

THE CORPORATION OF THE TOWN OF HANOVER

BY-LAW NO. 3338-25

BEING a by-law of the Corporation of the Town of Hanover to govern the proceedings of the Council and the Committees thereof.

WHEREAS Section 238 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended provides that every municipality and local Board shall pass a procedure by-law for governing the calling, place and proceedings of Meetings, public notice of Meetings and for electronic participation in Meetings;

NOW THEREFORE the Council of the Corporation of the Town of Hanover hereby enacts as follows:

1. Definitions

In this by-law

- 1.1. **"Act"** means the *Municipal Act, 2001* S.O. 2001. C. 25 as amended or replaced from time to time.
- 1.2. **"Acting Mayor"** means a Council Member appointed by Council to act in the place of the Mayor or Deputy Mayor when both are absent, refuse to act or declare a pecuniary interest, and who shall exercise all the rights and authority of the Mayor.
- 1.3. **"Addendum"** means any addition to a completed published Council agenda or Committee agenda or addition to an item on the Council or Committee agenda.
- 1.4. **"Ad Hoc Committee"** means a Committee appointed by Council which meets as necessary to provide recommendations on a specific matter and which is disbanded following completion of the mandate.
- 1.5. **"Advisory Committee"** means a Committee appointed by Council with a specific mandate of an ongoing nature, which meets regularly to provide recommendations to Council.
- 1.6. **"Agenda"** means the document issued in accordance with this by-law that sets out the items and sequence of business to be discussed at a Meeting of Council or a Committee and which may be prepared and issued electronically.
- 1.7. **"Chair"** means the person presiding at a Meeting.
- 1.8. **"Chief Administrative Officer"** means the Chief Administrative Officer (CAO) of the Corporation of the Town of Hanover, designated by By-law.
- 1.9. **"Clerk"** means the Clerk of the Corporation of the Town of Hanover, designated by By-law.
- 1.10. **"Closed Session"** means a Meeting or a portion of a Meeting that is closed to the public pursuant to the relevant provisions of the Act or other applicable law.
- 1.11. **"Committee"** means any advisory or other Committee, subcommittee or similar entity established by the Council.
- 1.12. **"Committee Recommendation"** means a motion passed by a Committee during a Committee Meeting and recommended for adoption by Council.
- 1.13. **"Conflict of Interest"** means an interest as defined in the *Municipal Conflict of Interest Act*.

- 1.14. **"Consent Agenda"** means items placed in a section on the Agenda that is used to adopt items with one motion as opposed to discussing and voting on each item individually.
- 1.15. **"Council"** means the Council of The Corporation of the Town of Hanover.
- 1.16. **"Debate"** means a discussion to put forth reasons for or against, in which a difference of opinion is expressed.
- 1.17. **"Delegation"** means any person, group of persons, firm, or organization who is neither a Member of Council nor an appointed official of the municipality who has requested and is permitted to address Council.
- 1.18. **"Deputy Mayor"** means the Member of Council elected to assist the Mayor in carrying out their powers and duties and to act in the place of the Mayor when the Mayor is absent, refuses to act or declares a pecuniary interest, and who shall exercise all the rights, powers and authority of the Mayor.
- 1.19. **"Disqualifying Interest"** means an interest in a matter that, by virtue of the relationship between the Member and other persons or bodies associated with the matter, is of such a nature that reasonable persons fully informed of the facts would believe that the Member could not participate impartially in the decision-making processes related to the matter.
- 1.20. **"Electronic Means"** shall mean telephone, video or audio conferencing or other interactive method whereby Members, staff and the public are able to hear the Member(s) participating by electronic means and the Member(s) participating by electronic means are able to hear other Members, staff and public.
- 1.21. **"Electronic Participation"** means a Member of Council who participates remotely in any open or closed Council or Committee Meeting via electronic means and has the same rights and responsibilities as if they were in physical attendance, including the right to vote, and shall count towards a quorum of Members.
- 1.22. **"Emergency"** means an unexpected and difficult or dangerous situation, including a situation as defined by the *Emergency Management and Civil Protection Act*, which requires immediate action.
- 1.23. **"Emergency Meeting"** means a Meeting of Council called without notice to deal with an emergency or an urgent situation where timing requires that a matter be addressed as soon as possible.
- 1.24. **"Ex-officio"** means a person holding an office on a Committee of which they are not a Member, and the by-laws make that officer an ex-officio Member of the board, the non-member is thereby a full-fledged board Member with all the accompanying rights; but this does not make them a Member of the Committee.
- 1.25. **"Head of Council"** means the Mayor, or in the Mayor's absence the Deputy Mayor, acting in the capacity of Mayor.
- 1.26. **"Holiday"** means any holiday as defined in the *Legislation Act, S.O. 2006*, Chapter 21.
- 1.27. **"Hybrid Meeting"** means a Meeting that is conducted as both an in-person Meeting and electronic Meeting, where some Members participate in-person, and some Members participate electronically. Members have the same rights and responsibilities as if they were in physical attendance including the right to vote and shall count towards Quorum.
- 1.28. **"Inaugural Meeting"** means the first Meeting of a newly elected Council after a regular municipal election, as set out in the Act.

- 1.29. **"Livestreaming"** means the broadcast of a Meeting in real-time.
- 1.30. **"Local Board"** means a Local Board as defined in the *Municipal Act, 2001* S.O. 2001. C. 25, except Municipal Police Boards, Library Boards and School Boards.
- 1.31. **"Majority Vote"** means more than one half of the votes cast by Members of Council or Committee present at the vote and not prohibited by statute from voting.
- 1.32. **"Meeting"** includes any regular, special, or other Meeting of a Council, of a Local Board or of a Committee of either of them, where (a) a Quorum of Members is present, and (b) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, local board or Committee.
- 1.33. **"Member"** means a Member of the Council or of a Committee of Council and includes the Head of Council or Chair.
- 1.34. **"Motion"** means a question moved by one Member and seconded by another Member, to adopt, amend or otherwise deal with a matter before Council or Committee
- 1.35. **"Motion to defer"** means a motion to delay consideration of a matter until later in the same Meeting or at a future Meeting of Council or a Committee (also known as a motion to postpone to a definite time)
- 1.36. **"Motion to Receive"** means a motion to acknowledge a particular item, report or recommendation and to have it placed in the records of Council or a Committee with no further action being taken.
- 1.37. **"Motion to Reconsider"** – means a motion that may need to be passed before Council, or a Committee can discuss or otherwise deal with a matter that has already been decided or considered by Council or Committee during the current Term of Council or Committee.
- 1.38. **"Motion to Refer"** means a motion to dispose of a question under consideration, with or without any proposed amendment, in order to seek consideration by, and, if deemed desirable, one or more reports from any designated Committee, Board, body or official;
- 1.39. **"Motion to Table"** means a motion to postpone without setting a definite date as to when the matter will be considered again"
- 1.40. **"Non-disqualifying Interest"** means an interest in a matter that, by virtue of the relationship between the Member and other persons or bodies associated with the matter, is of such a nature that reasonable persons fully informed of the facts would believe that the Member could participate impartially in the decision- making processes related to the matter so long as the Member fully discloses the interest so as to provide transparency about the relationship; and the Member states why the interest does not prevent the Member from making an impartial decision on the matter.
- 1.41. **"Notice of Motion"** means an advance notice to Members respecting a matter on which they will be asked to take a position.
- 1.42. **"Orientation Meeting"** - means a Meeting of Council or newly elected Members of Council, to train and inform members of their roles, responsibilities, procedures, legislation and other relevant matters and shall be considered as an educational/training session.

- 1.43. **"Pecuniary Interest"** means a direct or indirect financial interest within the meaning of the *Municipal Conflict of Interest Act*, R.S.O. 1990, chapter M.50, as amended.
- 1.44. **"Petition"** means a document presented by the community to Council to voice their opinion on an issue within the jurisdiction of the municipality.
- 1.45. **"Point of Order"** means a concern regarding: conformity to this bylaw or the rules of order; improper, offensive, or abusive language; notice that discussion is outside the scope of the motion under consideration; or irregularities in the proceedings.
- 1.46. **"Point of Privilege"** means a question raised by a Member who believes their rights as Members have been violated or who considers that their integrity, and/or the integrity of Council or staff has been impugned.
- 1.47. **"Quorum"** means a majority (more than one half) of the whole number of Members of Council or a Committee.
- 1.48. **"Recorded Vote"** means a written record of the name and the vote of every Member who votes on a question.
- 1.49. **"Regular Meeting"** – means Meetings held on a regular basis according to the schedule of Meetings annually approved by Council.
- 1.50. **"Resolution"** means the decision of Council or Committee on any motion.
- 1.51. **"Rules of Procedure"** means the rules and procedures set out in this by-law.
- 1.52. **"Special Meeting"** means a Meeting held at a time other than a regular Meeting, upon twenty-four (24) hours' notice and dealing with a specific item(s) of business.
- 1.53. **"Two-thirds Vote"** means a vote of at least two-thirds of the Members of Council or Committee present at the vote and not prohibited by statute from voting.
- 1.54. **"Workshop"** means a Meeting of Council where the purpose is for Council to discuss issues in an informal venue. With the exception of procedure matters, no Motions are passed, and no matter is discussed which advances the business of the Town.

2. Interpretation

- 2.1. This By-law establishes the rules of order for Meeting of Council and Committees of Council.
- 2.2. A word in this By-law expressed as the singular has a corresponding meaning when used in the plural.
- 2.3. The division of this by-law into parts and the insertion of headings are for convenient reference only and shall not affect the interpretation of the by-law.
- 2.4. In the event of a conflict between the provisions of this By-law and the Municipal Act, 2001 or any other legislation, the provisions of the legislation shall prevail.
- 2.5. Where any matter of procedure is not provided for in this by-law, Roberts Rules of Order, as revised, shall be followed
- 2.6. If a court or tribunal of competent jurisdiction declares any portion of this bylaw to be illegal or unenforceable, that portion of this bylaw shall be

considered to be severed from the balance of the bylaw, the remainder of which shall continue to operate in full force and effect.

- 2.7. Decisions binding on the Council may only be made at Council Meetings, unless authority has been specifically delegated. Committees may only make recommendations to Council for its consideration and approval.
- 2.8. The Clerk will be responsible for interpreting the rules of procedure under this by-law.

3. Application and Suspension of Rules

- 3.1. The rules and procedures contained in this by-law shall be observed in all proceedings of the Council and with necessary modifications, the Committees of Council, and shall be the rules and regulations for the order and conduct of business therein.
- 3.2. No provision of this bylaw shall be suspended except by affirmative vote of at least two-thirds (2/3) of the whole Members of Council for each incidence of suspension of the rules.
- 3.3. The following rule(s) or procedure(s) shall not be suspended:
- 3.4. Majority of whole of Members required for quorum; and
- 3.5. Any statutory requirements with respect to proceedings.

4. Administrative Authority of Clerk

- 4.1. The Clerk shall have the authority to adjust the order and necessity of agenda items, prior to distribution and publication of the Council and Committee agendas.
- 4.2. The Clerk is authorized to revise or correct by-laws, minutes and other records or documents relating to Council and Committee for technical, typographical or other administrative errors and omissions for the purpose of ensuring an accurate and complete record of proceedings and general housekeeping.

5. Meetings

5.1. Inaugural Meeting

The first or Inaugural Meeting of a new Council shall be held in accordance with the provisions of the Municipal 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 of the Inaugural Meeting.

At the Inaugural Meeting of Council, the only business to be brought before the Meeting shall be the following:

- a) Declarations of Office;
- b) Inaugural Address by the Mayor; and
- c) Matters incidental to any of the above.

5.2. Orientation Meeting

An Orientation Meeting of the Council or Council-elect shall be considered as an educational / training session for persons newly elected to Council in order to train and inform Members of their roles, responsibilities, Meeting procedures, applicable legislation and other relevant matters.

5.3. Regular Meeting

- 5.3.1. All regular Meetings of Council shall be held in the Council Chambers, Civic Centre, 341 10th Street, Hanover on the first and third Monday of each month at 4:00pm unless otherwise ordered by a motion of Council.
- 5.3.2. In the event that a regular Meeting shall fall upon a holiday, the Meeting shall be held at the same time on the day immediately following the holiday that is not a Saturday, Sunday or holiday. No notice need be given of this change of date and it shall be deemed to be a regular Meeting.
- 5.3.3. Notice of regular Meetings of Council shall be provided to each Member and shall be posted on the Town's website in the form of a calendar. Council may, by resolution, alter the time, day or place of any Council or Committee Meeting.
- 5.3.4. The hour for adjournment of any Council or Committee Meeting shall be 9:00pm, unless this rule is temporarily suspended by a resolution of the majority of Members present.
- 5.3.5. Member of the management team, as well as other municipal staff shall attend Meetings of Council as required or requested upon approval of the CAO.

5.4. Special Meeting

- 5.4.1. The Head of Council may at any time summon a Special Meeting of the Council and it shall be their duty to call a special Meeting whenever requested in writing by a majority of the Members of the Council. In addition, the Clerk shall, upon receipt of a written petition signed by the majority of the Members of the Council, summon a special Meeting for the purpose and at the time and place mentioned in the petition. Twenty-four hours' notice of all special Meetings of the Council shall be given to the Members through the Clerk's office.
- 5.4.2. The notice calling a special Meeting of the Council shall state the business to be considered at the special Meeting and no business other than that stated in the notice shall be considered at such Meeting.

5.5. Emergency Meeting

Notwithstanding any other provision in this By-law, the Mayor, at any time, may call or provide Notice of an Emergency Meeting of Council. An Emergency Meeting of Council is limited to business matters included in the Notice of the Meeting.

5.6. Workshop

The Mayor and/or CAO may convene a Workshop for Members of Council for the purpose of educating or training, for providing the Members with information and/or advice, or to solicit input from the Members. With the exception of procedural matters, no Motions are passed, and no decisions are made at Workshops. Workshops are not generally livestreamed.

5.7. Electronic Meeting Participation

Members may participate in Meetings by Electronic Means subject to the following:

- 5.7.1. Electronic Means of participating in a Meeting are available for Meetings of Council, Committees of Council including Ad Hoc or subcommittees

and Local Boards.

- 5.7.2. Requests to participate in a Meeting by Electronic Means must be made to the Clerk at least two (2) business days before the Meeting or to the appropriate staff liaison for Committees of Council or Local Boards. Accommodation to participate electronically may be granted by the Clerk or staff liaison at their discretion.
- 5.7.3. A Member may participate in a maximum of two (2) electronic Council, Committee or Meetings per calendar year. Electronic participation in more than the prescribed maximum number of Meetings shall be at the discretion of the Chair.
- 5.7.4. Members may participate in Closed Sessions of any Meeting by Electronic Means.
- 5.7.5. A Member participating in a Meeting by Electronic Means shall be considered to be present at such Meeting and counted towards quorum and provided with all rights and considerations as any Member participating in person.
- 5.7.6. Delegations and deputation may participate and make presentations by Electronic Means.
- 5.7.7. The following practices will be followed when a Member participates in a Meeting by Electronic Means;
 - a) Each Member participating in a Meeting by Electronic Means shall be available at least fifteen (15) minutes before the beginning of the Meeting to assist staff in establishing the electronic connection.
 - b) Each Member participating by Electronic Means will mute their electronic device when they are not speaking.
 - c) The Chair will canvass Members participating by Electronic Means about their intention to speak to a matter on the floor and will notify each Member when it is their turn to speak.
 - d) After putting a motion to a vote, each Member participating by Electronic Means will be required to identify how they wish to vote.
 - e) Each Member participating by Electronic Means shall inform the Chair about their intentions to leave the Meeting either on a temporary or permanent basis.
 - f) A Member(s) 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(s) to participate in the Meeting in real time, the Meeting will continue without attempts by staff to reconnect. The Member may attempt to reconnect and rejoin the Meeting.
- 5.7.8. During an emergency existing in all or part of the Municipality, declared either by the Province or local Municipality under sections 4 or 7.0.1 of the Emergency Management and Civil Protection Act, the Municipality shall allow for electronic participation of Members of Council and Committees of Council in both open and closed Council Meetings, and such Members shall be counted in determining whether or not a quorum of Members is present.

5.8. Cancellation of Meeting

- 5.8.1. A regular, special or emergency Meeting of Council, Committee or workshop may be cancelled or postponed where Quorum cannot be achieved or where the Meeting is deemed no longer required by the Mayor in consultation with the Clerk.
- 5.8.2. The Clerk or designate, will give notice of the cancellation or postponement of a regular, special or emergency Meeting of Council, Committee or workshop on the Town's website. A notice may also be posted on the main entrances to the Civic Centre upon discretion of the Clerk.
- 5.8.3. Meetings of other Committees may be cancelled or postponed by the Clerk, Chair or other assigned person where Quorum cannot be achieved, in the event of an emergency or where the Meeting is deemed no longer required by the Chair.

5.9. Public Notice of Meeting

- 5.9.1. The Clerk shall give public notice of all regular open and closed Council Meetings or a Workshop, by posting the Meeting and agenda on the municipal website no later than 48 hours prior to the scheduled Meeting.
- 5.9.2. The Clerk shall give public notice of all special open and closed Meetings of Council and Committee by inclusion on the Town's website as soon as possible after the Meeting is called and no later than 24 hours prior to the Meeting. Agendas and supporting documentation shall be posted as soon as practical prior to the special Meeting.
- 5.9.3. For an emergency Meeting, notice shall be provided to Members and the public in a time and manner that the Mayor and Clerk considers most expedient. Agendas and supporting documentation shall be posted as soon as practical prior to the emergency Meeting.
- 5.9.4. Public notice shall include the date, time and location of Meeting. Should there be an electronic or hybrid method of participation, this shall be indicated in the public notice.
- 5.9.5. If notice of a Meeting is substantially given but varies from the form and manner provided in this By-law, the ability to hold the Meeting and the actions taken at the Meeting are not invalidated.

5.10. Recording, Broadcasting and/or Livestreaming Meetings

- 5.10.1. All Council and Committee Meetings may be audio and/or video recorded, broadcast and/or livestreamed publicly by the Town with the exception of proceedings closed to the public provided for by the Act or this By-law. Workshops are not generally live-streamed.
- 5.10.2. The inability to record, broadcast and/or livestream a Meeting where the public can attend the Meeting in person shall not prevent the Meeting from occurring as scheduled.
- 5.10.3. Where public attendance at a Meeting is allowed and the Meeting is only being held electronically the following practices shall apply;
 - a) Where the livestream of a Meeting cannot be initiated, the Chair shall delay the call to order of the Meeting by fifteen (15) minutes to provide time to correct the issue. In the event both the livestream and recording of the Meeting are unavailable, the Members shall stand adjourned until the date and time of the next Meeting and the Clerk shall record the names of the Members present upon such adjournment. If the recording of the Meeting is

available, the Meeting shall proceed, and a recording of the Meeting shall be uploaded to the Town's You Tube channel and/or website as soon as practicable following the Meeting;

- b) Where the livestream of a Meeting is interrupted, the Chair shall call a recess for a maximum of fifteen (15) minutes to provide time to address the issue. If both the livestream and recording of the Meeting cannot be rectified, the Members shall stand adjourned until the date and time of the next Meeting. If the recording of the Meeting is available, the Meeting shall proceed, and a recording of the Meeting shall be uploaded to the Town You Tube channel and/or website as soon as practicable following the Meeting.

5.11. Open and Closed Meetings

5.11.1. All Meetings of Council, Committees and local boards shall be open to the public, unless the subject matter being considered is permitted to be addressed in a Closed Session in accordance with section 239 of the *Municipal Act* as follows;

- a) the security of the property of the municipality or local board;

Includes:

- Discussions relating to protection of property from physical loss or damage and the protection of public safety in relation to this property.

Does not include:

- Matters relating to the financial interests of the municipality;
- Discussions of strategy with respect to municipal infrastructure or growth;
- Discussions regarding strategy with regard to municipal property.

- b) personal matters about an identifiable individual, including municipal or local board employees;

Includes:

- Discussions of opinions about an identified individual;
- Examination of a municipal employee's performance or conduct;
- Discussion of nominees for appointment to a Committee;
- Discussion of an investigation of an individual's possible violation of law.

Does not include:

- Discussion of Council Members' remuneration or expenses and related policy;
- Discussion of general working relations between Council and staff;
- Discussion about an individual in their professional or official capacity.

- c) a proposed or pending acquisition or disposition of land by the municipality or local board;

Includes:

- When the bargaining position of the municipality needs to be protected with respect to buying or selling property;
- Discussions of lease agreements or easements relating to the municipality's property interests.

Does not include:

- General discussions of real estate market volatility and its impact on land values.

- d) labour relations or employee negotiations;

Includes discussions involving:

- collective bargaining;
- staff compensation or vacation;
- hiring or firing staff, or disciplinary proceedings;

- grievances under a collective agreement;
- voluntary exit program;
- review of staff workload and working relationships.

Does not include:

- Discussions of litigation against employees.

- e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

Includes:

- Discussions of ongoing litigation involving the municipality, including proceedings before administrative tribunals;
- Discussion of litigation that is a real likelihood, against or by the municipality;
- Discussions about deciding whether or not to litigate.

Does not include:

- Speculation that litigation may arise in future, or where there is no evidence of any current or future legal proceedings;
- Meetings where an outside party is present (thereby waiving legal privilege).

- f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Includes:

- Communication between the municipality and its solicitor, in seeking or receiving legal advice intended to be confidential (to ensure municipal officials can speak freely with their lawyer without fear of disclosure.)

Does not include:

- Situations where the privileged communication is disclosed to third parties;
- Discussions that do not directly refer to legal advice.

- g) a matter in respect of which a Council, board, Committee or other body may hold a closed Meeting under another Act;

- h) the subject matter relates to the consideration of 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;

- i) 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:

- i. The Meeting is held for the purpose of educating or training the Members;
- ii. 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.

- j) the subject matter being considered is an ongoing investigation respecting the municipality by the Ontario Ombudsman in the role as both Meeting investigator and as the Municipal Ombudsman.

- k) the subject matter being considered is information explicitly supplied in confidence to the municipal or local board by Canada, a province or territory or a Crown agency of any of them;

- l) the subject matter being considered is 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;

- m) the subject matter being considered is 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
- n) the subject matter being considered is 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.

5.12. Closed Meeting

- 5.12.1. Prior to holding a Meeting or part of a Meeting that is to be closed to the public, a Council, Committee or local board shall state by resolution;
 - a) the fact of the holding of the closed Meeting;
 - b) the specific provision under the *Municipal Act* that permits the item to be considered in a closed session; and
 - c) and the general nature of the matter to be considered at the closed Meeting.
- 5.12.2. Subject to section 239 (6) of the *Municipal Act*, a Meeting shall not be closed to the public during the taking of a vote unless;
 - a) There is a statutory requirement that the Meeting be closed to the public; or
 - b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Town, local board or Committee of either of them or persons retained by or under contract with the Town or local board.
- 5.12.3. Where a Meeting or part of a Meeting is closed to the public, all persons not specifically invited to remain shall exit the Meeting.
- 5.12.4. In exceptional circumstances when an item appears on an open Meeting agenda and discussion or consideration of related confidential information is necessary, Council may adopt a resolution at that time to convene a closed Meeting.
- 5.12.5. Any Member of Council is entitled to be present at a Meeting of the Council where the Meeting or part of the Meeting is closed to the public, unless such Member of Council has an interest which the Member is obligated to disclose pursuant to the relevant declaration of interest legislation.
- 5.12.6. The Mayor shall report out in an open Meeting immediately following the closed session and summarize the actions taken in the closed session. The summary shall not reveal any information which is deemed to be confidential.
- 5.12.7. All information, documentation, or deliberations received, reviewed or undertaken in a closed session is confidential. No Member, staff person or other person present at a closed session shall release or make public any information considered during a closed session or discuss or share any documentation related to the content of any closed session with persons other than Members or relevant staff persons.
- 5.12.8. The Clerk and/or their designate shall attend all Closed Meetings and record the proceedings, including procedural motions and direction given to staff, without note or comment. The Clerk may also authorize the attendance of such other municipal staff as may be necessary or appropriate.

6. Order of Proceedings

- 6.1. As soon after the hour fixed for the Meeting as there is a quorum present, the Mayor or Chair shall take the Chair and call the Members to order. A majority of the Members of the Council or Committee thereof shall constitute a quorum.
- 6.2. In case the Mayor does not attend within fifteen minutes after the time appointed, the Deputy Mayor shall call the Members to order and if a quorum is present, shall preside during the Meeting or until the arrival of the Mayor. In the absence of the Mayor and the Deputy Mayor, the Clerk shall be present and if a quorum is present, shall call the Members to order. A Chairman shall be chosen, from the Members, who shall preside during the Meeting or until the arrival of the Mayor or the Deputy Mayor.
- 6.3. While presiding, the Deputy Mayor or the Chair chosen by the Council shall have all the powers of the Mayor and shall be entitled to vote as a Member.
- 6.4. If there is no quorum within thirty minutes after the time appointed for the Meeting, the Clerk shall call the roll and record the names of the Members present and the Meeting shall stand adjourned until the next regular Meeting or until a special Meeting is called.

7. Roles

7.1. Role of Council

- 7.1.1. In accordance with Part VI, Section 224 of the *Municipal Act*, 2001, the role of Council shall be;
 - a) to represent the public and to consider the wellbeing and interest of the municipality;
 - b) to develop and evaluate the policies and programs of the municipality; to determine which services the municipality provides;
 - c) to ensure that administrative practices and procedures are in place to implement the decisions of Council;
 - d) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
 - e) to maintain the financial integrity of the municipality; and
 - f) to carry out the duties of Council under this or any other Act.
 - g) by majority vote, direct staff to perform such duties as is necessary to the efficient management of the affairs of the community.
 - h) Respect and follow the decisions of Council
- 7.1.2. Members 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 administration regarding materials supplied in advance of the Meeting.
- 7.1.3. No individual Member may direct a Member of the Staff to perform a duty.
- 7.1.4. Members shall respect and adhere to the Policies set by the Council and will under no circumstances take it upon themselves, individually to circumvent established Policies.
- 7.1.5. Members shall liaise primarily with the CAO and the Senior Leadership Team as required.
- 7.1.6. Members may request information from Members of staff who have been assigned the responsibility of providing information, such as Meeting times, copies of documents, information on standard operating procedures.

- 7.1.7. Questions or issues surrounding operational concerns, complaints or opportunities shall be directed to the CAO, who will then direct the questions or issues to the appropriate staff Member. Minor operational concerns, complaints, suggestions or compliments may be submitted through the Citizen Request and Suggestion Portal on the Town's website.

7.2. Duties of the Head of Council

The Mayor or Chair shall:

- 7.2.1. Preserve order and decorum, decide questions of order (subject to an appeal to the Council or Committee thereof by any Member) and, without unnecessary comment, cite the rule or authority (as commonly accepted under parliamentary procedures) applicable to the case if called upon to do so.
- 7.2.2. Open the Meeting of the Council or Committee thereof by taking the Chair and calling the Members to order.
- 7.2.3. Announce the business before the Council or Committee thereof in the order in which it is to be acted upon.
- 7.2.4. Receive and submit, in the proper manner, all motions presented by the Members of the Council or Committee thereof.
- 7.2.5. Put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the results.
- 7.2.6. Decline to put to vote motions which infringe on the rules of procedure.
- 7.2.7. Restrain the Members, within the rules of order when engaged in debate.
- 7.2.8. Enforce on all occasions the observance of order and decorum among the Members.
- 7.2.9. Call by name any Member persisting in breach of the rules of order of the Council or Committee thereof, thereby ordering that Member to vacate the Council Chamber.
- 7.2.10. Receive all messages and other communications and announce them to the Council or Committee thereof.
- 7.2.11. Authenticate, by their signature when applicable, all by-laws, resolutions and minutes of the Council.
- 7.2.12. Represent and support the Council or Committee thereof, declaring its decision in all things.
- 7.2.13. Ensure that the decision of the Council or Committee thereof are in conformity with the laws and by-laws governing activities of the Council and Committees thereof.
- 7.2.14. Adjourn the Meeting when the business is concluded.
- 7.2.15. Adjourn the Meeting without question put in the case of grave disorder arising in the Council Chamber.

7.3. Participation of the Mayor in Debate

- 7.3.1. The Mayor may state relevant facts and the Mayor's position on any matter before Council without leaving the chair, which may take place immediately prior to the vote.
- 7.3.2. If the Mayor wishes to move or second a motion before Council or enter into debate on a specific topic, the Mayor shall call on the Deputy Mayor to take the chair before moving or seconding a motion or engaging in debate. The Mayor shall remain out of the chair until the motion and any amendments thereto have been disposed of. In the event the Deputy

Mayor or alternate is unable to assume the chair, the Mayor shall call on an alternate Member to preside until the Mayor resumes the chair.

7.4. Deputy Mayor

In the absence of the Mayor, the Deputy Mayor shall call Council Meetings to order and shall preside during the Meeting or until the arrival of the Mayor.

8. Conduct at Meetings

8.1. Conduct of Members

Members of Council shall govern themselves according to Council's Code of Conduct.

No Member shall:

- 8.1.1. Use offensive words or unparliamentary language in or against the Council or Committees thereof, or any Member thereof.
- 8.1.2. Speak on any subject other than the subject in debate.
- 8.1.3. Criticize any decision of the Council or Committee thereof except for the purpose of moving that the question be reconsidered.
- 8.1.4. Disobey the rules of the Council or Committee thereof or a decision of the Head of Council or Chair of the Council or Committee thereof, on questions of order or practice, or upon the interpretation of the rules of the Council or Committee thereof.
- 8.1.5. Disturb another, or the Council or Committee thereof itself, by any disorderly deportment disconcerting to any Member speaking.
- 8.1.6. Be permitted to retake their seat at any Meeting after being ordered by the Head of Council or Chair to vacate after committing a breach of any rule of order of the Council or Committee thereof, without making apology and the consent of the Council or Committee thereof expressed by a majority vote of the other Members present, determined without debate.
- 8.1.7. Speak until they have addressed themselves to the Chair.
- 8.1.8. Walk across or out of the Chamber or make any noise or disturbance when the Head of Council or Chair is putting a question and shall occupy their seat while a vote is being taken and until the result hereof is declared.
- 8.1.9. Use an electronic device to broadcast, record or otherwise publish or distribute audio or video of any open or closed Meeting, nor photographs of any closed meeting.

8.2. Conduct of Attendees

- 8.2.1. The Chair may expel or exclude any person who disrupts a Meeting, or who does not conduct themselves in a proper manner, as outlined in this by-law.
- 8.2.2. No persons, present other than Members or staff are permitted to approach the seating area of the Members unless invited by the Chair.
- 8.2.3. Attendees shall;
 - a) maintain order and not heckle, display placards or props or engage in any behaviour that may be considered disruptive;
 - b) be respectful at all times and not make any derogatory, inflammatory or disrespectful comments, nor malign the integrity of the Members, staff or public;
 - c) ensure that all electronic devices are set to silent mode;

- d) use recording, broadcasting or streaming devices respectfully, and should the Chair direct it, move or cease to use recording, broadcasting or streaming devices.

9. Rules of Debate

- 9.1. Every Member desiring to speak shall signify their desire to speak in such a manner as the Mayor may direct, and upon being recognized by the Mayor, shall respectfully address the Mayor or Chair.
- 9.2. The Mayor or Chair shall designate the Member who has the floor when two or more Members signify a desire to speak.
- 9.3. When a Member is speaking, no other Member shall pass between them and the Chair or interrupt them except to raise a point of order.
- 9.4. 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.
- 9.5. No Member shall speak to the same question for longer than five (5) minutes. With the leave of the Council or Committee thereof, a supplementary question with a further three (3) minutes may be granted.
- 9.6. A Member may ask a question only for the purpose of obtaining facts relevant to the matter under discussion and necessary for a clear understanding thereof.
- 9.7. All questions shall be stated succinctly, and questions shall not be used as a means of making statements or assertions.
- 9.8. Questions may be asked only of the previous speaker, the Mayor or Chair, or an official or staff of the municipality.

10. Voting On Questions

- 10.1. When the Mayor or Chair calls for the vote on a question, each Member shall occupy their seat and shall remain there until the result of the vote has been declared by the Mayor or Chair, and during such time no Member shall walk across the room or speak to any other Member or make any noise or disturbance.
- 10.2. If a Member who has voted on a question disagrees with the declaration of the Mayor or Chair that the question is carried, or lost, they may, but only immediately after the declaration by the Mayor or Chair, object to the Mayor's or Chair's declaration and require a Recorded Vote to be taken in the manner prescribed in Section 11 of this by-law.
- 10.3. Every Member present at a Meeting of the Council or Committee thereof when a question is put shall vote thereon, except that if they have any pecuniary interest, direct or indirect in the question, they shall at the first opportunity disclose their interest and shall refrain from taking part in the discussion and from voting on the particular question. Every Member present who is required to vote on a question, but in fact does not vote thereon, shall be deemed to be voting in the negative and shall be so recorded.
- 10.4. At a Meeting at which a Member discloses an interest under section 5 of the *Municipal Conflict of Interest Act*, or as soon as possible afterwards, the Member shall file a written statement of the interest and its general nature with the Clerk or the secretary of the Committee or local board, as the case may be, who shall forward the statement to the Clerk.
- 10.5. After a Motion is put to a vote by the Chair, no Member shall speak to it, nor will any other Motion be made until after the vote is taken and the result has been declared.

- 10.6. All Members of Council or Committee will vote on all Motions. A failure by any Member to announce their vote openly and individually, including an “Abstention”, is deemed to be a vote in the negative.
- 10.7. Each Member present and voting indicates their vote by show of hands or electronically, and no vote is taken by ballot or any other method of secret voting.
- 10.8. Any motion on which there is a tie vote is deemed to be lost.
- 10.9. The following represents the required number of votes for a majority Vote or Two-Thirds vote.

Number of Members Present	Majority Vote	Two-Thirds Vote	One-Third Vote
7	4	5	3
6	4	4	2
5	3	4	2
4	3	3	2

11. Recorded Vote

- 11.1. Any Member may request a recorded vote immediately preceding or following the taking of a vote. All Members present at the Meeting shall vote unless they are disqualified from voting with respect to that item.
- 11.2. Upon a request for a recorded vote by a Member the Clerk shall call on Members in alphabetical order followed by the Deputy Mayor and concluding with the Mayor or Chair. In the event that the Chair is other than the Mayor, the Chair shall always vote last. In the event that the Mayor or Chair has left the Chair to present and vote on a motion, they shall announce their vote in the order of voting in the position left vacant by the person named to act in their place.
- 11.3. Each Member present that is not disqualified from voting shall announce their vote openly when called upon.
- 11.4. The Clerk shall announce and record the result of the vote, and record how each Member voted.
- 11.5. Notwithstanding a recorded vote, a record or notation of a Member’s opposition to an issue is not recorded in any minutes of the Meeting.

12. Agenda

12.1. Order of Business

The Clerk shall have prepared and printed for the use of the Members at the regular Meetings of the Council an agenda under the following headings, if applicable:

- The National Anthem
- Call to Order
- Land Acknowledgement Statement
- Disclosure of Pecuniary Interest and the General Nature Thereof
- Agenda Additions or Deletions
- Health & Safety Message (first Meeting of each month)
- Public Meeting Under the Planning Act or Other Legislation
- Delegations

- Council Minutes
- Business Arising From the Minutes
- Consent Agenda
- Staff Reports Requiring Action
- Committees of Council Minutes
- By-laws
- Correspondence Requiring Action
- Notice of Motion
- Good News and Celebrations
- Upcoming Committee Meetings
- Important Dates and Announcements
- Closed Meeting
- Confirmation of Proceedings By-law
- Adjournment

12.1.1 The business of Council and Committees thereof shall in all cases be taken up in the order in which it stands upon the agenda, unless otherwise agreed to by a Majority vote.

12.2 Distribution of Agenda

The agenda and reports for a Regular Council and Committee Meetings shall be available to Members of Council at least two days (48 hours) prior to the Meeting. The agenda will also be available on the Town's website.

12.3 Submission of Agenda Items

All items for inclusion on the agenda shall be submitted in approved and final format to the Clerk by 12:00pm on the Tuesday prior to the Council Meeting.

12.4 Unfinished Business

When any agenda item or items are left undisposed of at the time of adjournment, such agenda item(s) will be taken up in succession as the first order of business at the next regular Meeting of Council.

13. Minutes

13.1 The Council and Committee minutes shall record:

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

13.2 Minutes of Meetings of Council and Committees shall be available to Members at their next scheduled Council or Committee Meeting.

14. Petitions and Communications

14.1 Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed and shall not contain any obscene or improper matter or language, and shall be signed and dated by at least one person, filed with the Clerk, and shall include an address and telephone number where return correspondence or contact is to be directed.

14.2 Every petition or communication shall be delivered to the Clerk's Office by 12:00 noon on the Wednesday prior to the Council or Committee thereof, or Committee of the Whole Meeting, for it to be included on that agenda.

15. Deputations and Delegations

- 15.1 Delegations will be limited to two per Meeting, unless invited to address a specific matter or upon discretion of the Clerk.
- 15.2 A person desiring to present information on any matter or make a request of the Council shall give notice to the Clerk's Office by 12:00 pm on the Monday prior to the Council Meeting and indicate the purpose of the delegation. The delegate shall provide a general outline of the subject matter of the presentation in writing and if applicable any supporting or presentation documentation. The Clerk shall have the discretion of adding a delegation to an agenda or not.
- 15.3 Delegations shall be limited in speaking to not more than ten (10) minutes. Delegations of five (5) or more persons shall be limited to two (2) speakers, each limited to speaking not more than ten (10) minutes. Persons requesting to appear before the Council shall be advised of the time limitation in advance of their presentation.
- 15.4 Notwithstanding the provisions of Section 14.1, the Clerk may, at their sole discretion, entertain deputations or delegations with less notice as the circumstance may warrant.

16. By-Laws

- 16.1 Every by-law shall be introduced upon motion duly moved and seconded by two Members of the Council.
- 16.2 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 provisions of any act and shall be complete with the exception of the number and date thereof.
- 16.3 The Council may permit the presentation of a synopsis in place of the complete reading of the by-law.
- 16.4 Every by-law enacted by the Council shall be numbered and dated and shall be sealed with the seal of The Corporation and signed by the Clerk and the Mayor.

17. Motions

- 17.1 The following matters may be introduced orally without written notice and without leave:
 - a) Point of order of personal privilege;
 - b) A motion to amend;
 - c) A motion to suspend a rule of procedure or in compliance with a rule of procedure;
 - d) A motion to adjourn (not debatable);
 - e) A motion that the vote now be taken;
 - f) A motion to defer to a certain time;
 - g) A motion to refer to Committee;
 - h) A motion to recess;
- 17.2 Except as provided in Subsection 17.1 above, all motions and notices thereof shall be in writing. At the discretion of the Mayor or Chair, motions that are deemed to be minor in nature do not have to be submitted in writing.
- 17.3 A motion is not required to place an item before Council for discussion, including staff reports.
- 17.4 Any motion may be introduced without notice if the Council or Committee thereof, without debate, dispenses with notice on the affirmative vote of a least two thirds of the Members present and voting.

- 17.5 All motions shall be seconded before being debated or put from the Chair. When a motion is seconded, it shall be read or stated by the Mayor or Chair before debate.
- 17.6 When a motion under consideration concerns two or more matters, upon the request of any Member, they may be taken separately. Such a request may also be made by the Chair.
- 17.7 After a motion has been read or stated by the Mayor or Chair, it shall be deemed to be in the possession of the Council or Committee thereof, but it may with the majority consent of the Council Members or Committee Members present, be withdrawn at any time before decision or amendment.
- 17.8 When a motion is under debate, no motion shall be received other than a motion to amend, to postpone action, to refer, that the vote now be taken or to adjourn the Meeting. A motion that the vote be now taken shall take precedence over any other motion except a motion to adjourn the Meeting, and, subject to Section 10 (3), shall be put immediately without debate.
- 17.9 No Member shall speak to a resolution more than once, without leave from the Mayor or Chair, or except an explanation of the material part of their report, which may have been misunderstood but otherwise shall not be permitted to introduce another matter. A reply shall be allowed to a Member who has made a substantive resolution, to any Member who has moved an amendment, the previous question and/or instruction to a Committee. Each Member shall confine their remarks to a limit of three (3) minutes.
- 17.10 Immediately preceding the taking of the vote, the Mayor or Chair may state the question in the form introduced. If required by a Member, except when a motion for the previous question has been resolved in the affirmative, they shall state the question in the precise form in which it will be recorded in the minutes.
- 17.11 After a question is finally put by the Mayor or Chair, no Member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared.
- 17.12 Any resolution shall require a majority of votes in order to be valid and binding on the Council or Committee thereof.
- a) A Motion to Amend: Shall be presented in writing or be a verbal motion duly moved and seconded;
 - b) Shall receive disposition of the Council or Committee thereof before a previous amendment or the question;
 - c) Shall not be further amended more than once provided that further amendment may be made to the main question;
 - d) Shall be relevant to the question to be received;
 - e) Shall not be received proposing a direct negative to the question;
 - f) May propose a separate and distinct disposition of a question;
 - g) Shall be put in the reverse order to that in which it is moved.

18. Notice of Motion

- 18.1. Members intending to bring forward a motion for Council's consideration must provide notice at the preceding Meeting.
- 18.2. Such notice shall contain a brief summary of the motion subject and purpose. Final wording of the motion for Council's consideration shall be provided to the Clerk or designate at least one week in advance of the Meeting at which the motion is to be considered.
- 18.3. Council shall consider motions for which notice has previously been given. The proponent shall read the motion aloud and be permitted to speak to the contents of the motion first. Motions shall be moved, seconded and debated according to the rules of this procedural by-law.

19. Reconsideration of a Council Decision

- 19.1. Council may reconsider an entire resolution that was decided within one (1) year of adoption. A reconsideration of a portion of a resolution shall not be permitted. Such reconsideration can either amend the previous decision or rescind it subject to the following rules:
 - a) no resolution shall be reconsidered more than once during the term of Council, and
 - b) a Motion to reconsider shall not be reconsidered.
- 19.2. No discussion of the main question shall be allowed until the motion for reconsideration is carried.
- 19.3. A Member who voted on the prevailing side of a decision may bring a Motion to reconsider at the same Meeting at which the question to be reconsidered was dealt with and shall require the support of a majority of the Members present.
- 19.4. A Member who voted on the prevailing side or who was absent from the vote or was not a Member of Council at the time of the vote may bring a Notice of Motion to reconsider at a Meeting subsequent to that at which the question to be reconsidered was dealt with and shall require a Two-Thirds vote to be carried.
- 19.5. No delegations shall be permitted to speak on a Notice of Motion to reconsider.
- 19.6. A resolution that was decided by Council cannot be reconsidered if action has been taken in implementing the resolution, resulting in legally binding commitments that are in place on the date the Motion to reconsider is considered by Council.

20. Appointments to Committee's, Boards, Commissions, Special Purpose Bodies and Other Statutory Positions

- 20.1. All Council appointments to various Boards, Commissions, Special Bodies and other statutory positions shall be made at the required time by resolution of Council or by a Mayoral Decision in accordance with the powers vested to the Mayor under O. Reg. 530/22 or except where specifically required by by-law.
- 20.2. The Head of Council shall be an ex-officio Member of all Town Advisory and Ad-hoc Committees where not otherwise prohibited by any Act and shall have full voting privileges when in attendance at any Meeting thereof but shall not have the privilege of raising new business or adding any matter to a previously completed Meeting agenda.

21. Amendment To This By-law

No amendment or repeal of this by-law or any part thereof shall be considered at any Meeting of the Council unless notice of proposed amendment or repeal has been given at a previous regular Meeting of the Council and the waiving of this notice by the Council is prohibited.

22. Suspension of Rules

Except as specifically noted to the contrary, any procedure required by this by-law may be temporarily suspended with the consent of two thirds of the Members of the Council or Committee present.

23. Severability

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

24. Remarks

In this By-law, words in the singular include the plural, words in the plural include the singular and words importing the masculine gender include the feminine and neutral genders where the context so requires.

25. Repealed

By-law No. 2943-16, as amended, is hereby repealed in its entirety.

26. Effective Date

This by-law shall come into force and effect upon the final passing thereof.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED this 16th day of June, 2025.

[Redacted Signature]

Susan Paterson, Mayor

[Redacted Signature]

Vicki McDonald, Clerk