

The Corporation of the Town of Saugeen Shores

By-law XX-2024

Being a By-law to Govern the Calling, Place and Proceedings of Meetings for the Town of Saugeen Shores

Whereas pursuant to [Section 238 \(2\) of the Municipal Act S.O. 2001](#), as amended, every Council and local board shall pass a procedure by-law to govern the calling, place and proceedings of Meetings; and

Whereas pursuant to [Subsection 238 \(2.1\) of the Municipal Act, 2001](#), as amended, the procedure by-law shall provide for public notice of Meetings; and

Therefore, be it Resolved that the Council of the Corporation of the Town of Saugeen Shores enacts as follows:

1 Definitions

In this By-law:

- 1.1 **“the Act”** means the [Municipal Act, 2001, S.O. 2001, c. 25](#), as amended.
- 1.2 **“Ad Hoc Committee”** means a Committee appointed by Council from time to time to act and report on a specific issue and shall be discontinued when their recommendations upon the specified initiative or matter have been provided and further recommendations are no longer required.
- 1.3 **“Business Day”** means any weekday the Town of Saugeen Shores Municipal Office is open to receive and serve members of the public to conduct regular Town business and, when used for the calculation of timelines for Meetings, shall not include the day the Meeting is scheduled to occur.
- 1.4 **“Chair”** means the person presiding at a Meeting.
- 1.5 **“Chief Administrative Officer” or “CAO”** means the Chief Administrative Officer of the Corporation of the Town of Saugeen Shores, or their designate.
- 1.6 **“Chief Executive Officer”** means the Head of Council of the Corporation of the Town of Saugeen Shores.
- 1.7 **“Clerk”** means the Clerk of the Corporation of the Town of Saugeen Shores or their designate.
- 1.8 **“Closed Meeting”** means a Meeting or part of a Meeting closed to the public.
- 1.9 **“Committee”** means Committees as defined in [Section 238 \(1\) of the Act](#).
- 1.10 **“Council”** means the Mayor, Deputy Mayor, Vice Deputy Mayor and Councillors, as a collective, that are elected, acclaimed, or appointed to the Council of the Corporation of the Town of Saugeen Shores.
- 1.11 **“Debate”** means any form of discussion on the merits of a Motion.
- 1.12 **“Emergency”** means an emergency as defined by the [Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9](#), as amended, or such other extreme weather conditions or unforeseen circumstances, as determined by the Head of Council.
- 1.13 **“Head of Council”** means the Mayor of the Town of Saugeen Shores, or in the Mayor’s absence the Deputy Mayor, and in the absence of the Deputy Mayor, the Vice Deputy Mayor, acting in the capacity of the Mayor in their absence.
- 1.14 **“Inaugural Meeting”** means the first Meeting of Council in any Council terms, as defined by the [Municipal Elections Act, 1996, c.32](#), as amended.

- 1.15 **“Local Board”** means a Local Board as defined in the [Act, Section 1 \(1\)](#), excluding a school board, a conservation authority, a public library board, and a police service board.
- 1.16 **“Majority”** means more than one half or 50%.
- 4.47 **“Majority of Votes” or “Majority Votes”** means a number of affirmative votes by Members greater than half of the number of Members present at a Meeting and voting.
- 1.18 **“Mandate”** means a governing document adopted by Council that includes, but is not limited to, the scope, composition, Meeting frequency, responsibilities, Presiding Member duties, and Member duties of a Committee or Local Board.
- 1.19 **“Mayor-Elect”** means the person elected, acclaimed, or appointed to the office of Mayor for the Town of Saugeen Shores but has not yet taken their Declaration of Office as per section [232 \(1\) of the Act](#).
- 1.20 **“Meeting”** means any regular, special or other Meeting of a Council or Local Board or a Committee of either of them, where,
(a) a quorum of members is present; and
(b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, Local Board, or Committee.
- 1.21 **“Member”** means a member of Council, Committee or Local Board as the case may be.
- 1.22 **“Motion”** means a formal proposal by a Member, in a Meeting, that Council, Committee or Local Board take a certain action.
- 1.23 **“Municipality” or “Town”** means the Corporation of the Town of Saugeen Shores.
- 1.24 **“Municipal Administration”** means officers and employees of the municipality as defined in [section 227 of the Act](#).
- 1.25 **“Notice of Motion”** means advance, written notice, given by a Member of Council and received by the Clerk, advising Council that a Motion will be brought forward at a future Meeting of Council.
- 1.26 **“Open Meeting”** means a Meeting or part of a Meeting open to the public.
- 1.27 **“Pecuniary Interest”** means a direct or indirect pecuniary interest in a matter before Council, as determined by the [Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50](#), as amended.
- 1.28 **“Presiding Member”** means the Mayor or Acting Mayor or Chair of a Meeting.
- 1.29 **“Point of Information” or “Request for Information”** means an inquiry as to the facts affecting the business at hand and is directed to the Presiding Member or through the Presiding Member.
- 1.30 **“Point of Order”** means a matter raised by a Member who considers there to be a departure from or contravention of the rules of procedure pursuant to this by-law.
- 1.31 **“Point of Privilege”** means a matter that a Member considers to question their integrity or the integrity of Council or a Committee, which relates to the rights and privileges of Council, a Committee or any Members to be brought up for possible immediate consideration because of its urgency.
- 1.32 **“Public Meeting”** means a prescribed public process under the [Planning Act, R.S.O. 1990, c. P.13](#), or other governing legislation, expressly called for members of the public to address Council on the matter for which notice was

provided.

- 1.33 **“Quorum”** means a majority of Members.
- 1.34 **"Recorded Vote"** means the making of a written record of the name and the vote of a Member who votes on a Motion.
- 1.35 **“Regular Meeting”** means a Meeting of Council or Committee scheduled as per a Resolution or schedule adopted by Resolution.
- 1.36 **“Rules of Procedure” or Rules”** means the rules of order and procedure outlined in the Procedural By-law.
- 1.37 **“Secretary”** means the recording officer of a Committee or Local Board and the custodian of its records, except where otherwise defined in legislation.
- 1.38 **“Senior Leadership Team”** means the CAO, Department Directors, and Managers within the Office of the CAO.
- 1.39 **“Special Meeting”** means a separate Meeting of Council or committee held at a time different than a Regular Meeting as approved by Council or committee and which is focused on one or more particular and specific items or subjects.
- 1.40 **“Staff Coordinator”** means a member of the Municipal Administration that supports the work of a Committee or Local Board and/or provides subject matter expertise specific to the mandate of the Committee or Local Board.
- 1.41 **“Striking Committee”** means a Committee of the Mayor, Deputy Mayor, and Vice Deputy Mayor whose mandate is to make recommendations to Council for matters within its areas of responsibility.
- 1.42 **“Vice-Chair”** means a Member of a Committee or Local Board that has been elected or appointed to act as the Presiding Member in absence of the Presiding Member.

2 Meetings

2.1 Inaugural Meeting

The first or inaugural Meeting of a new Council shall be held in accordance with the provisions of the [Act](#) and [Municipal Elections Act](#), as may be amended from time to time. The Clerk, in consultation with the Mayor-Elect, shall set the date, time and location.

2.1.1 Inaugural Agenda

The Mayor-Elect and the Clerk shall be responsible for the content of the Agenda of the Inaugural Meeting and the arrangements for the Inaugural Meeting.

2.2 Regular Meetings

The next and each succeeding Regular Meeting of Council shall be held on the second, third, and fourth Mondays of each month in the Council Chambers or at such place as Council may from time to time establish by resolution and shall be held in accordance with the schedule of Meetings approved by Council.

2.3 Regular Meeting – Other Date Due to Holiday – by resolution

All regular Meetings shall be held on Mondays at the time prescribed by resolution of the Council unless such a day is identified as a public or civic holiday, in which case the Council shall meet at the same hour on the next following day which is not a public or civic holiday, unless otherwise provided by resolution of Council.

The Striking Committee may recommend an alternate schedule to accommodate customary holidays or municipally significant events or conferences where member attendance may otherwise be impeded.

2.4 Regular Meeting – Designated – Time and Place

The next and each succeeding Regular Meeting of Council shall commence at

6:30 p.m. unless otherwise directed by Council resolution in which case a notice shall be posted on the Town's website and in the Municipal Office advising the time and place.

2.5 Regular Meeting - curfew - adjourned

Unless otherwise directed by resolution, Meetings shall adjourn at 11:00 p.m. in the evening. If the Meeting is in session at 11:00 p.m., the Meeting shall reconvene at the hour, date and place determined in such resolution to conclude any unfinished business of the preceding Meeting. No additional business shall be added to the Agenda of the reconvened Meeting.

Any Meeting scheduled prior to a Regular Meeting of Council shall be adjourned no later than thirty (30) minutes prior to the scheduled start time of the Regular Meeting of Council.

2.6 Regular Meeting – Cancellation or Postponement

Any Regular Meeting of Council may be cancelled or postponed to a day named in:

- (a) a notice by the Head of Council given through the Clerk's Office in advance of the Regular Meeting, or
- (b) a resolution of Council passed by majority vote of Council.

A postponed Meeting shall be held at the time and place provided for Regular Meetings of Council, unless otherwise named in resolution.

2.7 Regular Meeting - Planning Act Matters

Meetings for the purpose of discussing matters governed under the [Planning Act](#) or otherwise related to the residential and commercial growth and development of the Municipality will be held at 6:30 p.m. in the Council Chambers on the third Monday of each month if required and shall not include Open Forum or Delegation in the Order of Business. Planning matters may be placed on a regularly scheduled Council Agenda as deemed appropriate by the Municipal Administration. Public notice of such matters shall be given as required by this Procedural By-law and as prescribed in the [Planning Act, R.S.O.1990](#), based on application type.

Where urgency is a factor, the Clerk may add any matter to the third-Monday of the month Agenda where waiting until the next Regular Meeting would disadvantage the Municipality.

2.8 Special Meetings

2.8.1 Special Meeting – Head of Council

In addition to Regular Meetings of Council, the Head of Council may at any time summon a Special Meeting of Council by giving direction to the Clerk stating the date, time and purpose of the Special Meeting.

2.8.2 Special Meeting – Members of Council

Upon receipt of a petition of the majority of the Members, the Clerk shall summon a Special Meeting for the purpose and at the date and time mentioned in the petition.

2.8.3 Special Meeting – Place

All Special Meetings of Council shall be held at the location of the last regular Meeting of Council, unless an alternative location is specified in the notice of a Special Meeting.

2.8.4 Notice – by Clerk

The Clerk shall give all Members notice of a Special Meeting of Council at least 48 hours before the time appointed for such Meeting. The Clerk shall give notice to the public as soon as possible following providing notice to the Members.

2.8.5 Delivery – Notice

Notice of a Special Meeting may be delivered to the Members by electronic mail (email) or other electronic means or by telephone.

2.8.6 Nature of Business – Notice

Notice shall indicate the nature of the business to be considered at the Special Meeting.

2.8.7 No Other Business

No business other than that indicated in the Notice shall be considered at the Special Meeting.

2.8.8 Emergency Meeting

Notwithstanding any other provisions of this By-law, an Emergency Meeting may be held, without written notice, to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk or their designate to notify the Members and public about the Meeting as soon as possible and in the most expedient manner available.

2.8.9 Emergency Meeting – place

In the event of an Emergency, where the Council Chambers is not accessible, the Council shall be asked to meet at an identified location accessible by Members of Council, and may be limited to electronic participation.

2.9 Open Meetings

2.9.1 Open – to the public – Council – Committees - exception

Meetings of the Council and its committees shall be open to the public except as provided in the [Act](#).

2.10 Closed Meetings

2.10.1 Closed – to public – subject

A Meeting or a part of a Meeting of Council or Committee may be closed to the public provided it is in compliance with the provisions of [Section 239 of the Act](#).

2.10.2 Closed Meeting – to the Public - Resolution

Before holding a Meeting or part of a Meeting that is to be closed to the public, a resolution shall be passed which provides:

- (a) the fact of the holding of the closed Meeting and the general nature of the matter to be considered at the closed Meeting; or
- (b) in the case of a Meeting under [Section 239 \(3.1\) of the Act](#), the fact of the holding of the closed Meeting, the general nature of its subject-matter and that it is to be closed under that subsection.

2.10.3 Closed Meeting – to the Public - Voting

A Meeting shall not be closed to the public during the taking of a vote unless the following applies:

- (a) the subject matter falls into a category where a closed session is allowed; and
- (b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality or local board or committee of either of them or persons retained by or under a contract with the municipality or local board.

2.10.4 Closed Meeting - Confidential Matters

All participants of a Closed to Public Meeting are to ensure that any matters, materials and discussions associated with the Closed Meeting, including those matters disclosed to them during the Meeting, are kept confidential.

2.10.5 Closed – Electronic Devices

The use of electronic devices in Closed Meeting is subject to the following:

- (a) Members shall be permitted to take an electronic device into a Closed Meeting and use an electronic device for the purpose of accessing the current Agenda and associated reports;
- (b) The use of any electronic device by a Member for the purpose of recording or transmitting is prohibited;
- (c) The use of any electronic device by a Member for the purpose of communicating to other Members or the Public during a Closed Meeting is

- prohibited; and
- (d) Electronic devices are not used by the Clerk or their delegate for the purposes of recording the Closed Meeting unless a majority vote by Council or the Committee is received and any such recording remains confidential.

2.10.6 Closed Meeting - Orientation Meeting(s)

Orientation Meeting(s) of the Council-elect shall be considered as education sessions to newly elected Members of Council in order to provide Members with the general process of what an elected Member could expect such as the Inaugural Meeting process, committee structure, administration structure, protocol, payroll and overview of the budget process, etc.

3 Electronic Participation

Members of Council, Local Boards, and Committees are expected to participate in person but may participate via electronic means (including audio telephone conference, video conference, or via means of internet or another format chosen by the Clerk) due to extenuating circumstances, where the Member provided notice in accordance with this by-law, in a Meeting which is open to the public subject to the following:

3.1 Participation - counted in quorum

A Member of Council, of a local board or of a committee of either of them who is participating via electronic means in a Meeting may be counted in determining whether or not a quorum of members is present at any point in time.

3.2 Participation - closed Meeting

A Member of a Council, committee, or of a local board of either of them may participate via electronic means in a Meeting that is a Closed Meeting. It is the responsibility of all participants attending via electronic means for a Closed Meeting to ensure the proceedings of the Meeting cannot be heard, seen or recorded by any person not entitled to participate in the Meeting.

3.3 Participation - rights and powers of members

Members who participate via electronic means have all the rights and powers as a Member attending in person, Members shall announce their vote verbally and by show of hand if visible to members.

3.4 Electronic Method - Mayor or Presiding Member

The Mayor or Presiding Member shall decide when it is appropriate to hold a Meeting via electronic means.

3.5 Electronic – petition of the members

A majority of the Members may petition to hold a Meeting via electronic means.

3.6 Presiding Member – participate via electronic means

The Presiding Member of the Meeting may not participate via electronic means, excluding Meetings occurring during an emergency where in person participation is not possible or when the remaining Members are meeting via electronic means.

3.7 Clerk – participate via electronic means

The Clerk may not participate via electronic means, excluding Meetings occurring during an emergency where in person participation is not possible or when the Members are meeting via electronic means.

3.8 Decorum - members

Members participating via electronic means shall be responsible for conducting themselves with decorum, with appropriate Meeting attire, and shall ensure that no background noise at their location interferes with the Meeting.

3.9 Procedures – decided by Clerk

Procedures for the conduct of electronic participation shall be decided by the Clerk and shall be prepared to facilitate for the conduct of electronic participation

in compliance with this By-law and the [Act](#).

3.10 Debate – among members

The Presiding Member shall determine the procedure for facilitating debate among the Members.

3.11 Electronic Participation – during in-person Meeting

Members shall provide notice of their request to participate via electronic means, no later than 4:00 pm on the day after the date on which the Agenda for the Meeting is provided to the Members. Members shall be recorded as absent if no notice is received by 4:00 pm on the day after the date on which the Agenda for the Meeting was provided and will not be permitted to attend via electronic means.

In the event of a personal emergency where notice was not provided by 4:00 pm on the day after the date on which the Agenda for the Meeting was provided, the Mayor and Clerk, or their designates, shall determine if electronic participation is permitted.

3.12 Electronic Participation – connecting to Meeting

Members participating via electronic means will be required to connect to the Meeting 15 minutes prior to the commencement of the Meeting, to avoid interruption and delay of the Meeting. If an electronic connection fails prior to the Meeting, attempts to connect the Member shall not delay the commencement of the Meeting or interfere with the duties of municipal staff.

If the connection fails during the Meeting, attempts to reconnect by the participating member can be made however, staff resources may not be available during the Meeting and at no time shall the reconnection delay the flow of the Meeting, or a vote on a Motion. If the connection fails, the Member shall be recorded as absent as of the time the connection.

3.13 Electronic Participation – Meeting procedures

Meeting procedures are not required to be changed solely for the purpose of accommodating a Member who participates via electronic means. The Presiding Member may determine the procedure for facilitating debate among the Members present and Members participating via electronic means.

3.14 Live Streaming and Video Records

Live streaming and the retention of video recordings of Meetings shall be subject to the following:

- (a) All Meetings of Council, Local Boards and Committees which are Open Meetings shall be live streamed on an online platform that is available to the general public, except where prohibited by statute.
- (b) Where the location of a Meeting that has been called in accordance with this by-law and has been set for a place that would make live streaming an encumbrance, the Clerk, or their designate, shall make a notation on the Agenda that live streaming will not occur.
- (c) Where a Special Meeting of Council has been called solely for the purpose of entering into a Closed Meeting, live streaming is not required and the Clerk, or their designate, shall make a notation on the Agenda that live streaming will not occur.
- (d) When a Meeting is being live streamed from Council Chambers, or other location permitting in-person attendance by the public, and the live stream has ended before the Meeting has adjourned, all discussion will pause and the Presiding Member shall call a recess until the live stream resumes. If the live stream cannot resume within ten (10) minutes, the Meeting shall reconvene.
- (e) Video recordings of Council, Local Board and Committee Meetings are made publicly available for the convenience of the public and shall be kept in accordance with the Town's Retention By-law.

4 Roles

4.1 Role of Council

It is the role of Council to carry out their duties as described in [Section 224 of the Act](#), as coordinated through the Chief Administrative Officer. Council may direct staff, by majority vote, to perform such duties as is necessary to the efficient management of the affairs of the Municipality. Council may direct staff, by majority vote, to research such matters as the Council deems necessary.

4.1.1 Individual Authority – not provided

No individual Council Member may direct Municipal Administration, or any of its members, to perform a duty.

4.1.2 Established By-laws and Policies – Members – Respect

Members of Council shall respect and adhere to the By-laws and Policies set by the Council.

4.1.3 Council – Liaison – with CAO

Council Members will liaise primarily with the CAO and the Senior Leadership Team as required.

4.1.4 Information – by Staff – Members of Council

Council Members may request information from the Municipal Administration who have been assigned the responsibility of providing information, such as Meeting times, copies of documents, and information of standard operating procedures.

4.1.5 Questions – Operational Concerns – Complaints

Questions or issues surrounding operational concerns, complaints or opportunities, excluding basic issues covered in Section 5.1.4 shall be primarily directed to the Chief Administrative Officer, who will then direct the questions or issues to the appropriate staff member. Minor operational concerns or complaints may be raised by completing the form entitled “Report a Concern” on the Town website.

4.2 Role of Head of Council

4.2.1 It is the role of the Head of Council:

It is the role of the Head of Council to carry out their duties as described in [Section 225 of the Act](#), including acting as the Chief Executive Officer of the municipality.

4.2.2 Head of Council as Chief Executive Officer of the municipality

It is the role of the Head of Council acting as the Chief Executive Officer to carry out their duties as described in [Section 226.1 of the Act](#).

4.2.3 Acting Head of Council

In the case the Head of Council is absent or if they are absent through illness, or refuses to act or their office is vacant, the Deputy Mayor shall act from time to time in the place and stead of the Head and shall have all rights, powers and authority of the Head of Council, while so acting. If the Deputy Mayor is unable to act in the place of the Head, then the Vice Deputy Mayor shall be the Presiding Member of that particular Meeting.

If none of the above is in attendance, a municipality may by by-law or resolution appoint a Member of the Council to act in the place of the Head of Council when the Head of Council is absent or refused to act or the office is vacant and while so acting such Member has all the powers and duties of the Head of Council.

4.3 Role of Chief Administrative Officer (CAO)

It is the role of the Chief Administrative Officer to carry out their duties as described in [Section 229 of the Act](#).

4.4 Role of Clerk

It is the role of the Clerk to carry out their duties as described in [Section 228 of the Act](#). The Clerk or their delegate shall make such minor clerical, typographical or grammatical corrections in form to any by-law, Motion or resolution and/or minutes as they may be required for the purpose of ensuring correct and

complete implementation of the actions of Council.

4.5 Role of Municipal Administration

It is the role of the officers and employees of the municipality to carry out their duties as described in [Section 227 of the Act](#).

5 Duties

5.1 Council

5.1.1 Preparation of Council Meeting Members

Members of Council shall come prepared to every Meeting by having read all the material supplied, including Agendas and staff reports, to facilitate discussion and the determination of action at the Meeting. Whenever possible, the Member(s) shall make inquiries to the Municipal Administration regarding materials supplied in advance of the Meeting.

5.1.2 Request for substantive reports

All requests for substantive reports shall be by Council resolution which shall identify the appropriate Department and objectives of the report. The Chief Administrative Officer or member of the Senior Leadership Team shall determine when a report would be considered substantive and the timing necessary to deliver the report to Council.

5.1.3 Interference – direct

No Member(s) shall have the authority to interfere with the performance of any work by Municipal Administration. All inquiries shall be directed through the Chief Administrative Officer.

5.2 Presiding Member

5.2.1 Open Meeting – Call to Order

The Presiding Member shall open the Meeting by taking the Chair and calling the Members to order, announce the business in the order of which it is to be acted upon, preside over the conduct of Meetings, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the Meeting, subject to an appeal to the Council, Local Board, or Committee, as the case may be.

5.2.2 Recognize speakers

The Presiding Member shall recognize any Member of Council, Local Board or Committee, as the case may be, who wishes to speak and determine the order of the speakers. All speakers must speak through the Presiding Member.

5.2.3 Motions – received – submitted – results announced

The Presiding Member shall receive and submit in the proper manner, all Motions presented by the Members and to put to vote all Motions, which are duly moved, and to announce the result.

5.2.4 Presiding Member may speak or vote

The Presiding Member may speak and/or vote on any Motion, but if they wish to make a Motion they shall first leave the Chair by designating the Acting Mayor or Acting Chair, to act in their stead until they resume the Chair.

5.2.5 Debate – enforce rules – restrain members

It shall be the duty of the Presiding Member to restrain the Members, within the rules of procedure when engaged in debate.

5.2.6 Decorum – order – enforced

It shall be the duty of the Presiding Member to enforce on all occasions the observance of order and decorum among Meeting participants and attendees.

5.2.7 By-laws – minutes – certify

It shall be the duty of the Presiding Member to certify, by their signature, all by-laws and minutes of Council or Committee. Signature may be made by hand or

authenticated digital format.

5.2.8 Point of Order – inform members

It shall be the duty of the Presiding Member to inform the Members on any point of order.

5.2.9 Improper Conduct – adjourn – suspend – recess – Meeting

It shall be the duty of the Presiding Member to adjourn the Meeting when the business has been concluded without the question being put, or to suspend or recess the sitting for a time to be named if considered necessary because of disorder arising in the Meeting.

5.2.10 Improper Conduct – expel

The Presiding Member may expel any person for improper conduct at a Meeting.

6 Conduct During Meetings

6.1 Sovereign – Royal Family – to be respected

No Member shall speak disrespectfully of the reigning Sovereign, the Royal Family, the Governor General, the Lieutenant Governors, any Member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.

6.2 Members of Council – Municipal Administration – to be respected

No Member shall speak disrespectfully or use offensive language in or against Council or any Member thereof or member of the Municipal Administration.

6.3 Speaking – subject in debate only

No Member shall speak on any subject other than the subject in debate.

6.4 Criticize – decision- exception – reconsideration

No Member shall criticize any decision of the Council except for the purpose of moving that the question be reconsidered.

6.5 Breach – persistent – seat vacated – unless apology

Members of Council or Committees shall refrain from harmful conduct to the Town or its purposes. No Member of a Council or a Committee shall breach the rules of procedure, or a decision of the Presiding Member or of the Council or Committee as a whole on questions of order or practice, or upon the interpretation of the rules of procedure and in the case where a Member persists in any such breach after having been called to order by the Presiding Member, the Presiding Member may order that such Member leave their seat for the duration of the Meeting but if the Member apologizes they shall be permitted to retake their seat.

7 Debate

7.1 Presiding Member – preserve order

The Presiding Member shall preserve order and decorum during a Meeting and decide questions of order.

7.2 Address to Presiding Member

Members shall indicate their desire to speak by raised hand and shall not speak until recognized by the Presiding Member.

7.3 Order – of speaking – determination

The Presiding Member shall recognize the Members in the order they indicate their desire to speak, be acknowledged by the Presiding Member and shall address them as Mayor, Your Worship or Chair, as appropriate.

7.4 Voting – members – seated – disturbance – prohibited

When the Presiding Member calls for the vote on a Motion, each Member shall occupy their seat and shall remain there until the result of the vote has been declared by the Presiding Member, and during such time no Member shall walk across the room to speak to any other Member or make any noise or

disturbance.

7.5 Speaking – passing between Presiding Member – interruption

When a Member is speaking, no Member shall pass between the speaker and the Presiding Member or interrupt the speaker except to raise a question of privilege, appeal from the direction of the Presiding Member, or raise a point of order.

7.6 Speaking – Motion – read – upon request

Any Member may require a Motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.

7.7 Speaking – duration – time limit – 10 minutes

No Member shall speak more than once to the main question without approval of the Council, except in explanation of a material part of their speech which may have been misunderstood, but they may not introduce a new matter. A right of reply shall be allowed to a Member who has made a substantive Motion to Council, and no Member shall, without leave of the Council, speak to the same question or in reply for longer than ten (10) minutes.

7.8 Question – Motion under discussion – through the Presiding Member

A Member may concisely ask a question through the Presiding Member only for the purpose of obtaining information relating to the Motion or recommendation under discussion.

7.9 Question – integrity of staff

A Member, while asking questions through the Presiding Member, shall at no time put into question the personal or professional integrity of the Municipal Administration, or members thereof.

7.10 Presiding Member – participation – step down – other designated

If the Presiding Member desires to leave the chair for the purpose of debate or moving a Motion, the Presiding Member shall designate an Acting Chair to chair the Meeting until such time as the Motion(s) and any subsidiary Motion(s) applicable to the main Motion are disposed.

7.11 Motion – seconded – before debate

A Motion shall be seconded before it is debated or voted on.

8 Business

8.1 Order of Business

Business on the Agenda shall in all cases be taken up in the following order unless otherwise decided upon by a majority of the Members present.

Council Meeting – Agenda

1. Call to Order
2. Land Acknowledgement
3. Disclosure of Pecuniary Interest and Nature
4. Additions, Deletions, or Amendments
5. Adoption of Minutes
6. Public Meeting
7. Open Forum
8. Delegations
9. Reports of Municipal Officers / Committees
10. Consent Agenda
11. Motions and Notice of Motions
12. Closed to Public
13. Report and Business Arising from Closed Session
14. By-laws
15. Confirmatory By-law
16. Adjournment

Local Board or Committee Meeting Agenda

1. Call to Order

2. Land Acknowledgement
3. Disclosure of Pecuniary Interest and Nature
4. Additions, Deletions, or Amendments
5. Adoption of Minutes
6. Report of Municipal Officers / Committees
7. Unfinished Business
8. New Business
9. Communications for the Committee
10. Next Meeting
11. Adjournment

8.2 Preparation of Agenda – submission from Members

Any Member of Council, or member of a Committee, may, prior to the preparation of the Agenda, file in writing, including email, an item for inclusion on the Agenda by noon five business days before the commencement of the Meeting of Council. Items for inclusion include, but are not limited to Communication or Petitions for the Consent Agenda, Reports of Municipal Officers / Committees, Motions and Notice of Motions, and any presentation materials required for any item on the Agenda. Failure to provide the required information, documentation, or materials may result in the item not being included on the Agenda or postponed to a later Meeting, regardless if the items was registered with Clerk in advance or not.

8.3 Preparation of Agenda – submission from the public

Any member of the public may submit a Communication or Petition for inclusion on the Consent Agenda, subject to the provisions this By-law.

8.4 Item of Business Not Listed

An item of business not listed on the Council or Committee Agenda cannot be introduced at a Council or Committee Meeting without the approval of Council or the Committee expressed by Motion.

8.5 Unfinished Business

Any Motions called in pursuance of the Agenda and not disposed of shall be deferred by Council or a Committee to the next Regular Meeting or a Special Meeting called for that purpose.

9 Agendas

9.1 Agendas – Content

There shall be an agenda packet prepared for every Meeting, which shall include the Agenda and any supplemental documents referenced therein, save and except any reports and documents that are intended to be confidential and used for the purpose of a Closed Meeting.

9.2 Notice - Regular Meetings Agenda

Notice shall not be required to be given of Regular Meetings unless the day of the Meeting is other than that provided in this by-law. The delivery of Agendas therefore shall be considered as adequate notice of such regular Meetings.

9.3 Delivery of Agenda

The Agenda will be posted on an online platform or website and Members shall be notified of the posting by the Clerk no later than Thursday at 4:30 p.m., preceding the scheduled Meeting. The Agenda will also be available to staff and the public by digital format after it has been delivered to the Members.

9.4 Agenda – Website

The Agenda for the Council Meetings will be posted on the Town website.

9.5 Confidential Reports

All confidential reports for Closed Meetings shall be distributed to Members in the manner that ensures confidentiality and immediately upon completion of the Meeting for which the report was referred to, any paper copies of the report shall be submitted to the Clerk to be destroyed.

10 Quorum

10.1 Call to Order – quorum present

As soon after the hour fixed for holding the Meeting has passed and there is a quorum, the Presiding Member shall call the Meeting to order.

10.2 Quorum – not present – time limit

If there be no quorum present within thirty (30) minutes after the time fixed for holding the Meeting, the Clerk shall record the names of the Members present and the Meeting shall stand adjourned until the next Regular Meeting, or at the call of the Presiding Member.

10.3 Presiding Member – Absent

In the case of the Presiding Member being absent after the hour fixed for holding the Meeting, and provided that a quorum is present, the Acting Mayor or Acting Chair shall take the chair and call the Members to order; and they shall preside until the arrival of the Presiding Member.

10.4 Quorum – Municipal Conflict of Interest Act – remedy for lack

Where the number of members who, by reason of the provisions of this Act, are disabled from participating in a Meeting is such that at that Meeting the remaining members are not of sufficient number to constitute a quorum, then, despite any other Act, any number that is not less than one-third of the total number of the members of Council, committee or board shall be deemed to constitute a quorum, provided such number is not less than two (2).

11 Absenteeism and Leave of Absence

11.1 Notice – Absent

All Members will endeavor to provide substantive notice of such absence to the Clerk at least twenty-four (24) hours prior to the commencement of the Meeting from which the Member shall be absent.

11.2 Absent – three months – vacant

In accordance with [Section 259 \(1\) \(c\), of the Act](#) where a Member is absent from the Meetings of Council for three (3) successive months without being authorized to do so by resolution of Council, the office of that member shall be declared to become vacant and procedures as set out in [Section 263 of the Act](#) shall apply.

11.3 Absent - Permitted

Section 11.2 does not apply to a Member of Council who is absent for 20 consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by a member.

11.4 Leave – during Meeting

If a member desires to leave a Meeting of Council prior to its adjournment, and to not return, the Member shall so advise the Presiding Member at the beginning of the Meeting and the time of their departure shall be recorded in the minutes.

12 Disclosure of Interest

12.1 Disclosing – Member responsibility

All Members shall govern themselves at any Meeting in accordance with the current legislation respecting any disclosure of pecuniary interest. It is the responsibility of the Member to identify and disclose any pecuniary interest prior to any consideration of the matter and shall provide a written statement regarding the disclosure in accordance with [section 5.1 of the *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50.*](#)

12.2 Disclosing – no influencing

The Member shall disclose the pecuniary interest including the general nature thereof, prior to any consideration of the matter and 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 any such question. The Member may elect to vacate the Council Chambers during the discussion.

12.3 Member – leave Meeting – Closed to Public

Where the Meeting is not open to the public, the Member shall immediately leave the Meeting or the part of the Meeting during which the matter is under consideration.

12.4 Member – Absent – from Meeting

Where a Member is absent from a Meeting which includes a matter on which they have a pecuniary interest, the Member shall disclose this interest at the next Meeting they attend.

12.5 Declaration – recorded – minutes

The declaration of interest shall be recorded in the Minutes and, where the Meeting was open to the public, the general nature of such declaration. The Town's Declaration of Pecuniary Interest Registry shall be updated on the Town Website.

13 Minutes

13.1 Contents – recorded – by Clerk

The Clerk shall prepare and cause minutes to be taken of each Meeting of Council which shall include:

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

13.2 Included in Agenda

Minutes of Regular Meetings and of all Special Meetings held not less than 2 weeks subsequent to the last Regular Meeting, shall be included in the Agenda and may be adopted without having been read at the Meeting at which the question of their adoption is considered.

Should a special Meeting be held during or after final preparations of an Agenda for an upcoming regular Meeting, the minutes of those special Meetings shall be scheduled at the next regularly scheduled Meeting.

14 Open Forum, Delegations and Public Meetings

14.1 Addressing Council – methods

Members of the public have the opportunity, subject to the requirements in this by-law, to address Council and Committees.

- (a) Open Forum – if a member of the public wishes to address Council or a Committee on a matter that is on the Agenda, subject to restrictions, they may attend the Meeting, or register with the Clerk in advance, for Open Forum.
- (b) Delegation – a delegation must register with the Clerk in advance to address Council on a matter that is not on the Agenda and is under the jurisdiction of Council or under the mandate of the Committee, subject to restrictions.
- (c) Public Meeting – members of the public have the opportunity to address Council at a Public Meeting that may be held in accordance with provincial legislation and this by-law.

14.2 Open Forum, Delegations, and Public Meeting – Electronic Participation

Open Forum, Delegations, and Public Meeting participants may participate via electronic means provided they have advised the Clerk of their desire to attend via electronic means by 12:00 noon on the day of the Meeting. Unforeseen and emergency situations that arise may be considered until 4:00 pm on the day of the Meeting for electronic participation requests. Open Forum, Delegations and Public Meeting participants are requested to login to the electronic platform provided by the Clerk no later than 15 minutes prior to the Meeting and are responsible for their own technological support and stable internet or WiFi connection.

14.3 Open Forum, Delegations, and Public Meetings – Not in Attendance

Participants who are not in attendance, either in-person or via electronic means, when their Item is called on the Agenda will have lost their opportunity to address Council at that Meeting.

14.4 Open Forum, Delegations and Public Meetings - Conduct

Individuals shall be responsible for conducting themselves with decorum and shall treat all Members, Municipal Administration and any public present with respect and courtesy. Individuals shall refrain from using indecent or insulting language, resorting to name calling, personal attacks, or condemning the motives of others.

14.5 Open Forum, Delegations and Public Meetings – Unsubstantiated Statements

Whenever a person in their presentation, offers comments or statements that are considered incorrect or unsubstantiated, any Member may be recognized by the Presiding Member on a Point of Order. A Member recognized by the Presiding Member may correct the comments or statements made. Council may refer the matter to the Municipal Administration, through the CAO, for a subsequent response to the matter.

14.6 Open Forum, Delegations and Public Meetings - New Information

Persons addressing Council are to limit their comments to new information only. New information is deemed to be information that Council has not previously heard from the speaker or other speakers, whether in Open Forum, as a Delegation, or participation in a Public Meeting at the Town of Saugeen Shores.

14.7 Open Forum and Delegations – Restrictions

(a) No candidate in any election (Federal, Provincial or Municipal) shall be permitted to address Council as part of the Open Forum or as a Delegation.

(b) Persons shall not be permitted to speak to the following in Open Forum or as a Delegation:

- i. a tender or request for proposal which is either proposed, pending, or actually before Council or a Committee of Council for its consideration;
- ii. labour Relations;
- iii. legal issues including litigation and potential litigation, and matter currently before the courts or administrative tribunal;
- iv. insurance Claims;
- v. contract negotiations;
- vi. a subject that is beyond the jurisdiction of the municipality; or
- vii. a matter subject to public processes as prescribed in the [Planning Act, R.S.O.1990](#), based on application type, and is currently before Council.

14.8 Open Forum

14.8.1 Open Forum – Time and Speaker Limits

Open Forum forms part of the Council Agenda and is held immediately prior to Delegations. Open Forum shall be a maximum of fifteen (15) minutes in duration at one Meeting, with a limit of 5 speakers in total. Each speaker shall be entitled to speak for a maximum of three (3) minutes during Open Forum.

14.8.2 Open Forum – Shall Not Speak To

Members shall not debate on the information presented during an Open Forum; however, Members can consider the comments made when deliberating on the issue spoken to on the Agenda.

14.8.3 Open Forum – Record in the Minutes

The Clerk shall record the name of the speaker and the subject matter in the minutes.

14.8.4 Open Forum – Additional Information

Speakers who are unable to present all their information within the three (3) minute time limit permitted may submit written Communications to Council for inclusion on a future Agenda. Requirements for the submission of Communications for this purpose shall be consistent with section 8.2 of this by-law.

14.8.5 Open Forum – Restricted Agenda Items

Individuals may speak to an Agenda item on the Agenda, save and except for those matters under the headings of Delegations and Communications on the Consent Agenda.

14.8.6 Open Forum – Register

Each person or group wishing to address Council is required to sign a register held by the Clerk, indicate the Agenda item and nature of the subject matter, prior to being permitted to address Council.

14.9 Delegations

14.9.1 Delegation – Advance Registration

Delegations must register with the Clerk, in writing, including email, for inclusion on the Agenda by noon five business days before the commencement of the Meeting.

14.9.2 Delegation – Subject Matter

The subject matter of a delegation must be relevant to conducting the business of the Town, promoting the work of partners of the Town, work or events being undertaken by individuals or groups which benefit the community or topics of community interest.

14.9.3 Delegation Information and Material – Required

Such request shall clearly state the nature of the business to be discussed, key points, action being requested, and all presentation material is to be included. Delegations who have indicated their desire to address Council but fail to provide the information and material required by the deadline in section 8.2 of this By-law shall be removed from the Agenda and given the opportunity to register for the next available Delegation opportunity.

14.9.4 Delegations Appear at Committee/Board of Choice

Delegations will have the option of appearing before Council or directly to a Committee or Local Board having responsibility thereof.

14.9.5 Questions - to delegation

Members shall be permitted to ask questions of delegates through the Presiding Member but shall not make statements other than congratulatory or appreciative in nature, nor shall Members engage in discussion with such persons.

14.9.6 Delegations – request for action - referred

Delegations which request action to be taken by Council shall be referred to municipal staff, by majority vote, for a report that shall be dealt with at a later Meeting.

14.9.7 Delegations – Time Limit

Each Delegation is limited to a maximum of ten (10) minutes regardless of the number of people making the presentation, save and except that presentations requested by the municipality; such as but not limited to, presentations made by the Municipal Auditor, a Local Board, Agency or Consultant retained by the municipality shall be limited to twenty (20) minutes.

14.9.8 Delegation Refused

The Clerk may refuse a delegation request if the delegation fails to comply with applicable legislation or this By-law. The refusal by the Clerk may be appealed to the Mayor. The ruling of the Mayor shall be final. Council shall receive a copy of any appeal and subsequent ruling.

14.9.9 Majority Vote – Hear Any Person

Council may, at its discretion, expressed by resolution adopted by a majority vote of its Members present, hear any person.

14.9.10 Delegations – Order

The Clerk and Mayor will decide the order of the Delegations, with preference being given to individuals who have not previously presented to Council.

14.9.11 Number of Delegations – Meetings

On any given scheduled Meeting, there shall be a maximum of three (3) delegations, excluding those participating in a Public Meeting.

14.9.12 Questions - Time Limit

A question period shall be allowed after each delegation to a maximum of fifteen (15) minutes.

14.9.13 14.15 Questions – Number Limit

Members shall be limited to one (1) question per delegation until each Member has been provided an opportunity to speak. If time permits, Members may ask additional questions.

14.10 Public Meetings

14.10.1 Public Meetings – Time Limit

Members of the public desiring to address Council during a Public Meeting for the purpose of making a verbal presentation on the matter the Public Meeting has been called for are limited to a maximum of five (5) minutes regardless of the number of people making the presentation. Members of the public shall register with the Clerk by 12:00 noon on the day of Meeting to participate in the Meeting via electronic means but may present in-person without prior registration.

14.10.2 Public Meetings – Addressing Council

Persons addressing Council in a Public Meeting shall have one opportunity to address Council per Public Meeting but may subsequently address Council to respond to a question directly asked of them by Council subject to section 14.10.3.

14.10.3 Public Meetings – Discussion or Asking Question of the Public

The following shall apply relative to Public Meetings:

- a) during the Public Meeting, Members of Council may ask questions of the public that are relevant to the matter;
- b) during the Public Meeting, Members of Council shall not take a position on the matter;
- c) following the Public Meeting regular meeting order shall resume.

15 By-laws

15.1 By-law Introduced – Motion By Member

Every by-law shall be introduced upon Motion by a Member of the Council, specifying the number and title of the by-law.

15.2 By-law - Complete

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 procedure or to comply with the provisions of any act.

15.3 By-law - One Motion

Unless otherwise requested or required by law, all by-laws moved for adoption shall be passed in one single Motion.

15.4 By-law Amendments

The Clerk shall be responsible for correctness of the by-law should the proposed by-law be amended during a Meeting, before it is passed.

15.5 Numbered, Sealed and Signed

Every by-law enacted by Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Clerk and the Presiding Member and shall be kept by the Clerk in the municipal office or any other place appointed for that purpose. Digital or electronic seals, signatures and retention of by-laws may be deemed original in the same manner as hardcopies that are hand signed with a physical seal applied.

15.6 Confirmation – conclusion – of Meeting

At the conclusion of all Regular Meetings of Council and prior to adjournment, a Confirmatory By-law shall be brought forward to confirm the actions of the Council at that Meeting in respect of each Motion, resolution and other action taken.

15.7 Confirmation – introduction – voted on – without debate

A Confirmatory By-law when introduced shall be taken as read and finally adopted without debate.

16 Motions

16.1 Resolution – notice of Motions – debated separately

Every matter listed under Motions or Notice of Motions introduced at a previous Meeting, shall be dealt with individually.

16.2 Resolutions – consecutively numbered

All resolutions presented to the Council shall be consecutively numbered, on a yearly basis.

16.3 Notice of Motion

16.3.1 Notice of Motion – introduced – notice – requirements

A Member may introduce a notice of Motion at a Meeting regarding a matter that would not otherwise be considered by Council at such Meeting, by delivering a typed copy of the Motion, signed by the mover and seconder, to the Clerk in accordance with the timelines in section 8.2 of this by-law.

16.3.2 Notice – received – by Clerk – included – in Agenda

Notice of Motions introduced at a Meeting of Council shall not be debated and shall be recorded on the next regular Meeting of Council.

16.3.3 Consideration – disposal – mover not present

A notice of Motion shall not be considered or otherwise disposed of by the Council unless the mover of the Motion is present at the Meeting, either in person or through electronic participation.

16.3.4 Seconded – by any member – seconder not present

Any Member who has seconded a notice of Motion is not required to be present during the Meeting when the Notice of Motion is called for by the Presiding Member.

16.3.5 Notice – not dealt with

When a Member's notice of Motion has been called by the Presiding Member in two (2) successive Meetings and has not proceeded, at the third successive Meeting, it shall be removed from the Agenda unless with the approval of the majority of the Members

16.3.6 Dispensing with Notice

Any Motion may be introduced by a Member without notice and with the approval of the majority of Council.

16.3.7 Incidental Motions – no notice

Incidental Motions in respect of a matter of special privilege, suspension of rules of procedure, adjournment, postponement for the previous question or commitment may be made verbally.

16.3.8 Presentation of Motion by Presiding Member

When a Motion is presented in a Meeting in writing, it shall be read or if it is a verbal Motion, it shall be stated by the Presiding Member before debate.

16.3.9 Ultra Vires

A Notice of Motion in respect of a matter which is beyond the jurisdiction of Council shall not be heard.

17 Communications and Petitions

17.1 Communications and Petitions Requirements

Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed and shall be signed by at least one (1) person, dated, and filed with the Clerk. The communication shall include a brief subject line, identifying the subject matter of the communication.

17.2 Refer Communication – after presentation to Council

The Head of Council and/or Clerk may in matters of urgency or where in their judgment the public interest requires dispatch; refer any communication to the proper committee or sub-committee of Council without such communication having been first presented to the Council Agenda and referred to committee there from.

17.3 Communications – not to be added to Agenda

No communication or petition shall be placed on an Agenda for a Meeting if:

- (a) it contains defamatory, obscene, offensive, indecent, improper, rude or vulgar language;
- (b) is ultra vires to the jurisdiction of Council;
- (c) the matter to which it refers would be eligible for resolution under any process for formal complaints or appeals, or for requesting compensation, where such processes have been established by the Town of Saugeen Shores, unless and until all municipal proceedings of such a process have been completed;
- (d) the matter to which it refers could be considered in a closed Meeting under the provisions of [the Act](#), unless the matter has already been considered in an open Meeting; or
- (e) if spoken, out loud, in a Meeting would be considered a breach of decorum.

17.4 Petitions – required information

For a petition to be considered by Council, the question or matter being put forth for endorsement by the petitioners must be clearly stated and a statement must be included on every page of the petition advising the petitioners that their name, signature, and any other information included on the petition will be included on the public record.

17.5 Proclamations

Proclamations are an official announcement issued by the Town to recognize exceptional events, groups, people, or achievements in the Town. The goal of a proclamation is to recognize and celebrate achievements, and to raise public awareness of important issues. Proclamations will be included in the Council Agenda for the month proclaimed if they meet all of the following criteria:

- (a) submitted by representatives of a recognized charity with offices located in the Town or by a community group based in the Town;
- (b) will be issued only in respect of activities that support residents of the Town or related events taking place in the Town;
- (c) must demonstrate respect and tolerance for all Town residents;
- (d) should foster a sense of community;
- (e) should not be used as a vehicle to attempt to influence government policy;
- (f) all requests must be submitted a minimum of four (4) weeks prior for a proclamation to be prepared by the Clerk's Division and included in the Council Agenda; and
- (g) individuals and organizations seeking proclamations to recognize regional, provincial, or national causes or events will be referred to the appropriate

orders of government for recognition.

18 Consent Agenda

18.1 Consent Agent – inclusion

The Council consent Agenda shall consist of the following items that do not have presentations or delegations:

- (a) Reports from staff for information or to otherwise create awareness;
- (b) Correspondence for the direction of Council, which may include:
 - i. correspondence for which endorsement, a decision, or approval of Council is required;
 - ii. correspondence accompanied by a recommendation from staff; and
 - iii. Items of a timely nature.

18.2 Consent Agenda - discussion

Council Members shall identify any items contained on the consent Agenda which they wish to speak to and the matter shall be extracted from the consent Agenda to be dealt with separately immediately following the adoption of the regular Consent Agenda items.

18.3 Consent Agenda - adoption

The balance of items on the consent Agenda, which have not been extracted, shall be voted on in one Motion.

19 Voting

19.1 Presiding Member – vote

Except when a pecuniary conflict of interest has been disclosed, the Presiding Member may vote with the other Members on all questions.

19.2 All Questions – exception – disqualified

Every Member present at a Meeting when a question is put has one (1) vote and may vote thereon unless disqualified to vote on the question.

19.3 Motion – majority – required – exception

A Motion shall be voted on and passed by a ~~simple~~ majority vote except as otherwise provided in Statute, this By-law, or Robert's Rules of Order.

19.4 Equal – Motion deemed negative

In the case of an equal division of votes (a tie) on a Motion, the Motion shall be deemed to have been decided in the negative and defeated.

19.5 Vote - Show of hands

The manner of determining the desire of Council on a Motion shall be by show of hands. No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect. Where deemed appropriate by the Presiding Member, a member or members may use electronic means to show their vote, provided it is visible to the public.

19.6 Failure to vote – deemed negative

Failure to vote or abstaining from a vote by a Member who is not disqualified shall be deemed to be a negative vote.

19.7 Recorded – by request – vote announced openly

Where a vote is taken for any purpose and a Member requests immediately prior or immediately subsequent to the taking of the vote that the vote be recorded, each Member present, except a Member who declared a pecuniary interest, shall announce their vote openly; and failure to vote by a Member who has not declared a pecuniary interest shall be deemed to be a negative vote. The Clerk shall record each vote by calling the Member's names alphabetically of their last name, but shall call for the vote of Presiding Member last, and announce the results of the vote.

19.8 Division – Separate vote – each proposal

At the request of a Member of Council, a Motion containing distinct proposals, that can be acted upon individually may be divided, and a separate vote shall be taken upon each individual proposal.

19.9 Member not in their seat – deemed absent

A Member not in their seat when the question is called by the Presiding Member is not entitled to vote on that question and in the case of a recorded vote, shall be recorded as absent. Members attending through electronic participation who experience a technological failure or are otherwise not capable of registering their vote in a publicly visible or audible manner shall be deemed absent as though the Member is not in their seat.

19.10 Presiding Member – stating the question

Immediately preceding the taking of the vote, the Presiding Member shall state the question in the form introduced.

19.11 Announcing – results

The Presiding Member shall announce the result of every vote.

20 Motion - to Appeal

20.1 Made – at time of ruling – point of order

A Motion to appeal from the decision of the Presiding Member shall be made only at the time the ruling is made by the Presiding Member and shall not require a seconder.

20.2 Decision – Presiding Member – Final

Unless a Member immediately appeals the Presiding Member's decision, the decision of the Presiding Member shall be final.

20.3 Non-Debatable – amendable – reconsidered

A Motion to appeal the decision of the Presiding Member shall not be debated or amended.

21 Withdrawal – Motion

21.1 Withdrawal of Motion

A request to withdraw a Motion shall only be made by the mover of the Motion.

21.2 Without consent – seconder – permitted

A request to withdraw a Motion may be made without the consent of the seconder of the Motion.

21.3 In order – anytime during debate

A request to withdraw a Motion shall be in order anytime during debate.

21.4 Objection – by member – entertained – main Motion

If a Member objects to the withdrawal of the Motion, a withdrawal Motion may be entertained and become a main Motion.

21.5 No objection – withdrawal – without seconder – vote

If no Member objects to the withdrawal of the Motion, the Motion shall be considered withdrawn without the necessity of a seconder and a vote.

22 Point of Order

22.1 Rules of Procedure – breached

A point of order may be called by a Member to bring attention to any breach of the Rules of Procedure or to bring attention to any other informality or irregularity in the proceedings of Council.

22.2 Decision

No further business shall be conducted until the Presiding Member has decided and stated the point of order.

22.3 Address Presiding Member to Appeal Decision

Thereafter, a Member shall only address the Presiding Member for the purpose of appealing the Presiding Member's decision to Council.

22.4 Decision of Presiding Member is Final

If no Member appeals, the decision of the Presiding Member shall be final.

22.5 Appeal

If a Member appeals to Council, the Member shall have the right to state a case. A seconder is requested, the Presiding Member shall have the right to reply and place the question before the Council who shall decide the question without debate, and its decision shall be final. In an appeal from the decision of the Presiding Member, a tie vote sustains the Presiding Member's decision.

23 Question of Privilege

23.1 Integrity – Member – Council – in question

Where a Member considers that the integrity of a Member, Council, Municipal Administration, or other person, present or not, has been called into question, the Member may, as a matter of privilege, rise at any time, for the purpose of drawing the attention of Council to the question of integrity.

23.2 Motion – to receive disposition – treated as main Motion

A Motion resulting from a question of privilege shall receive disposition by the Council forthwith, and, following such disposition, the Motion so interrupted shall be immediately considered at the point where it was suspended.

24 Request for Information

Where a Member is uncertain of a particular issue being discussed, the Member may ask the Presiding Member to clarify or if the Presiding Member is unsure of the answer, may direct the question to another Member. All requests for information shall be on the business pending or on the Rules of Procedure.

25 Close Debate – Put the Question

25.1 Close Debate – Non-debatable – amendable

A Motion to close debate or put the question shall not be debatable or amendable and shall require a two-thirds vote.

25.2 Close Debate – affirmative – original Motion put – no debate

When a Motion to close the debate or put the question is in the affirmative, the original Motion shall be put forward without further debate or amendment.

26 Defer or Refer or Commit

26.1 Debatable – amendable – reconsideration – permitted

A Motion to defer or refer or commit a matter shall be debatable and amendable.

26.2 Motion – deemed – possession of Council

After a Motion is read by the Presiding Member, it shall be deemed to be in possession of Council, but may be withdrawn at any time, by the Mover of the Main motion, before decision or amendment is made, with permission of Council.

26.3 Motion presented – debate

When a Motion is presented in Council, Local Board or Committee, it shall be read before debate.

26.4 Motion – outside jurisdiction – of Council

A Motion in respect of a matter which is beyond the jurisdiction of Council shall not be in order.

26.5 Disposition of Motion

A Motion properly before Council, Local Board or Committee for decision must receive disposition before any other unrelated Motion.

27 Motion - to Amend

27.1 Debatable – amend – permitted

A Motion to amend shall be debatable, unless the Motion to which it adheres to is undebatable in accordance with Schedule 'A.'

27.2 Written – when requested – by Presiding Member

A Motion to amend shall be in writing if requested by the Presiding Member.

27.3 Not in order

A Motion to amend shall not be in order if it is contrary to or irrelevant to the main Motion.

27.4 Amended – only once

Only one (1) amendment shall be allowed to an amendment.

27.5 Council disposition – before amendment – Motion

A Motion to amend shall receive the disposition of Council before a previous amendment of the Motion or question.

27.6 Friendly Amendment

The Presiding Member may determine that a non-substantive amendment to the Main Motion may proceed as a Friendly Amendment where the mover and seconder consent to the non-substantive amendment without a formal Motion to amend the main Motion. The Clerk shall note the Friendly Amendment in the Minutes if consented to.

28 Motion to Reconsider

28.1 Reconsideration – majority of Council – same Meeting

Any matter decided upon by Council may be reconsidered at the Meeting by a majority vote of Council present.

28.2 Amend Something Previously Adopted or Rescind

A Motion to reconsider any matter already disposed of by the current Council at a previous Meeting shall require a majority vote at a future Meeting.

28.3 Member – on prevailing side – moves to reconsider

A Motion to reconsider can be made only by a Member who voted with the prevailing side or a Member who did not vote.

28.4 Motion to reconsider adopted

If a Motion to reconsider has been adopted, it temporarily nullifies the previous decision and places the Meeting back at the point prior to taking the vote on the original Motion.

28.5 Adoption of Motion – for reconsideration

If a Motion to reconsider has been adopted at a Meeting, then consideration of the original matter shall become the next order of business.

28.6 Motion to reconsider – becomes main Motion

The main Motion originally voted on is once again pending; procedurally, it is considered a newly made main Motion.

28.7 No discussion – unless reconsideration adopted

There shall be no discussion on the main question permitted until the Motion for reconsideration is adopted.

28.8 Reconsideration – only once

No Motion or report shall be reconsidered more than once.

28.9 Use – Notice of Motion – Reconsideration

Any Member may introduce a Notice of Motion at a future Meeting of Council to reconsider a decision previously adopted by Council.

29 Motion to Adjourn

29.1 In order – exception

A Motion to adjourn shall always be in order except as otherwise provided in this By-law.

29.2 Negative – until proceedings completed

A Motion to adjourn, when resolved in the negative, shall not be presented again until after some intermediate proceedings have been completed by the Council.

29.3 Member speaking – voting prohibited

A Motion to adjourn shall not be in order when a Member is speaking or during the verification of a vote on a Motion.

29.4 Affirmative resolution – current question – prohibited

A Motion to adjourn shall not be in order until the current question has been put and a resolution made by Motion.

29.5 Non-debatable

A Motion to adjourn shall not be debatable or amendable.

30 Motion to Recess

30.1 Length of time – specified

A Motion to recess when other business is before the Meeting shall specify the length of time of the recess.

30.2 Non-debatable – length of time – amendable

A Motion to recess when other business is before the Meeting shall not be debatable and shall only be amendable with respect to the length of the recess.

31 General Rules – All Committees and Local Boards of Council

31.1 Committees and Local Boards – create – mandate

Council may create Committees and Local Boards. Each Committee or local Board shall be given a clear mandate and well-defined terms of reference, approved by Council, which will include among other things, the responsibilities, term/timeframe, composition, reporting relationship, and resources available to the committee.

31.2 Committees and Local Boards – Procedures

All Committees and Local Boards created by Council, shall conduct their Meetings in accordance with the procedures set forth herein, unless a separate by-law is passed establishing rules and procedures for the Committee or Local Board or is otherwise established in legislation.

31.3 Committees and Local Boards – General Responsibilities

It shall be the responsibility of all Committees:

- (a) to take into consideration during deliberations and any resulting recommendations the Town's policies and budget;
- (b) to consider and report on all matters referred to it by Council;
- (c) to provide a forum for public input; and
- (d) to promote accountability.

31.4 Appoint – Chair

Unless otherwise provided by enabling legislation, Council shall appoint or reappoint a Chair for each Committee who shall preside at all Meetings of such Committee and shall preserve order and decorum, subject to the rules of procedures set out herein.

31.5 Committees and Local Boards – Secretary

The Senior Leadership Team shall ensure that a member of the Municipal Administration is delegated the responsibility of being the Secretary for the Committee or local Board, whose responsibility it shall be to:

- a) prepare and distribute Agendas and/or notices of Meetings;

- b) take the minutes of the Meetings;
- c) prepare the minutes of the Meetings; and
- d) provide a copy of the minutes to the Clerk for inclusion on a future Council Agenda.

31.6 Committees and Local Boards – Staff Coordinator

The Senior Leadership Team shall ensure that a member of the Municipal Administration is delegated the responsibility of being the Staff Coordinator for the Committee or Local Board. The Staff Coordinator may also perform those tasks that would be assigned to the Secretary.

31.7 Mayor – ex-officio

The Mayor shall be an ex-officio Member of all Committees, and may vote on all questions before the Committee but shall not be counted in the information of a quorum.

31.8 Majority – Quorum

The majority of all Members of a Committee shall constitute a quorum.

31.9 Members – may attend – not vote

Members of Council may attend any Committee Meeting, and may, with consent of the Committee, take part in discussion provided that a quorum of Council is not in attendance, but shall not be allowed to vote unless they are Members appointed by Council to that Committee.

31.10 Temporary Appointment – other member – due to illness – absence

Should a Member of Council, appointed to any Committee, be unable to attend the Meetings of such Committee due to illness or absence from the Town, and where no alternate has already been appointed, the Council may appoint another Member to act in their stead and the member so appointed shall be deemed to be a Member of the Committee and entitled to act thereon only during such illness or absence.

31.11 Neglect – calling of Meetings

Should a Chair of any Committee neglect or refuse to call a Meeting of their Committee at such time or with such frequency as the proper dispatch of the business entrusted to the Committee requires, or do the business of the Committee without the knowledge or consent of its members, or contrary to their wishes or sanction, members of the Committee may report such neglect, refusal, or action to Council who may, remove said Chairperson from the Committee and appoint another member in their place.

31.12 Members – not attending – removal

Should any Member or Members of a Committee neglect or refuse to attend the properly summoned Meetings of their Committees, the Presiding Member shall report such neglect or refusal to the Striking Committee who may recommend removal of the said Member(s) of their place; or should any Committee neglect or refuse to give due attention to the business or matters before them, Council may, by resolution, discharge such Committee member and appoint another in its stead.

31.13 Absence – Presiding Member

In the absence of the Presiding Member, the Vice-Chair shall preside, and in the absence of both the Presiding Member and the Vice-Chair, one (1) of the other Members shall be elected by the Members to preside, who shall discharge the duties of the Presiding Member during the Meeting or until the arrival of the Presiding Member.

31.14 Committee and Local Board Matters – referred to Council

No order or authority to do any matter or thing shall be recognized as emanating from any Committee, and all Committee matters shall be referred to Council and approved before becoming effective.

31.15 Committee and Local Board Minutes

All minutes of Committee Meetings shall be deposited with the Clerk and shall be

placed on the Council Agenda under the Consent Agenda.

31.16 Committee and Local Board – appointments

At the start of every new term of Council and in the fall of the second year of the term of Council, unless otherwise stated in enabling legislation, the Clerk shall cause notice to be published on the Town website and/or utilize any other form of promotion used by the Town including social media, advising:

- (a) advising the public that committees and boards are to be struck;
- (b) listing all Committees and Local Boards to which appointments of citizens are to be made;
- (c) inviting interested citizens to submit their name and application for consideration for appointment to committees; and
- (d) fix date by which such submissions shall be received.

31.17 The method of selecting appointees to the Committees and Local Boards shall be determined by the Striking Committee.

31.18 In compliance with the [Municipal Freedom of Information and Protection to Privacy Act, R.S.O. 1990, c. M.56](#), the names of the applicants for Committee or Local Board appointments will be pre-circulated to Council Members. Council Members may provide the Striking Committee with input prior to the Striking Committee making a recommendation to Council.

32 Ad Hoc Committee

32.1 Appoint – ad hoc Committee

Council, may, at any time, appoint an ad hoc Committee to enquire into and report on a specific matter.

32.2 Ad hoc Committee Mandate

Each Committee shall be given a clear mandate and well-defined terms of reference, approved by Council, which will include among other things, the responsibilities, composition, reporting relationship, resources available to the committee, if required, and a defined term.

32.3 Reports – ad hoc Committees of Council

The ad hoc Committee shall file its final report to the Council for debate and final resolution.

32.4 Discharging of Ad Hoc Committee

Once the ad hoc Committee has filed its report with the Council and Members have dealt with the matter referred to the ad hoc Committee, on presentation of its final report to the Members of Council and acceptance by Council, it shall immediately cease to exist unless a Motion is adopted by Council to the contrary.

33 Striking Committee

33.1 Appointment - Striking Committee

The Striking Committee shall consist of the following:

- (a) Head of Council - Elect and/or Acclaimed
- (b) Deputy Head - Elect and/or Acclaimed
- (c) Vice Deputy Head - Elect and/or Acclaimed

33.2 Striking Committee – Mandate

The Striking Committee shall be given a clear Mandate and well-defined terms of reference, approved by Council, which will include among other things, the responsibilities, term, composition, reporting relationship, and resources available to the committee.

The Striking Committee shall be responsible for:

- (a) Making recommendations to Council on Member appointments to Committees, Local Boards, and local groups with Council representation, and public appointments to Committees and Local Boards.
- (b) Making recommendations to Council on the annual schedule of Meetings

- for Council and Committees.
- (c) Making recommendations to Council on mandates and objectives of other Committees of Council.
 - (d) Reviewing the Procedural By-law during the term of Council and recommending any necessary changes.
 - (e) Reviewing the Council Code of Conduct during the term of Council and recommending any necessary changes.
 - (f) Conducting an annual performance appraisal of the Chief Administrative Officer (CAO). The annual performance appraisal process shall include input from Members of Council.
 - (g) Consulting with the CAO on Management or Human Resource issues as required.
 - (h) Facilitating the recruitment and hiring process for the position of CAO.
 - (i) Advising the Mayor on matters of importance when desired by the Mayor and when Council is not in session.

34 General Provisions

34.1 Rules of Procedure Application and Suspension

The rules contained in this by-law shall be observed in all Meetings of Council, Local Boards, and Committees and shall be the rules for the order and dispatch of business of all Council, Local Boards, and Committee Meetings, provided that the rules contained herein may be suspended by a majority vote of Members of the Council, Local Boards, or Committee, as the case may be, and in any case for which provision is not made herein and shall not be debatable or amendable.

34.2 New Rules of Procedure

Upon suspension, as provided in section 36.1, the new procedure to be followed shall be determined by a majority vote of the Members present.

34.3 Paramountcy

All provisions of this by-law are subject to the laws of the Province of Ontario. All references to applicable law are ambulatory and apply as amended from time to time

34.4 Governance - Order of Priority of Documents

- (a) Legislation: All applicable federal, provincial legislation and regulations
- (b) Procedural By-law: This Procedural By-law adopted by Council
- (c) Special Rules of Order: Any special rules of Order adopted by Council that supersede the standard rules of parliamentary procedure
- (d) Robert's Rules of Order: The standard rules of parliamentary procedure as outlined in the latest edition of Robert's Rules of Order.

34.5 Inconsistencies

In the event of any inconsistencies between the documents cited in Section 34.4 above, the order of priority listed above shall prevail, with the higher listed priority document taking precedence over the lower listed priority document.

34.6 Interpretation

- (a) The headings, article numbers and table of contents appearing in this By-law or any schedule hereto are inserted for convenience of reference only and shall not in any way affect the construction or interpretation of this By-law.
- (b) Whenever used in this By-law, unless there is something in the subject matter or context inconsistent therewith, the following words and terms shall have the respective meanings ascribed to them in this Definitions section:
- (c) In this By-law, words importing the singular include the plural and vice versa and words importing gender include all genders.
- (d) Unless otherwise specified, all terms used in this By-law shall have the same meaning whether they appear in capitalized or non-capitalized form.

34.7 Absence

In the event a matter is not addressed in the documents listed as (a) to (c) in Section 34.4 above, the relevant provisions of Robert's Rules of Order shall apply.

34.8 Provision of Legislative References

Any reference to legislation or sections cited within this By-law shall include any amendments thereto, provided that the substantive intent of the legislation or sections remains unchanged.

34.9 Notice – Amendment or Repeal

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 Council is prohibited.

34.10 Repeal of Previous By-laws

That By-laws 63-2015, 14, 2016, 87-2016, 126-2016, 3-2018, 41-2018, 10-2019, 80-2019, 22-2020, 49-2020, 70-2020, 88-2022, 32-2023, and 76-2023 are hereby repealed.

34.11 Short Form Title

This By-law may be cited as the “Procedural By-law.”

34.12 Force and Effect

That this By-law shall come into force and effect on January 1, 2025.

Read a First and Second Time this _____ Day of _____, 2024.

Read a Third Time and Finally Passed this _____ day of _____, 2024.

Luke Charbonneau, MAYOR

Dawn Mittelholtz, CLERK

Schedule A

Motions Table

Motion	Debatable	Amendable	Special Majority
Adjourn	No	No	No
Point of privilege	No	No	Presiding Member Rules*
Point of order	No	No	Presiding Member Rules*
Call a vote on the motion	No	No	No
Motion to amend	Yes	Yes	No
Defer	No	No	No
Refer	Yes	Yes	No
Extend meeting beyond 11:0 pm	Yes	No	No
Reconsideration	Yes	No	No
Appeal the chairs ruling	No	No	No
Suspend the Rules of Procedure	No	No	

*Appealable