

THE CORPORATION OF THE TOWNSHIP OF FRONTENAC ISLANDS

BY-LAW NUMBER 2019 - 02

Being a By-law governing the calling, place and proceeding of meetings.

WHEREAS section 238 of the Municipal Act 2001, S.O. Chapter 25 requires the municipality to pass a by-law for governing the calling, place and proceedings of meetings;

NOW THEREFORE the Council of the Corporation of the Township of Frontenac Islands ENACTS AS FOLLOWS:

1. **SHORT TITLE**

1.1 Citation

This by-law may be referred to as the "Procedural By-law"

2. **INTERPRETATION**

The following terms shall have the meanings assigned to them herein subject to any definition provided for in the Municipal Act.

2.1 CAO/Clerk

"CAO" means the Chief Administrative Officer/Clerk of the Township designated by By-law.

2.2 Closed Meeting

"Closed Meeting" means a session of Council or Committee which is closed pursuant to section 239 of the Municipal Act.

2.3 Committee

Advisory Committee means a committee established to provide advice to Council as mandated in the Terms of Reference.

Statutory Committee/Board means a committee/board established by by-law and/or pursuant to Provincial Legislation. They shall function according to requirements of the by-law or provincial legislation.

Ad-hoc/Special Project Committee means a committee established from time to time to deal with a specific issue and disband at the completion of the project or upon final report to Council. Citizen appointments may be made by Council as required under the Terms of Reference.

Staff Ad-hoc Committee means a committee established by staff to carry out a specific function, project or task.

All of the above are hereinafter referred to as "Committee" or "Committees".

2.4 Committee Chair

"Committee Chair" means the Chair of a Committee.

2.5 Council

"Council" means the Council of the Township, which was elected by the registered voters or members who have been appointed by virtue of a vacancy.

2.6 Delegation

“Delegation” means an individual or an organization addressing the Council about a specific item on the agenda of a meeting that falls within the body’s jurisdiction, but does not include those speaking to a by-law for which a public hearing has been held or scheduled.

2.7 Deputy Mayor

“Deputy Mayor” means the member of Council appointed to act as Head of Council with all of the powers, duties, rights and obligations of the Mayor, as well as other duties as assigned, in the absence of the mayor and/or at the request of the Mayor.

Appointment of Deputy Mayor

(1) Of the two eligible Councillors elected from the district in which the Mayor does not reside the one who received the most votes in the municipal election shall be appointed Deputy Mayor of the Township of Frontenac Islands.

2.8 Emergency

“Emergency” means an unforeseen combination of circumstances or the resulting state that calls for immediate action.

2.9 Grave Disorder

“Grave Disorder” means the Mayor or Chair does not have order or order cannot be restored.

2.10 Head of Council

“Head of Council” means the Mayor or Deputy Mayor in the absence of the Mayor of the Council.

2.11 Local Newspaper

“Local Newspaper” means a newspaper having general circulation in the Municipality, and may include the “on-line” version of the internet.

2.12 Local Radio Station

“Local Radio Station” means a radio station which can be locally received using AM or FM frequencies.

2.13 Majority of Council

“Majority of Council” or “Majority of Committee”, as the case may be, means more than 50% of the Members present except as otherwise expressly provided in this By-law.

2.14 Majority Vote

“Majority vote” means, except as otherwise expressly provided in this by-law, a simple majority of the votes cast (ie. More than 50% of the Members present.)

2.15 Mayor – Ex-Officio

“Mayor – Ex-officio” means the Mayor shall be an ex-officio Member of all Council Committees, and may participate and vote on all questions before the Committee but shall not be counted in the calculation of a quorum.

2.16 Motion

“Motion” means a question to be considered by the Council which is moved, seconded, presented, read by the Chair. When a motion is adopted, it becomes a resolution.

2.17 Member

“Member” means a member of Council, including the Mayor.

2.18 Municipal Act

“Municipal Act” means the Municipal Act 2001, Chap. 25 as amended from time to time.

2.19 Municipality

“Municipality” means the Township of Frontenac Islands.

2.20 Notice of Motion

“Notice of Motion” means an advance notice to Members of Council of a matter which Council will be asked to take a position on.

2.21 Presiding Officer

“Presiding Officer” means the person appointed by a majority of the members present to preside over the meeting in the absence of the Mayor and Deputy Mayor.

2.22 Presentation

“Presentation” means an address to Council at the request of Council or the Chief Administrative Officer/Clerk, by a person, a level of government or agency, or other body on a specific matter.

2.23 Publish

“Publish” means posting on the Municipal website and posting in the Municipal Offices. “Publishing” and “Posting” have corresponding meanings.

2.24 Quorum

“Quorum” means subject to any other applicable statutory provisions, is:

(i) in the case of Council, a majority of Council Members

(ii) In the case of a Committee, a majority of Committee Members.

The Presiding Officer, if present, is a Member to be included in determining a quorum.

2.25 Recommendation

“Recommendation” means a decision of a Standing Committee, or sub-committee thereof that is being forwarded to Council for consideration and approval.

2.26 Recorded Vote

“Recorded Vote” means the recording of the names and votes of every Member voting on any matter or question.

2.27 Resolution

“Resolution” means a formal determination made by Council or a Committee on the basis of a motion, duly placed before a regularly constituted Council or Committee meeting for debate and decision, and duly passed.

2.28 Special Meeting

“Special Meeting” means a meeting other than a regularly scheduled meeting called pursuant to the Municipal Act or the provisions of this By-law.

2.29 Township

“Township” means the Township of Frontenac Islands.

3. GENERAL PROVISION

3.1 Meeting Rules Authority

The Procedural By-law shall govern the procedures of Council. Where inconsistencies exist, the current edition of “Robert’s Rules of Order 10th Edition” will be the meeting rules authority which governs the proceedings of the municipality.

4. MEETINGS

4.1 First (Inaugural) Meeting

The first (inaugural) meeting of the new Council of the municipality shall be the regular meeting date or such other date the CAO/Clerk will determine, and the inaugural meeting shall occur no later than 31 days after its term commences.

The meeting is organized by the C.A.O./Clerk.

4.2 Regular Meetings

The regular meetings of Council shall be held at 6:30 PM on the second Monday of every month with the location schedule as follows;

January	Wolfe Island Council Chambers
February	Howe Island Council Chambers
March	Wolfe Island Council Chambers
April	Howe Island Council Chambers
May	Wolfe Island Council Chambers
June	Howe Island Council Chambers
July	Wolfe Island Council Chambers
August	Howe Island Council Chambers
September	Wolfe Island Council Chambers
October	Howe Island Council Chambers
November	Wolfe Island Council Chambers
December	Howe Island Council Chambers

In the event that the Monday is a statutory holiday the meeting shall be held on the following day, Tuesday.

Council may, by motion, alter the date and/or time of a regular meeting provided that adequate notice of the change is published in a manner approved by Council.

The Municipal C.A.O./Clerk or designate, as appointed by By-law, shall be in attendance at regular and special Council Meetings.

The annual schedule of Council meetings will be posted on the Township website and updated as required.

A Council meeting shall have a time limit of three hours unless extended, with the approval of the majority of all members of Council present at the meeting prior to the time limit; in any event the meeting shall adjourn within four hours.

4.3 Special Meetings

a) Special Meetings – Head of Council

In addition to Public Meetings, the Mayor may at any time summon a Special Meeting of Council by giving direction to the C.A.O./Clerk stating the date, time and purpose of the Special Meeting.

b) Special Meetings – Members of Council

Upon receipt of a petition of the majority of the members of the Council, the C.A.O./Clerk shall summon a Special Meeting for the purpose and the time mentioned in the petition.

c) Special Meetings – Notice by the C.A.O./Clerk

The C.A.O./Clerk shall give all Members notice of a Special Meeting of Council at least twenty-four (24) hours before the time appointed for such a meeting. The notice shall be given by telephone, email or personal contact. The written or verbal notice shall indicate the nature of the business to be considered, date, time and place of the Special Meeting. No business other than that indicated in the written or verbal notice shall be considered at the Special Meeting. The C.A.O./Clerk shall post the agenda of a Special Meeting at the Township Office and/or post on the Township's website.

4.4 Emergency Meeting – notice not required

Notwithstanding any other provision 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 C.A.O./Clerk or his/her designate to notify the Members about the Meeting as soon as possible and in the most expedient manner available.

The C.A.O./Clerk will post notice of the meeting at the Township Offices in a timely manner, before or immediately after the meeting. Posting may include posting the agenda of a Special Meeting at the Township Office and/or posting on the Township's website.

4.5 Meeting to consider applications under the Planning Act

Meetings held to consider applications under the Planning Act or to obtain Public input may be called as required by Council, the C.A.O./Clerk or designate.

4.6 Meeting to consider public comment

Where Council directs otherwise, a meeting for the purpose of receiving Public comments on any matter; or where Council directs a meeting shall be held pursuant to the provisions of the act or any other Act, a public meeting shall have a time limit of two hours unless extended, with the approval of the

majority of all members of Council present at the meeting prior to the time limit; in any event the meeting shall adjourn within four hours.

4.7 Notice of Meetings

Notice to public of all Regular and Special Council Meetings shall be posted on the Municipal Website as soon as possible and may be advertised in such manner as the C.A.O./Clerk deems appropriate.

4.8 Location of Meetings

All meetings of Council shall be held within the Council Chambers of Wolfe Island and Howe Island. In the event of an Emergency declared by the Head of Council or any other Lead Agency as identified with the Emergency Management Act within the confines of a declared emergency, where the Municipal Offices are not accessible, the Council shall be asked to meet at an identified location accessible by Members of Council.

4.9 Open to Public Meetings of Council and Committees – Exception

Meetings of the Council and its committees shall be open to the public except as provided for under *section 239 of the Municipal Act*.

4.10 Meetings Open to Public – Record

All Council Meetings open to the public shall be recorded, by the Clerk, without note or comment on all resolutions, decisions and other proceedings and kept for archival purposes.

4.11 Closed to Public Meetings of Council and Committees –

(2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

- (a) the security of the property of the municipality or local board;
- (b) personal matters about an identifiable individual, including municipal or local board employees;
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or

(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.

Other criteria

(3) A meeting or part of a meeting shall be closed to the public if the subject matter being considered is,

(a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or

(b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1). 2014, c. 13, Sched. 9, s. 22.

Educational or training sessions

(3.1) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

1. The meeting is held for the purpose of educating or training the members.
2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee. 2006, c. 32, Sched. A, s. 103 (1).

4.12 Confidential Matters

No members and no staff shall disclose any confidential matters.

4.13 Recording Equipment

Members of the public, including accredited and other representatives of any news media, may use cameras, electric lighting equipment, recording equipment, television cameras, and any other devices of a mechanical, electronic, or similar nature to transcribe or record proceedings. These devices may not be used in such a way as to obstruct the proceedings of the meeting.

4.14 Communication devices – public meeting

Every member of Council or Committee shall disable the audible signals of their communications devices during a Council or Committee meeting.

4.15 Communication devices – closed meetings

Every member of Council and every member of staff attending a closed meeting shall not communicate via email, text, telephone or other electronic method during a closed meeting and the provisions of 4.13 apply.

4.16 Public Hearings of Council - Agenda

The C.A.O./Clerk, or designate, in accordance with the applicable Department, shall prepare the necessary agenda for the public meeting, which could include, but is not limited to, a hearing for an Official Plan or zoning amendment, requirements under the Notice By-law, or for the purpose of municipal licensing appeals.

4.17 Public Hearings of Council

The Clerk, or designate, shall record the date, time, place, reason for meeting, and persons in attendance who provide comment, together with the following:

- (1) Chair to confirm reason for the convening of the public meeting;
- (2) Chair to confirm public notice of meeting;
- (3) Chair to request anyone wishing to receive notice of the adoption of the by-law is to leave their name and address with the Clerk or designate (if necessary);
- (4) Chair to outline the procedures for the meeting;
- (5) Chair to call on Clerk or designate for an explanation of the proposed amendment (if necessary);
- (6) Chair to call on the Clerk or designate to identify written correspondence received;
- (7) Chair to call on comments from staff;
- (8) Chair to call on comments from the public of those opposed or in favour;
- (9) Chair to call on comments from Council; and
- (10) Chair to declare the public meeting adjourned.

5. DISCLOSURE OF INTEREST

5.1 Disclosing - Member responsibility

All Members shall govern themselves at any Meeting in accordance with the current legislation respecting any disclosure of pecuniary interest they may have in accordance with to the "*Municipal Conflict of Interest Act*". Each Member shall identify and disclose any interest.

5.2 Member - leave meeting – Closed Meeting

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.

5.3 Member - absent - from meeting

Where a Member is absent from a meeting which includes a matter on which they have an interest, the Member shall disclose this interest at the next public meeting attended and complete the Declaration of Interest Form found in Appendix A.

5.4 Declaration - recorded

A member shall provide in advance of a meeting any declaration of interest to the C.A.O./Clerk. The member will read from a written statement, on the form in Appendix A, the declaration of interest and general nature thereof at the meeting and provide a copy of the declaration to the C.A.O./Clerk during the

meeting. The Clerk shall record the declaration of interest in the Minutes. The C.A.O./Clerk shall add the declaration to the register and post the declaration on the Township website, where the meeting is open to the public.

6. CALLING MEETINGS TO ORDER AND QUORUM

6.1 Order and Quorum

As soon after the hour fixed for holding of the meeting and with a quorum present, the Presiding Officer shall take the Chair and call the meeting to order.

If no quorum is present fifteen minutes after the time appointed for a meeting of the Council, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next meeting of Council, either regular, special or emergency.

7. ORDER OF BUSINESS

7.1 Agenda – Content

Agendas shall be generally formatted as follows but modification to the matters to be included or the order of business may be affected without requiring amendments to this by-law;

- i. Call to Order
- ii. Adoption of Agenda
- iii. Motions Before Council
- iv. Declaration of Pecuniary Interest and the General Nature Thereof
- v. Adoption of Minutes
- vi. Planning
- vii. By-laws
- viii. Delegations
- ix. Presentations
- x. Staff Reports
- xi. Statement of Accounts/Budget to Actual Summary
- xii. Committee Meeting Minutes
- xiii. Action Items
- xiv. Information Items
- xv. Statements by Members
- xvi. Confirmation By-law
- xvii. Adjournment

The agendas for Committee meetings shall follow a similar order with necessary modifications.

Additions to the Council Agenda prior to its approval must be authorized by a motion of Council, such motion requiring a simple majority of votes to pass.

The business of Council shall be considered in the order set forth on the agenda. The Presiding Officer, with the approval of Council, may vary the order in which the items are presented to better deal with matters before Council.

Every member of Council, all Department Heads and any other municipal employee, as directed by the C.A.O./Clerk, shall attend each meeting of Council or of his/her inability to attend.

7.2 Creation of Agenda

The C.A.O./Clerk shall prepare and provide the agenda for Council.

Individuals or groups wishing to appear before a Regular Council meeting shall advise the C.A.O./Clerk in writing no later than 11:00 a.m. on the Tuesday prior to the meetings.

All agenda items for Council meetings shall be forwarded to the C.A.O./Clerk by 12:00 PM on the Tuesday of the week prior to the meetings. Person(s) wishing to make a delegation shall review and complete the Presentation Information Sheet and Request Form found in Appendix B.

7.3 Delivery of Agenda

Insofar as practicable, Council agendas, along with supporting documentation shall be prepared and made available to members by 12:00 PM on the Thursday prior to the meeting. The C.A.O./Clerk shall post the agenda of a Council Meeting at the Township Office and/or post on the Township's website, insofar as practicable by 4:00PM on Thursday prior to the meeting.

8. CONDUCT

8.1 The Conduct of Proceedings at a Meeting

It shall be the duty of the Head of Council or other Presiding Officer,

- a) to open the meeting by taking the chair and calling the members to order;
- b) to announce the business before Council in the order in which it is to be acted upon;
- c) to receive and submit, in the proper manner, all motions presented;
- d) to put to a vote all questions which are moved and seconded or necessarily arise in the course of the proceedings and to announce the result;
- e) to decline to put to vote motions which infringe upon the rules of procedure;
- f) to call by name any member persisting in breach of the rules or order of the Council thereby ordering the member to vacate the Council Chamber;
- g) to authenticate by signature all by-laws, resolutions and minutes of the Council;
- h) to enforce on all occasions the observance of order and decorum among the members;
- i) to recommend the appointment of Members to services on Committees, for Council confirmation and approval, during the first Regular Council Meeting;
- j) to represent and support the Council, declaring it's will and implicitly obeying its decisions on all things; to ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of the municipal corporation;
- k) to adjourn the meeting without question in the case of grave disorder arising in the Council Chambers;
- l) to order any individual or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order the individual or group to vacate the Council Chamber where such behaviour persists;
- m) to adjourn the meeting when the business is concluded.
- n) may speak and/or vote on any question, but if the Presiding Officer wishes to make a motion he/she shall first leave the Chair by designating the Deputy

Mayor, and if the Deputy Mayor is absent, by designating another Member to act in their stead until they resume the Chair.

8.2 CONDUCT OF MEMBERS OF COUNCIL AND PERSONS IN ATTENDANCE

- (1) No Member(s) shall:
 - a) Use offensive words or unparliamentarily language in or against Council or against any member, staff or guest;
 - b) Disturb another, or the Council, staff, or guest, by any disorderly conduct disconcerting to the speaker or the assembly;
 - c) Speak on any subject other than the subject in debate;
 - d) Criticize any decision of Council except for the purpose of moving that the question be reconsidered;
 - e) Resist the rules of Council or disobey the decision of the Mayor or presiding officer or of Council on questions of order or practice or upon the interpretation of the rules of Council, subject to an appeal of the decision of the chair;
 - f) Leave a meeting without first obtaining permission from the Mayor or presiding officer;
 - g) Not be permitted to retake their seat after being ordered to vacate, having committed a breach of any rule of the Council; until the next meeting and without making an apology to Council;
 - h) Not interrupt the member who has the floor except to raise a point of order.
 - i) Not speak disrespectfully of the reigning sovereign or of any of the royal family or the Governor-General, the Lieutenant-Governor of any province, or any member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.
 - j) Not be allowed to address Council or speak in debate without the permission of the Mayor or presiding officer.
- (2) When two or more members indicate simultaneously that they wish to speak, the Mayor shall name the member who is to speak first.
- (3) When a member is speaking to a motion, he/she shall confine his/her remarks to the motion and in speaking shall be limited to a maximum of three minutes.
- (4) A member may require the motion under debate to be read at any time during the debate, but shall not interrupt a member who is speaking.

8.3 Conduct by public

No person in attendance at a meeting shall:

- (1) Address Council or Committee without permission from the Mayor or Chair;
- (2) Bring signage, placards or banners into such meetings or on the premises of Township Office;
- (3) Engage in any activity or behaviour that would affect the deliberations;
nor
- (4) Use offensive words or unparliamentarily language in or against Council or against any member, staff or guest;

- (5) Disturb another, or the Council, staff, or guest, by any disorderly conduct disconcerting to the speaker or the assembly;
- (6) Not speak disrespectfully of the reigning sovereign or of any of the royal family or the Governor-General, the Lieutenant-Governor of any province, or any member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.
- (7) Not be allowed to address Council or speak in debate without the permission of the Mayor or presiding officer.

8.5 Address of Councillors

At meetings, members of Council shall be addressed as "Councillor (surname inserted)."

8.6 Address of Mayor

At meetings, the Mayor shall be addressed as "Mayor (surname inserted)" or as "Your Worship."

8.7 Address of Staff

At meetings, the Staff shall be addressed by their position title.

9 MINUTES

9.1 Content

Minutes shall record:

- a) the place, date and time of the meeting;
- b) the names of the Presiding Officer or Officers, and record the attendance of the members;
- c) the reading, if requested, correction and adoption of the minutes of prior meetings;
- d) all other proceedings of the meeting without notice or comment.

9.2 Included in Agenda

Minutes of the last regular Council meeting of Council and all Special Council Meetings held subsequent to the last regular meeting, shall be included in the agenda and may be adopted by Council 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 preparation of an agenda for an upcoming regular meeting, the minutes of those special meetings shall be scheduled at the next regularly scheduled meeting.

10 PRESENTATIONS/DELEGATIONS

10.1 Presentation

Persons requested by Council to present information verbally on matters. Presentations will be listed on agendas for Council and shall be limited to speaking not more than fifteen (15) minutes. This time limit may be expanded subject to approval by Council. Maximum of two presentations per meeting.

10.2 Delegation

Persons wishing to address Council shall make application in writing to the Clerk prior to 11:00 am. on the Tuesday preceding the regular Council meeting, by reviewing and completing the Delegation Information Sheet and Request Form found in Appendix B. Such application shall contain the subject matter to be discussed and the name, address and telephone number of a spokesperson chosen by the delegation to make the delegation. Comments from members of the delegation, other than the spokesperson, shall be prohibited unless and until the Presiding Officer has authorized such additional speakers. The delegation shall be permitted a maximum of (10) minutes to make the delegation unless and until the Presiding Officer has extended such time allotment. Any person addressing Council as a delegation shall rise, state his/her name and make his/her delegation. Following the delegation, the Presiding Officer may ask for questions from Council which shall be addressed by the spokesperson to the best of his/her ability. Maximum of two per meeting.

Delegations failing to meet the above application requirements may be heard upon the verbal consent of the majority of Council present.

The inclusion of a delegation on the Council Agenda shall be determined on a first come, first serve basis and regard shall be given to the length of the Agenda.

- 10.3 Number of Presentation(s)/Delegation(s)
In consideration of time restraints, the number of Presentations and/or Delegations shall be limited to a combined maximum of three.

11 BY-LAWS

- 11.1 Description - number of readings - listed on agenda

All by-laws, together with a brief description and the notation of the number of readings required, shall be listed on the agenda for the meeting at which they are to be read.

- 11.2 Introduction - upon motion - title read

Every by-law shall be introduced upon motion of a Member specifying the title of the by-law.

- 11.3 Form – writing - compliance - relevant Act

Every by-law when introduced shall be in writing and shall comply with the provisions of any relevant Act.

- 11.4 Readings - three - prior to passing

Every by-law caption shall be read a first, second and final third time prior to it being passed and endorsed by the Council

- 11.5 Purpose - effect - explained upon request

Any Member may request that the purpose and effect of any particular by-law be explained, and the Clerk or any other Township Official having knowledge thereof may provide such explanation.

- 11.6 Debate - amendment

A by-law may be debated or amended before final adoption by Council.

11.7 Passed - numbered - dated - signed - seal affixed

Every by-law passed by the Council shall be numbered and dated, and shall be sealed with the Seal of the Municipal Corporation and signed by the Mayor and the Clerk and shall be kept by the Clerk in the Clerk's office or any other place appointed for that purpose.

11.8 Confirmation - conclusion - of meeting

At the conclusion of all regular meetings of the Council and prior to adjournment, a 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. A motion shall be put forward to Council to endorse all the by-laws presented including the Confirmatory By-law.

11.9 Confirmation - introduction - voted on - without debate

A confirmation by-law when introduced shall be taken as read and finally adopted upon debate and vote.

12 RESOLUTIONS

12.1 Notice of Motion

Notice of all new motions shall be given by a Member in writing and delivered to the C.A.O./Clerk by 12:00 p.m. the Tuesday preceding the meeting at which the motion is to be introduced and a motion shall be printed in the agenda for the meeting of Council.

12.2 Seconding

A motion must be formally seconded before the Presiding Officer can record the question or the motion in the minutes.

12.3 Call for a Vote

When the Presiding Officer calls for a vote on a question, each member shall occupy his seat and shall remain in his place until the result of the vote has been declared by the Presiding Officer, and during such time no member shall walk across the room to speak to any other member or make any noise or disturbance.

12.4 Unrecorded Vote

The manner of determining the decision of the Council on a motion shall be at the discretion of the Presiding Officer and may be by voice, show of hands, standing or otherwise.

12.5 Recorded Vote

Where a vote is taken for any purpose and a member present requests a recorded vote before or immediately after the vote, all members present at the Council or committee meeting shall vote by voice or show of hands, unless otherwise prohibited by statute. Failure to vote by a qualified member shall be deemed a negative vote. The names of those who voted for and others who

voted against shall be noted in the minutes. The C.A.O./Clerk will call the vote in the following manner:

- Member who called the vote will vote first
- The Mayor shall vote last

The C.A.O./Clerk shall announce the results to the Council.

12.6 Voting

The Presiding Officer, unless otherwise disqualified to vote, may vote with the other members on all questions.

Except where expressly provided in statute, any question on which there is an equality of votes shall be deemed to be defeated.

Subject to Subsection 3(e), no vote shall be taken by ballot or any other method of secret voting and every vote so taken is of no effect.

12.7 Member Speaking

Every member prior to speaking to any questions or motion shall raise his/her hand and address the Presiding Officer. When two or more members raise their hand to speak, the Presiding Officer shall designate the member who has the floor who shall be the member who, in the opinion of the Presiding Officer raised their hand first. Every member present at the meeting of Council when a question is put shall vote thereon unless prohibited by statute.

When a member is speaking, no other member shall pass between him/her and the Chair or interrupt him/her except to raise a point of order.

Any member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a member while speaking.

12.8 Other motions when motion under debate

When a motion is under debate, no other motion shall be in order except a motion:

- (1) To adjourn;
- (2) To put the question (to close the debate);
- (3) To postpone (defer);
- (4) To refer; or
- (5) To amend.

12.9 Motion to Adjourn

A motion to adjourn shall:

- (1) Not be amended;
- (2) Not be debated; and
- (3) Always be in order, except when a member is speaking or the members are voting

12.10 Motion to defer to subsequent meeting

This motion enables the deliberation of a substantive issue to be put off to a subsequent meeting and shall:

- (1) State the substantive issue and the date and/or time of the postponement;
- (2) Be debatable only with respect to the date and time;
- (3) Have a seconder;
- (4) Have amendments to the motion deferred restricted to the stated date/and or time; and
- (5) Be approved by majority.

12.11 Motion to Amend

A motion to amend, add to, delete from, or substitute words in the main motion shall:

- (1) Be presented in writing and seconded;
- (2) Be open to debate;
- (3) Not propose a direct negative to the main motion;
- (4) Be relevant to the main motion;
- (5) Have only one motion to amend the main motion at one time;
- (6) Have only one motion to amend a motion to amend the main motion at one time; and
- (7) Be put in the reverse order to that in which it is moved.

12.12 Motion to Refer

A motion to refer is used to allow closer study of the subject. It is used to require a committee or staff to examine the matter under consideration in greater detail. A motion to refer a matter should include the name of the committee or official, etc. to whom the matter is to be referred and instructions respecting the terms upon which the matter is to be referred; and shall:

- (1) Be debatable (debate is restricted to the pros and cons of making the referral);
- (2) Be amendable; and
- (3) Be relevant to the main motion.
- (4) Have a seconder;

12.13 Motion not within jurisdiction

A motion relating to a matter not within the jurisdiction or beyond Council's power of authority is not in order and shall not be entertained by the Chair.

13. MOTION FOR RECONSIDERATION

13.1 Reconsideration

- (a) The purpose of a Motion for Reconsideration is to suspend all action that the original motion would have required until the reconsideration is acted upon. Any resolution, by-law, or matter that has previously been adopted by Council may be reconsidered by Council subject to:
- (i) a Notice of Motion must be introduced according to the procedures for notices of motion;
 - (ii) debate on the question must be confined to reasons for or against;
 - (iii) such motion must be supported by a majority vote of the Members of Council before the matter to be reconsidered can be debated;
 - (iv) a motion to reconsider shall not be considered more than once in any twelve-month period.
- (b) Voting on prevailing side can on request Motion for Reconsideration

14. **DISPOSITION OF MOTION**

Every motion in Council must be voted on and either carried, defeated, withdrawn, or deferred before any other motion (other than a motion to amend) can be introduced, deferred, amended, etc. If a motion is to be withdrawn it must be done so with the permission of Council or Committee as the case may be.

15. **NOTICE OF MOTION**

- (a) A Notice of Motion shall:
- (i) be in writing;
 - (ii) include the name of the mover;
 - (iii) advise Council that the motion described therein shall be an agenda item at the next Council meeting unless stipulated for an alternate date.
- b) When a Member's notice of motion has been called from the Presiding Officer and it has not proceeded with, it shall be dropped from the agenda and it shall be deemed to have been withdrawn.

16. **EFFECTIVE DATE**

This By-Law shall become effective upon the date of enactment.

Where any by-law passed prior to this by-law conflicts with this by-law, the terms of this by-law shall prevail.

That By-law No. 05-2012 is hereby repealed.

READ a first and second time this 8th day of April, 2019.

READ a third time and passed this 8th day of April, 2019.


Mayor Doyle


C.A.O./Clerk Plumley

BY-LAW NUMBER 2019 – 02 Being a By-law governing the calling, place and proceeding of meetings.

APPENDIX A BY-LAW 2019 – 02

Declaration of Pecuniary Interest

I, Mayor/Councillor _____, declare a pecuniary interest on the Council/Committee Agenda of _____, Item Number _____

Title _____ for the following reason:

Mayor/Councillor Signature

Date of Declaration: _____

For an "indirect pecuniary interest" see Section of the Municipal Act Conflict of Interest Act.

For a "deemed" direct or indirect pecuniary interest see Section 3 of the Municipal Conflict of Interest Act.

**BY-LAW 2019 – 02 Being a By-law governing the calling, place and proceeding of meetings.
APPENDIX B**

DELEGATION INFORMATION SHEET & REQUEST FORM

Council welcomes the opportunity to hear from citizens and community groups. If you wish to address Council as a whole, you are welcome to attend a Council meeting as a delegation.

HOW DO I BECOME DELEGATION?

Send a letter/fax/email to the Clerk by 11:00 am on the Tuesday prior to the meeting (or fill in a delegation request form (attached). Include your name, phone number and brief details on what you would like to speak to Council about (information contained on the form, including any attachments, will become public documents and listed on Township Meeting Agendas and posted to the Township's website).

Please note, your request and any additional information you would like Council to have may be attached to the agenda and circulated publicly, unless otherwise requested.

MEETING TIMES/LOCATIONS

Council meetings are held on the second Monday of every month, at 6:30 pm. Council meetings are formal meetings and open to the public.

All meetings are held in the Council Chambers on Wolfe Island and Howe Islands on alternating months.

You may want to contact the C.A.O./Clerk to see which meeting may be most appropriate for you.

RULES FOR DELEGATION (Further details are provided on the next page.)

You will be given up to ten minutes to address Council, Council may ask questions after the delegation. Groups are asked to have one appointed speaker. Parliamentary procedure will be followed and coarse language or criticism of individuals will not be tolerated (there is no "parliamentary immunity" against slanderous or libelous statements). If your concerns relate to an individual, please contact the Clerk to discuss your options.

HOW DO I GET INFORMATION TO COUNCIL?

Information provided to the Clerk will be circulated to the members of Council prior to the meeting and included as part of the agenda package. If you will be bringing information to the meeting, 6 copies should be made if you want each Councillor and staff to have a copy of the information (additionally copies should be made for the public). If it is a larger document, you can leave it with the Mayor or C.A.O./Clerk and it will be circulated to others.

HOW MANY TIMES CAN I BE A DELEGATION?

You may appear once before Council on any given issue. If there is significant new information or lapse of time, exceptions may be permitted.

HOW WILL MY CONCERN BE ADDRESSED?

If you are requesting action of Council, the issue will be considered at that or the following Council meeting.
Please contact the C.A.O./Clerk for further information – we look forward to hearing from you!!

Excerpt from By-law 2019 – 02 (Procedural By-law) which provides more details on the delegation procedure:

10.2 Persons wishing to address Council shall make application in writing to the Clerk prior to 11:00 am. on the Tuesday preceding the regular Council meeting, by reviewing and completing the Delegation Information Sheet and Request Form found in Appendix B. Such application shall contain the subject matter to be discussed and the name, address and telephone number of a spokesperson chosen by the delegation to make the delegation. Comments from members of the delegation, other than the spokesperson, shall be prohibited unless and until the Presiding Officer has authorized such additional speakers. The delegation shall be permitted a maximum of (10) minutes to make the delegation unless and until the Presiding Officer has extended such time allotment. Any person addressing Council as a presentation shall rise, state his/her name and make his/her presentation. Following the delegation, the Presiding Officer may ask for questions from Council which shall be addressed by the spokesperson to the best of his/her ability.

Delegations failing to meet the above application requirements may be heard upon the verbal consent of the majority of Council present.

The inclusion of a presentation on the Council Agenda shall be determined on a first come, first serve basis and regard shall be given to the length of the Agenda.

BY-LAW 2019 – 02 Being a By-law governing the calling, place and proceeding of meetings.

APPENDIX C

Electronic Participation by Members

1. Members may participate in meetings by Electronic Means subject to the following:

- a. Electronic Means of participating in a meeting are available only for meetings of Council or Committee of the Whole that take place in the Council Chambers on Howe Island and Wolfe Island.
- b. Requests to participate in a meeting by Electronic Means must be made to the C.A.O./Clerk in writing at least 48 before the meeting.
- c. No more than one Council Member 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 request will be granted to the first Member that made the request in writing.
- d. A Member may participate in a maximum of two (2) meetings per calendar year by Electronic Means.
- e. Members may not participate electronically in any meeting that is closed to the public.
- f. A Member participating in a meeting by Electronic Means shall be considered to be present at such meeting but shall not be counted towards quorum.
- g. The Chair must be present in person at a meeting.

2. The following practices will be followed when a Member participates in a meeting by Electronic Means:

- a. The Member participating in a meeting by Electronic Means shall be available at least thirty (30) minutes before the beginning of the meeting to assist staff in establishing the electronic connection.
- b. The Member participating by Electronic Means will mute his or her electronic device when he or she is not speaking.
- c. The Chair will canvass the Member participating by Electronic Means about their intention to speak to a matter on the floor and will notify the Member when it is his or her turn to speak.
- d. After putting a motion to a vote, the Member participating by Electronic Means will be required to identify verbally how he or she wishes to vote.
- e. A Member participating by Electronic Means shall inform the Chair about his or her intentions to leave the meeting either on a temporary or permanent basis.
- f. A Member participating by Electronic Means will be deemed to have left the meeting when they are no longer electronically connected to the meeting.
- g. 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 meeting will continue without attempts by either staff or the Member(s) to reconnect.