpose of appealing the Chair's ruling of a breach of privilege.
- g. If no Member appeals, the ruling of the Chair shall be final. If a Member appeals the Chair's ruling on the Point of Personal Privilege, the Member shall have the right to give reasons for the appeal, following which the Chair shall have the right to reply with reasons, and Council shall decide if the ruling of the Chair is sustained without further debate and the decision of Council shall be final.

10.7 Expulsion for Improper Conduct

- a. The Chair, where a warning or ruling has not been heeded, may expel any Member or person from the meeting place for improper conduct at the meeting, which for purposes of this Section shall include:
 - i. violation of the rules of procedure;
 - ii. interruption of the proceedings of Council;
 - iii. making disruptive noise or visible gestures;
 - iv. campaigning for any political cause or outcome;
 - v. any other activity that impedes the conduct of the Meeting; or
 - vi. any activity listed in 10.3b
- b. Where the Chair expels any Member or person from the Meeting, such Member or person shall vacate the Meeting place forthwith. If the offending person refuses to leave the Meeting place, the Chair may request the Clerk to contact security or police for assistance. The Chair may also recess the Meeting or call for an adjournment.

11. Motions

11.1 Rules of Procedure relating to Motions

- a. The Chair shall not permit debate on a motion or put a motion to vote which is:
 - i. not within the jurisdiction of the Council.
 - ii. Dilatory meaning the motion is used with the purpose of obstructing so as to not allow a decision to be made in an efficient manner, absurd in substance, frivolous or unwarranted.
 - iii. Improper meaning the motion conflicts with a previously adopted or defeated motion unless through a reconsideration.
- b. A motion shall be moved and seconded before being open for discussion and consideration.
- c. When a motion is presented, it shall be read by the mover of the motion or the Clerk when directed by the Presiding Officer, before debate and the motion shall be stated in the form in which it will be recorded in the minutes.
- d. After a motion has been moved and seconded, it shall be considered to be in the possession of the Council, but may be withdrawn by the mover and seconder if there is no objection from Council. If any Member objects, the motion may only be withdrawn by a vote of the Members present to grant the request for withdrawal. Withdrawn motions are treated as if they had never been presented.
- e. The following may be introduced orally, without written notice and without leave of Council:
 - i. a Point of Order, privilege or Personal Privilege;
 - ii. a motion to waive or suspend the rules of procedure;
 - iii. a motion to recess;
 - iv. a motion to adjourn;
 - v. a motion to receive an item;
 - vi. a motion to refer;
 - vii. a motion to postpone;
 - viii. an amendment to a main motion.
- f. A Member may move or second a motion in order to initiate discussion and debate and that Member may vote in opposition to the motion.

11.2 Specific Motions

- a. A motion to recess is debatable as long as the debate is restricted to the length of time of the recess or to the time set for reassembly.
- b. A motion to adjourn the Council meeting is not debatable and shall always be in order except:
 - i. when another Member is in possession of the floor;
 - ii. when a vote has been called;
 - iii. when the Members are voting; or
 - iv. when a Member has indicated to the Chair their desire to speak on the matter before Council.

- c. A motion to adjourn shall take precedence over any other motion and shall be put immediately without debate, except for the Chair to indicate any remaining pressing needs, in which case the Member, shall have the option to withdraw the motion to adjourn.
- d. A motion to close debate is not debatable and requires a Super Majority vote.
- e. A motion to postpone is debatable and shall include:
 - i. the time to or period within which, consideration of the matter is to be postponed; and
 - ii. whatever explanation is necessary to demonstrate the purpose of the motion to postpone.
- f. A motion to refer, and any amendment to it, is debatable and shall include:
 - i. whether the referral is being made to staff or a Committee; and
 - ii. the time or conditions under which the matter is to be returned for consideration.
- g. A motion to amend is:
 - i. debatable.
 - ii. amendable. Only one motion to amend an amending motion shall be on the floor at any one time. An amendment shall be relevant to the question in order to be received.
 - iii. out of order if it is ruled by the Chair to be a substantive motion and not an amendment or if it is nothing more than a rejection of the main motion or contrary to it.
 - iv. put to vote in reverse order so that the main motion is put to vote once all amendments have been voted on and there are no other amendments pending.
- h. A motion to reconsider:
 - ii. requires the support of the Super Majority.
 - i. is not amendable.
 - ii. is debatable. The debate can go into the merits of the motion to be reconsidered.
 - iii. shall not be in order if the action approved cannot be reversed or if the original motion has been implemented resulting in a legally binding commitment that is in place.
 - iv. may only be brought forward at the subsequent regular Meeting from the date the motion or matter was first decided.
- i. If a motion to reconsider carries, reconsideration of the decided matter shall be the next order of business. Debate on the matter being reconsidered shall proceed as though it had never previously been considered.

12. Voting

12.1 Motions relating to an item under consideration shall be voted on in the following order:

- a. a motion to recess;

- b. a motion to adjourn;
 - c. a motion to postpone;
 - d. a motion to call the question;
 - e. a motion to refer;
 - f. a motion to amend, in reverse order of its being placed; and
 - g. the main motion.
- 12.2 Every Member present at the Meeting shall be entitled to vote unless prohibited by statute. If any Member present does not vote at a Meeting of Council where a question is put, they shall be deemed to have voted in the negative, except where the member is prohibited from voting by statute.
- 12.3 Immediately preceding the taking of a vote, the Chair shall state the motion in the precise form in which it will be recorded in the minutes.
- 12.4 Members shall vote by raising their hand, except where a Member has requested a recorded vote, in which case voting shall occur in accordance with Section 12.11 of this By-law. If such process is established by the Clerk, Members shall enter their vote using an electronic voting system.
- 12.5 The Presiding Officer shall be entitled to vote on any motion, but is not required to vote unless:
- a. a Member has requested a Recorded Vote; or
 - b. the votes of all other Members present produces an equality of votes.
- 12.6 No vote shall be taken in a Meeting by ballot or by any other method of secret voting.
- 12.7 When the Chair calls for the vote on a question:
- a. each Member shall occupy their seat and shall remain in place until the result of the vote has been declared by the Chair,
 - b. during this time no Member shall walk across the room or make any other noise or disturbance, and
 - c. no Member shall speak to the question, nor shall put forth any other motion until after the vote is taken and the result has been declared.
- 12.8 A Member can request that a motion containing separate proposals be dealt with separately. A separate vote shall be taken upon each proposal contained in a motion.
- 12.9 All decisions of Council shall require a majority vote, except as otherwise set out in this By-law.

- 12.10 Any motion that receives a tie vote shall be deemed to have been decided in the negative.
- 12.11 A request by a Member present at the Meeting for a recorded vote shall be made prior to, or immediately after, the vote and must be requested prior to any consideration of another matter. When a recorded vote is requested by a Member, the Clerk shall record the name and vote of every Member on any question in the order taken, starting with the Member who requested the recorded vote and alphabetically thereafter with the Deputy Mayor and Mayor going last. The names of those Members who voted for and those who voted against the Motion shall be entered in the minutes.
- 12.12 The Chair shall announce the result of the vote, with the exception of the recorded vote where the Clerk will announce the result.

13. Committees and Local Boards of Council

13.1 Local Boards

- a. Every Local Board shall adopt its own rules and procedures to govern the calling, place and proceedings of meetings of the Local Board as required pursuant to the provisions of the Act or any other legislation as the case may be, but until the Local Board has adopted its own rules and procedures, the provisions of this By-law shall apply with the necessary adjustments.

13.2 General

- a. Council may establish advisory or statutory Committees and shall determine the composition, mandate, duties and reporting responsibilities through the terms of reference of each Committee. Council may by resolution discharge any Committee and appoint another Committee in its place or disband the Committee in its entirety.
- b. All Committees of the Township shall observe this By-law.
- c. All Committee Agendas shall permit Open Forum, Delegation and Presentations that are within the mandate of the Committee, in accordance with this By-law.
- d. Members of Council who are not Members of a specific Committee may attend Meetings of that Committee as members of the public. They shall not be counted in Quorum, shall not be entitled to make motions or vote and shall not be reimbursed for attendance at those Meetings.
- e. A person shall be assigned by the Clerk who is responsible for administrative support of the each Committee and that person shall be responsible for preparing Agendas and minutes.

13.3 Members

- a. Persons appointed to Committees are appointed for such term as defined by Council within the terms of reference of the Committee. Council may rescind any appointment at any time.
- b. Council Members appointed to a Committee are voting Members and form part of Quorum.
- c. Should any Member fail to attend three successive Meetings without being authorized to do so by resolution of the Committee, the Committee may certify such failure and thereupon the membership of such person on the Committee shall be recommended to Council to be terminated, and the Council may appoint another member in their place.
- d. Council may designate the Chair of any Committee or allow the Committee to elect a Chair from its Members. Where Council has not appointed a Chair, at the first Meeting of each Committee each year, the Committee shall elect from its Members a Chair and vice-Chair for a one-year term.
- e. The Mayor is an Ex-Officio Member on all Committees where they shall be entitled to vote and participate, and shall count towards Quorum when present but shall not be included when determining the number of members required for Quorum.

13.4 Committee Meetings

- a. All Meetings shall be open to the public, except in accordance with Section 8.6 of this By-Law.
- b. Meetings shall be scheduled in accordance with the terms of reference of each Committee. Special meetings may be held at the call of the Chair.
- c. The Chair in consultation with the Clerk, may cancel a Meeting:
 - i. when there are insufficient Agenda items;
 - ii. in the event of inclement weather; or
 - iii. where a conflict between the scheduled date or time of a regular Meeting and another event of significance arises provided that adequate notice of the cancellation is posted pursuant to the notice of Meeting provisions.
- d. All Meetings shall adjourn after three hours.
- e. Committee Meetings may be held wholly or partially electronically and may be livestreamed on the Township's website in accordance with Appendix A of this By-law.
- f. Committee Members are not limited by the provisions in Section 7.3 of this By-law.

13.5 Committee Recommendations

- a. Minutes of all Committees shall be circulated to Council by inclusion on a Council Agenda.
- b. No action shall be taken on Committee recommendations until they are approved by Council.
- c. No Committee shall consider any question decided by Council, nor consider any other matter which could involve a decision inconsistent with a Council decision unless the item is referred to the Committee by Council.

14. Committee of Adjustment

14.1 General

- a. The procedures contained in this section shall be observed in all proceedings of the Committee of Adjustment and shall be incorporated into the procedures for the order and dispatch of Meetings conducted by the Committee of Adjustment. All other matters not governed by the provisions of this section, shall be governed by the provisions of the other sections of this By-law.
- b. For those items that are under the jurisdiction of the Committee of Adjustment, the Secretary-Treasurer shall issue notice of the applications to be considered at the Meeting and ensure the applicant has posted the notice of their application on the subject property, both in accordance with the requirements of *Planning Act* and regulations thereunder, at least fourteen days before the Meeting.

14.2 Meetings

- a. Members shall be provided with the Meeting Agenda not later than five days of the scheduled Meeting date.
- b. In accordance with the provisions of the *Statutory Powers Procedure Act, R.S.O. 1990, c.S.22*, a hearing being conducted by the Committee of Adjustment may be closed to the public if:
 - i. matters involving public security may be disclosed; or
 - ii. intimate financial or personal matters or other matters may be disclosed at the hearing of such a nature, having regard to the circumstances, that the desirability of avoiding disclosure thereof in the interests of any person affected or in the public interest outweighs the desirability of adhering to the principle that hearings be open to the public.

14.3 Procedures

- a. The following procedures shall be followed for the hearing portion of the Meeting:
 - i. The Chair shall call for any requests for deferral or withdrawal of any matters before the Committee of Adjustment.
 - ii. The Chair shall ask for confirmation that notice provisions were met.

- iii. The Chair shall ask for a presentation of the planning report, review of comments received, and review of the proposed conditions to be attached to the decision should the Committee of Adjustment approve the application.
 - iv. The Chair shall ask the applicant, or their representative, to introduce themselves and present any further information. The applicant, or their representative, shall be provided with a maximum of 10 minutes to present their application.
 - v. The Chair shall ask if any members have questions of the applicant or the representative. Each person shall have three minutes to speak to an application.
 - vi. The Chair shall invite anyone else having an interest in the application to come forward, identify themselves and express their interest. Submissions from the public shall be confined to the subject application and be limited to three minutes per person. The applicant or their representative shall have the opportunity to respond, after all submissions are received.
 - vii. The Chair shall provide the Members with a final opportunity to ask any additional questions relevant to the application before them.
 - viii. The Chair shall ask the Members for a motion with respect to the disposition of the application, shall permit discussion on the motion, shall call for the vote, shall announce the decision of the Committee of Adjustment, and may summarize any decision orally if requested.
- b. Following the application by the owner or representative of the owner, but prior to the Meeting where the application will be considered by the Committee of Adjustment, the Members may conduct individual site visits. During site visits, Members shall not discuss with the applicant, or other interested individuals, any of the merits of the application or any issue or matter in connection with the application to be decided by the Committee of Adjustment. All information shall be presented at the Meeting.
 - c. The decision of the Committee of Adjustment shall be in writing and shall set out the reasons for the decision and shall be signed by the Members who concur in the decision. A copy of the written decision will be prepared and issued, in accordance with the provisions of the *Planning Act*. A copy of the written decision shall be sent to each person who submitted a written request to receive a copy of the written decision with respect to the application, pursuant to the provisions of the *Planning Act*.
 - d. The applicant or their representative may request to withdraw their application. Such requests may be made to the Secretary-Treasurer in advance of the meeting date or at the Meeting. The Secretary-Treasurer will record that the application was withdrawn from the Agenda.
 - e. The applicant or their representative may request a deferral of the application. The request for a deferral must be for reasonable cause and must be made at the Meeting. If granted, the Committee of Adjustment, after consultation with the Secretary-Treasurer, will set a new Meeting date for the application to be heard. No further notice of the meeting date is required. Only those Members

present at the Meeting where the application was deferred shall render a decision on the application at the subsequent Meeting.

15. Accountability and Transparency

15.1 Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through Loyalist Township adopting measures ensuring, to the best of its ability, that all activities and services are undertaken using processes that are open and accessible to stakeholders. Wherever possible, Loyalist Township will engage stakeholders throughout the decision-making process in a manner that is open, visible and transparent to the public.

15.2 In the context of Meeting proceedings, this is accomplished by:

- a. Ensuring the decision-making process is understood by the public and other stakeholders;
- b. Providing access to information and opportunities for input by the public and other stakeholders consistent with the requirements of this By-law and other statutory requirements;
- c. Ensuring participation by the public in a meaningful and effective manner, timely disclosure of information by various means including, but not limited to, social media, the Township website, and print media;
- d. Exercising and respecting individual and collective roles and responsibilities provided for in this By-law and other statutory requirements;
- e. The protection of basic rights by recognizing the right of the majority to decide, the minority to be heard and individuals to have the opportunity to participate; and
- f. The principles of parliamentary law governing Meetings include:
 - i. The majority of Members have the right to decide;
 - ii. The minority of Members have the right to be heard;
 - iii. All Members have the right to information to help make decisions, unless otherwise prevented by law;
 - iv. All Members have a right to an efficient Meeting;
 - v. All Members have the right to be treated with respect and courtesy; and
 - vi. All Members have equal rights, privileges and obligations.

16. Conflict

16.1 A specific statement or rule in this By-law has greater authority than a general one.

16.2 If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law will be considered severed from the remainder of this By-law, which shall continue to be in full force and effect.

16.3 If there is any conflict between this By-law and any statute, the provisions of the statute take precedence.

17. **Enactment**

17.1 By-law 2018-090, 2020-063, 2020-021, and 2021-057 are hereby repealed.

17.2 This By-law shall come into force on February 13, 2024.

Appendix A - Livestreaming and Recording Protocol

1. Except for during Closed Session, regular and special Meetings of Council and Committee of the Whole shall be livestreamed and recorded. Committee of Adjustment, Committee and Local Board Meetings may be livestreamed and recorded as determined by the Clerk and the CAO. Where Meetings are livestreamed and recorded, the following provisions shall apply:
 - a. Signage shall be posted at the Meeting location if applicable to advise members of the public that Meetings are being broadcasted, recorded and available on the internet.
 - b. A notation shall be added to the Agenda to make presenters and members of the public aware that proceedings are being broadcasted, recorded and available on the internet.
 - c. The Presiding Officer shall make a statement at the commencement of the applicable Meeting to make presenters and members of the public aware that proceedings are being broadcast, recorded and available on the internet.
2. Where the livestream of a Meeting cannot be initiated or where the livestream is interrupted during the Meeting, the Presiding Officer shall delay the call to order of the Meeting by fifteen minutes or call a recess for fifteen minutes to provide the Clerk time to address the issue. If the livestreaming does not become available after fifteen minutes, the Meeting shall commence. If a recording of the Meeting is available, it shall be uploaded to the Township's website as soon as practicable following the Meeting. If a recording is not available, the Clerk should record in the minutes the time the livestream and/or the recording became unavailable.
3. Livestreamed or recorded video of Meetings are not the official record of the proceedings of the Meetings.
4. Links to the livestreamed Meetings will be made available on the Township's website and posted.
5. Videos of Meetings that are available on the internet are part of the public realm and the Township has no control over alterations. The Township assumes no liability associated with any alterations that are made by a member of the public.
6. Electronic records will be managed in accordance with the Township's Retention By-law.

Appendix B – Correspondence Protocol

1. Resolutions from other municipalities
 - a. Resolutions from other municipalities requesting endorsement, support or consideration of their resolutions shall be forwarded via email to each Member of Council, the CAO, and relevant staff.
 - b. A Member may bring forward a support resolution for Council's consideration as a communication for consideration under Items for Consideration. A Notice of Motion is not required.
2. Communication for Information
 - a. Correspondence that does not require a decision will be forwarded to each Member of Council via email and will be placed on the Agenda under the Consent Agenda only at the request of a Member of Council, the CAO, or relevant staff.
3. Communication for Consideration
 - a. Members of Council may receive correspondence, including staff comments, that require Council consideration. The Clerk, in consultation with the CAO, or at the request of a Member of Council will place the correspondence under Items for Consideration with a recommended motion. A Notice of Motion is not required.
4. Petitions
 - a. Petitions to be forwarded to Council must meet the following requirements:
 - i. the petition must be addressed to Council and request a particular action within the authority of Council;
 - ii. the petition may be provided electronically and must be legible, typewritten or printed in ink; and
 - iii. each signatory must print, sign their own name, provide their Loyalist Township address and contact information.
 - b. Petitions will be forwarded to each Member of Council, the CAO and staff.
 - c. Petitions may be forwarded to a Committee of Council if the subject is related to the mandate of the such Committee or Local Board.
 - d. Public petitions requesting consideration of a matter that was previously considered must be in accordance with this By-law.
5. Any communication that contains defamatory statements, allegations, inferences, disrespectful, or improper matter, shall not be forwarded to Council or staff and shall be handed over to the CAO for review and returned to the sender.
6. Correspondence relating to an inquiry or a complaint shall be handled through the Complaint Policy.
7. Any and all requests for funding shall be forwarded to the Treasurer and appropriate departmental director.

8. All requests for proclamation will be managed by the Township's Proclamation, Public Awareness and Flag Flying Policy.
9. Personal information is contained in and will be used for the purpose of informing Council as to views on a matter of public interest or concern as specified in the correspondence received. Information may be made public through the course of a Meeting and corresponding Agendas and minutes and/or distributed as part of the Agenda.
10. Personal information will be collected and managed in accordance with the provisions of *Municipal Freedom of Information and Protection of Privacy Act*.

Appendix C – Appointing a Presiding Officer Protocol

1. This protocol shall be used in appointing a Chair and Vice-Chair where none were appointed through this By-law or where Council did not appoint one through the Terms of Reference.
2. At the first Meeting each year, the Committee/Local Board shall elect from its Members a Chair and Vice-Chair for a one-year term.
3. The Members shall proceed to elect a Chair and Vice-Chair in the following manner:
 - a. The Clerk, acting as Presiding Officer, shall call the Meeting to order and call for nominations.
 - b. Members may nominate a Member for Chair (Nominations do not require a seconder, but it's not out of order for Members to second a nomination to show their endorsement). A Member can nominate themselves.
 - c. Upon a Member being nominated, the Clerk will ask if the nominee wishes to stand or decline the nomination.
 - d. Each nominee will be permitted to speak to the nomination for not more than five minutes.
 - e. With no further nominations being brought forward, the Clerk will close the nominations.
 - f. If only one nomination is received, the nominee will be appointed by acclamation.
 - g. Where more than one nomination is received, a vote shall be taken. The Clerk shall call the vote for each nominee individually starting in the order the nominations were received until a nominee obtains a majority of the votes.
 - h. If upon the first vote no nominee receives the majority required for appointment, the name of the nominee receiving the least number of votes shall be dropped and the Members shall proceed to vote again and continue until either:
 - i. a nominee receives the majority required for appointment; or
 - ii. it becomes apparent by reason of an equality of votes that no nominee can be appointed. In the case of a tie-vote, the Clerk shall choose the successful nominee by a draw.
 - i. Steps a through h are to be repeated for Vice-Chair.
4. Appointments for Chair and Vice-Chair must be confirmed by resolution.