



The Corporation of the Town of Innisfil

Procedural

By-Law 014-22

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THE CORPORATION OF THE TOWN OF INNISFIL

BY-LAW 014-22

A By-Law of The Corporation of the Town of Innisfil to provide rules governing the proceedings of its Council, Council Committees, and its members' conduct and to repeal By-law 107-19.

Whereas Subsection 238(2) of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, (the "*Municipal Act*") requires municipalities to pass a Procedural By-law for governing the calling place and proceedings of meetings; and

Whereas Subsection 238(2.1) of the *Municipal Act* requires the Procedural By-law to provide for public notice of meetings; and

Whereas the Council of The Corporation of the Town of Innisfil desires that its governance processes and procedures facilitate, to the greatest extent possible, the understanding and participation of its citizens in the effective conduct of the Corporation's business; and

Whereas the Council of The Corporation of the Town of Innisfil now deems it advisable to enact a new By-law to govern the proceedings of Council, the conduct of its Members and the calling of meetings, and to provide for procedures and statutory requirements and to repeal Procedural By-law 107-19.

Now therefore the Council of The Corporation of the Town of Innisfil enacts as follows:

- 1) That the proceedings of Council shall be governed by the rules and procedures contained in Appendix 'A' attached hereto and forming part of this By-law.
- 2) That By-law 107-19 be repealed including Amending By-laws 021-20 and 077-20; and
- 3) That this By-law shall come into force and effect on the day of passing.

PASSED THIS 23rd DAY OF FEBRUARY, 2022



Lynn Dollin, Mayor



Lee Parkin, Clerk

Appendix A

Part 1 - Rules and Procedures

1. Short Title

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

2. Definitions

In this By-law, the following terms have the specified meanings:

Abstain means to refrain from voting. Members who abstain for reasons other than a declared conflict of interest shall be deemed to vote in opposition of the question or matter.

Action Tracking Report means a report maintained by the Clerk of action items that are motions adopted by Council and which may include anticipated Staff initiated reports.

Ad Hoc Committee means a special purpose committee of limited duration, appointed by Council to consider a specific matter and which is dissolved automatically upon submitting its final report to Council, unless otherwise directed by Council.

Advisory Committee means a committee established by Council to address on-going administrative matters within the scope and responsibility of Council and will provide periodic reports to Council presenting advice and recommendations on matters under consideration.

Agenda means the written order of business for a meeting.

Announcements means information provided by Members of Council or staff relating to events of community interest.

Appeal means a process in which cases are reviewed, where parties request a formal change to an official decision. Appeals function both as a process for error correction, as well as a process of clarifying and interpreting law.

Assembly means an informal gathering of Members, such as a celebration or ceremony, where no member may discuss or otherwise deal with any matter in a way that materially advances the business or decision making of Council or a Committee.

Board means a municipal service board, transportation commission, board of health,

planning board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board, conservation authority, the Innisfil Public Library Board and Bradford West Gwillimbury/Innisfil Police Services Board.

Board Meeting means a formal meeting of the board of directors of an organization.

By Council Consent means that all members of Council agree to an action without a vote. Should any member disagree, they would call for a formal vote that at that time. This practice is typically used when considering items out of order or during adjournment of a meeting.

CAO means the Chief Administrative Officer of the Town of Innisfil or their designate.

Chairperson means the person presiding over a meeting who has the responsibility to decide questions and points of order or practice, preserve order, and maintain decorum. The Chairperson may vote on all questions, except were disqualified by the Procedural By-law or any other Act, regulation or by-law.

Clerk means the Clerk of the Town of Innisfil or their designate.

Closed Session (also known as an “in camera meeting”) means a Meeting or a Special Meeting, or portion thereof, closed to the public.

Committee means a committee appointed by Council, regardless of whether Council Member(s) sit on the committee but excludes Committee of the Whole.

Committee Member means a member of a Committee as defined in the committee’s Terms of Reference.

Committee of the Whole means a committee of all Council Members convened to facilitate discussion using a less formal meeting process.

Communication(s) includes, but is not limited to, a letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, or periodical article.

Consent List means a section of the Regular Meeting agenda. Items placed on the Consent List may not require consideration, or may be received for information only, and may be approved with one resolution by Council. Council may select and move any item from the Consent List to Committee of the Whole for consideration.

Council means the Council of the Town of Innisfil comprised of an elected Mayor,

Deputy Mayor and Councilor's from each of the seven Wards.

Council Member means a member of Council, including the Mayor and Deputy Mayor.

Defer (motion to) means to postpone the consideration of a question or resolution until a future date or time.

Delegate means a person or group of persons that applies to the Clerk to make a Delegation.

Delegation means an appearance by a person, group of persons, Town Staff, Town Consultants, Committee, Board or Commission to address Council or a Committee, typically regarding an agenda item, or to request Council's support for funding or support of an action.

Divide the Question means a request by a Member to have a long motion divided into parts, which are capable of standing alone, so that the parts may be voted on separately.

Electronic Participation means participation in a Meeting by one or more Members of Council or the public by electronic means as determined by the Clerk (e.g. video or teleconference).

Ex-Officio Member means that he/she is a member by virtue of his/her office and would not otherwise be a member. He/she has all of the rights of a member unless otherwise stated.

Friendly Amendment means the motion under debate is amended without the requirement for an amending motion to be made.

Head of Council means the Mayor of the Town of Innisfil.

Hearing means a proceeding conducted by Members of Council, known as the Hearing Panel, where an issue of law or fact is tried and evidence is presented to help determine the issue.

Holiday means those holidays listed in the *Legislation Act, 2006*, S.O. 2006, c.21, Sch. F, as amended from time to time, except for Remembrance Day, and any day as set out in a resolution or by-law passed by Council.

Improper Conduct means conduct that obstructs the deliberations or proper action of Council or a Committee.

Majority means more than half of the votes cast by Members entitled to vote.

Meeting means 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.

Member(s) means a Council Member(s) or Committee Member(s).

MFIPPA means the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended.

Notice of Motion means an advance notice to Members of a matter which Council or a Committee will be asked to consider at the next meeting of Council or a Committee as a “**Motion for Which Notice has Been Given**”.

Open Forum means that portion of the Council meeting where members of the public may express their concerns or comments regarding agenda items only.

Order of Business means the sequence of business to be considered at a Meeting.

Order of Consideration means that at certain times Council may consider one an item in advance of another by consent of all members without passing a motion. This may occur as a consideration for any person(s) in the Chamber waiting for Council to consider an item that has other items listed before that item.

Pecuniary Interest means a direct or indirect pecuniary interest within the meaning of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c.M.50.

Petition means a document requesting Council’s consideration of a matter.

Point of Order means a matter that a Member considers to be a departure from or contravention of the rules and procedures contained in the Procedural By-law.

Point of Personal Privilege means a matter that a Member considers to call into question his/her integrity or that of Council or a Committee.

Presentation means the presenting of information, or an award, certificate, cheque or similar item to members of the public, Council, Committee or staff that is of interest to the general community and does not include any request for funding or

support of an action.

Proclamation means a symbolic gesture of Council by passing a resolution endorsing special day(s), week(s) or a month in support of a community group and its cause.

Public Meeting Under an Act means a Meeting or a Special Meeting held for purposes under the *Planning Act*, R.S.O. 1990, c. P.13, as amended; *Development Charges Act*, 1997, S.O. 1997, c. 27; or any other Act.

Quorum means the majority of the total voting Members required to constitute Council or a Committee.

- Quorum for 9 Members equals 5
- Quorum for 8 Members equals 5
- Quorum for 7 Members equals 4
- Quorum for 6 Members equals 4
- Quorum for 5 Members equals 3

Recorded Vote means recording in the Minutes of a Meeting the names of each Member present and their vote (i.e. in favour or opposed) on a matter or question before Council or a Committee.

Refer (motion to) means to direct a matter under discussion to staff or to another Committee for further examination, information, or review.

Regular Meeting means a regularly scheduled Council business meeting.

Recess means a short break taken during a Meeting, which may be permitted at the discretion of the Chairperson.

Revised Recommendation means an alternative recommendation proposed by a member of Council for consideration.

Rules of Procedure means the applicable rules of procedure contained in this By-law.

Section means an enumerated section of this By-law.

Shareholder means Council's role as the owner of shares of a corporation.

Shareholder Meetings means a gathering of company officers, board of directors (BOD), and shareholders. Shareholder meetings are held as Special Council meetings where applicable.

Special Meeting means a Meeting called by the Mayor or Chairperson and not scheduled in accordance with the approved regular schedule of meetings.

Table (motion to) means to postpone the consideration of a matter without setting a definite date for future discussion.

Town or Town of Innisfil means The Corporation of the Town of Innisfil.

Town Consultant means a professional hired by the Town to provide professional advice.

Town Website means the internet site maintained by the Town at www.innisfil.ca.

“Vote” means a formal indication of a choice between being in favour of a question, motion, resolution or course of action, or opposed to same, which is typically expressed by a show of hands unless a recorded vote is requested.

Working Group means an informal group, which may include members of Council, Staff and the public who are working on a specific purpose or project.

Workshop means a Special Meeting where the purpose is to receive information, education or training and may be in an informal environment.

3. Application

The Rules of Procedure contained in this By-law shall be observed in all proceedings of Council and shall be the rules for the order and dispatch of business in Council and, with necessary modification, to all Committees. A failure to strictly adhere to the procedural rules of this By-law shall not invalidate the action of Council or a Committee acting in good faith.

4. Suspension of Rules

Rules of procedure provided for in this Procedural By-law may be temporarily suspended by Council or a Committee by a vote of two-thirds of the Members present, with the exception of the following:

- Where required by law;
- Contractual agreements binding the Town;
- Quorum requirements; and
- Amending this Procedural By-law.

5. Bourinot’s Rules of Order

All Points of Order or procedure for which rules have not been provided in this By-

law or its appendices, shall be decided by the Chairperson in accordance with, as far as practicable, the rules of Canadian Parliamentary Law as set out in Bourinot's Rules of Order. This By-law takes precedence where a conflict exists with Bourinot's Rules of Order.

6. Interpretation

- 6.1 In this By-law, words in the singular include the plural and vice versa, and all references to gender are intended as gender neutral.
- 6.2 The business, by-laws and resolutions of the Town of Innisfil will be conducted and maintained in English.
- 6.3 Whenever any reference is made in this By-law to a statute of the Legislature of the Province of Ontario, such reference shall be deemed to include all subsequent amendments to such statute and all successor legislation to such statute.

7. Amendment

- 7.1 No amendment or repeal of this By-law or any part thereof shall be considered at any meeting of the Council unless notice of the proposed amendment or repeal has been given at a previous Regular Meeting. The waiving of this notice provision by Council resolution is prohibited.
- 7.2 In addition to the notice described in the previous Section, amendment or repeal of this By-law or any part thereof shall require a two-thirds majority resolution of Council Members.

8. Severability

Should any provision of this By-law be declared by a court of competent jurisdiction to be invalid, it shall not affect the validity of the remaining provisions.

Part 2 – Roles and Duties

9. Role of Council

- 9.1 It is the role of Council, pursuant to Section 224 of the *Municipal Act*:
- a) To represent the public and to consider the well-being and interests of the municipality;
 - b) To develop and evaluate the policies and programs of the municipality;
 - c) To determine which services the municipality provides;
 - d) To ensure that administrative policies, practices and procedures and

controllership policies, practices and procedures are in place to implement the decisions of Council;

- e) To ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- f) To maintain the financial integrity of the municipality; and
- g) To carry out the duties of Council under this or any other Act.

9.2 Council develops regulations to be adopted in by-laws and passes resolutions, which serve the purposes outlined above in Section 9(a).

9.3 Council appoints statutory officers to ensure that an appropriate management system is in place to administer the Town within the policies set by Council.

9.4 The whole of Council is designated as “Head” for the purposes of the *MFIPPA*.

9.5 Council collectively arbitrates matters where this By-law is silent and the matter is placed before Council for disposition.

9.6 Members and Staff shall adhere to the Council/Staff Protocol attached to this By-law as Appendix “B”.

10. Role of the Mayor

10.1 It is the role of the Mayor as Head of Council, pursuant to Sections 225 and 226.1 of the *Municipal Act*:

- a) To act as Chief Executive Officer of the municipality;
- b) To preside over Council meetings so that its business can be carried out efficiently and effectively;
- c) To provide leadership to Council;
- d) Without limiting the generality of Clause (c), to provide information and recommendations to Council with respect to the role of Council as described in Section 9 of this By-law;
- e) To represent the municipality at official functions;
- f) To carry out the duties of the Head of Council under the *Municipal Act* or any other Act, with the exception of *MFFIPA* as noted in section 9.4;
- g) To uphold and promote the purposes of the municipality;
- h) To promote public involvement in the municipality’s activities;
- i) To act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- j) To participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

- 10.2 The Mayor shall be the official spokesperson on matters discussed in Closed Session meetings, although this provision does not release the Mayor from the confidentiality requirements of Closed Sessions.
- 10.3 The Mayor shall sit on the Council of the County of Simcoe as County Councillor.
- 10.4 The Mayor is a non-voting *ex-officio* member of all Committees and may count towards quorum if required and may participate in the discussion or debate. The Mayor may only vote if he/she has been appointed by Council as a voting member, or if he/she is acting as replacement for the Council representative(s) should they be unable to attend a meeting.

11. Role of the Deputy Mayor

- 11.1 The Deputy Mayor shall act as the Head of Council and assume certain duties of the Mayor outlined in Section 10 for the duration requested by the Mayor, should the Mayor be absent from the municipality, and notice is provided to the Clerk by the Mayor.
- 11.2 Notwithstanding the previous Section, the Deputy Mayor shall act as the Head of Council and assume the necessary duties of the Mayor for the necessary duration, should the Mayor be unable to perform his/her duties as a result of illness, incapacity, or the office of the Mayor becomes vacant.
- 11.3 The Deputy Mayor shall sit on the Council of the County of Simcoe as County Councillor.
- 11.4 For the purposes of the Town Emergency Plan, the Deputy Mayor shall be the alternate for the Mayor if he/she is unavailable.

12. Role of the Chair

- 12.1 Open the meeting by calling the meeting to order, and ensure that:
- a) Quorum is maintained throughout the course of the meeting;
 - b) The business is announced in the order in which it is to be considered;
 - c) Receive and submit, in the proper manner, all motions presented by the members;
 - d) Direct discussion in such a manner that all questions and comments shall be presented through the Chair;
 - e) Put to vote all motions which are moved, and seconded when necessary, or all motions that arise in the course of the proceedings, and announce the result of each vote;
 - f) Decline to put to vote motions that infringe upon the rules under this By-law;

- g) Uphold on all occasions the rules and the observance of order and decorum amongst the members, and the conduct of members and attendees, in accordance with this By-law, Council policies and procedures, or any other applicable legislation;
- h) Undertake all matters required to permit the meetings to proceed in an orderly and efficient manner;
- i) Members take a “health break” by announcing a minimum ten (10) minute recess after two (2) hours have passed since the last break;
- j) Authenticate by signature, all applicable by-laws;
- k) Adjourn the meeting when the business is concluded, or at the designated time; and
- l) Adjourn the meeting without question or suspend the meeting to a time to be named by the Chair, if he/she considers it necessary to establish order.

13. Role of CAO

13.1 The CAO shall be appointed by by-law.

13.2 In addition to those roles and duties assigned by Council and specified in Sections 227 and 229 of the *Municipal Act*, the CAO shall have the following responsibilities:

- a) Review and guide all policy recommendations prior to submission to Council;
- b) Assist Council in discharging its responsibilities, and in a non-partisan manner, to aid Members in carrying out their duties;
- c) Attend Council Meetings with the right to speak, subject to the consent of the Chairperson, but not to vote; and
- d) Exercise general control and management of the affairs of the municipality to ensure its efficient and effective operation.

13.3 For the purposes of the Town Emergency Plan, the CAO shall designate a member of the senior management team to be his/her alternate.

14. Role of Clerk

14.1 The Clerk shall be appointed by by-law and shall be deemed a municipal officer in accordance with the *Municipal Act*, and for any other purpose as required.

14.2 The Clerk is a non-voting *ex-officio* member of all Committees, unless he/she is appointed by Council as a voting member.

14.3 In addition to those roles and duties specified under Section 228 of the *Municipal Act*, the Clerk (or his designate) shall have the following responsibilities:

- a) Retain the official records of the Town, including the minutes of the

proceedings of Council, and Committees, original by-laws, and executed agreements;

- b) Attend all Meetings (whether closed or open to the public) of Council and ensure that a detailed, but not necessarily verbatim, record of the proceedings is kept and that all resolutions are recorded without note or comment;
- c) Make such minor clerical, typographical or grammatical deletions, additions or other changes to any by-law, motion, resolution or minutes as may be required for the purpose of ensuring correct and complete implementation of Council direction;
- d) For the time period referenced in the Town's Records Retention By-law, retain any audio and/or visual recording made of Council and Public Meetings, which are not intended to replace the official public record adopted by Council;
- e) Prepare an agenda for all Regular Meetings;
- f) Facilitate the efficient management of Council Meetings by determining the suitability and eligibility of delegations on the basis of the presentation subject and/or request for action or support for Council;
- g) Include all reports of Committees on the Agenda of the next Regular Meeting;
- h) Effect notice to each Member and the public of every Regular Meeting and Special Meeting of Council, together with the Agenda and attachments in electronic format;
- i) Provide administrative support to Committees;
- j) Notify appropriate Town staff of any resolution passed by Council that is to be acted or reported upon by staff, as well as other individuals or groups that have expressed their desire to be notified of a particular subject matter and that have provided e-mail contact information for same;
- k) By way of delegated authority, place housekeeping or consolidation by-laws directly on the Consent List for Council approval or consideration;
- l) Appoint Deputy Clerk(s) by by-law and assign duties to same as required, pursuant to Subsection 228(2) of the *Municipal Act*;
- m) All powers and duties under the MFIPPA are delegated to the Clerk; and
- n) Perform such other duties as are prescribed by law, regulation, by-law or by direction of Council.

14.4 Council recognizes the importance of legal advice and shall refer questions of liability and corporate risk exposure to the Town Solicitor for consideration and report back to Council.

Part 3 – Meetings

15. Location

15.1 Council Meetings shall be held in the Council Chambers at the Town Hall located at 2101 Innisfil Beach Road, unless:

- a) Otherwise specified in this By-law;
- b) An alternate location is passed by resolution of Council; or
- c) Where a resolution is impractical, the Clerk may select an alternate location within the municipality.

15.2 Where a Meeting of Council is held at a location other than the Council Chambers, notice shall be provided to the public no later than the time of publication of the agenda pursuant to Section 21 for Regular Meetings and Section 25 for Special Meetings.

15.3 Electronic Participation

- a) Members, Staff, invited guests, and members of the public may attend Regular or Special electronic meetings of Council and Committees. Council members, Staff and invited guests may be permitted to attend electronic meetings closed to the public.
- b) When a Regular or Special Council meeting is being held in Council Chambers or an alternative location, up to two Members may participate by electronic participation and shall advise the Clerk at least 48 hours in advance of the meeting, on a first come first served basis.
- c) Members may participate by electronic participation to a maximum of five meetings annually for no more than two consecutive meetings.
- d) Quorum is satisfied in the same manner as if any Member is participating by electronic participation or in person.
- e) Council Members shall be permitted to vote when participating by electronic participation. The vote shall be held in a manner as indicated by the Chair.
- f) The Chair shall ensure that Members participating by electronic participation are given the same opportunity to speak to each question as they would have been given if participating in person.
- g) The Town may use electronic means to facilitate electronic participation at the Clerk's discretion in consultation with the CAO and Information Technology Services. Video conferencing shall be the preferred method of electronic participation, but the Clerk may allow for electronic participation by any means provided that there are audio capabilities for the participants which can be integrated into the Town's live streaming capabilities.
- h) In the event of any type of connection/service disruption, the Chair may recess the meeting to allow for attempts to reconnect. After 10 minutes of a connection/service disruption, the meeting shall resume, and no more efforts shall be taken to reconnect. The meeting minutes will reflect by notation that any Council members participating electronically are no longer in attendance due to technical reasons.
- i) In the event that the livestream fails to broadcast, the meeting will continue as long as physical quorum has been maintained, and a link to the recording of the meeting will be provided on the Town's website as soon as possible after the meeting has been adjourned.

- j) All other Sections of this Procedural By-law shall remain in effect and shall be observed to the extent reasonably practicable during a meeting with electronic participants.

15.3.1 During Critical Circumstances

- a) Electronic participation shall be permitted for all Members at a Regular or Special Meeting of Council or Committee where the Clerk, in consultation with the Mayor and CAO, has determined that the meeting should continue to follow an electronic meeting format due to critical circumstances.
- b) Quorum is satisfied in the same manner as if any Member is participating by electronic participation or in person.
- c) In the event that the livestream fails to broadcast during a meeting where all participants are electronic, the meeting will be adjourned immediately, and all items will be forwarded to the next Regular or Special Council meeting agenda.
- d) All other Sections of this Procedural By-law shall remain in effect and shall be observed to the extent reasonably practicable during a meeting with electronic participants.

16. Decorum

- 16.1 Members of the public attending a Meeting shall respect the formal and professional decorum of Council and its Committees. Individuals shall refrain from public outburst, shouting, and any behavior intended to disrupt the debate, discussion and general proceedings of Council or a Committee. Individuals with placards, signs, posters, clothing and similar advertising devices, whether political or otherwise, that demonstrate a lack of respect for the formal nature of Council Meetings being held in Council Chambers, may be asked to leave or remove those items by the Clerk. The Mayor or Chairperson may request that a member or members of the public vacate the location of a Meeting if their behavior or actions are deemed disruptive to the business at hand. Any person participating in a Meeting by electronic participation may be removed by Staff should they exhibit any of the above noted behaviors. The Mayor or Chairperson may unilaterally suspend the meeting until order is restored.
- 16.2 The Mayor or Chairperson may allow appropriate clapping in recognition of celebration.

17. Open to the Public

- 17.1 All Meetings shall be open to the public and no person shall be excluded except where Council or a Committee meets for a Closed Session in accordance with this By-law and the *Municipal Act*.

17.2 Notice of all Meetings, excluding Closed Sessions, shall be provided to the public by posting at minimum the date, time, location, and topic on the Town Website.

17.3 Lack of receipt of notice shall neither affect the validity nor any action taken at the Meeting.

18. Staff Participation

Town Staff and Town Consultants in attendance at a Meeting may be recognized to speak at the discretion of the Mayor or Chairperson. Members shall, whenever possible, communicate their concerns to Town Staff in advance of discussing them at a Meeting.

19. Inclement Weather

If it appears that a storm or similar occurrence will prevent the Members from attending a Meeting, the Mayor or Chairperson may postpone or cancel that Meeting up to three (3) hours before the start of the Meeting, by advising the Clerk who shall assist in advising as many Members as possible, as well as the media, senior management, and interested parties. Postponement shall not be for any longer than the next Regular Meeting.

20. Inaugural Meeting of Council

20.1 The inaugural meeting of Council shall be held at 7:00 p.m. in the Council Chambers at Town Hall on the first Wednesday in December following a regular municipal election, or the first Wednesday after the Council term commences, pursuant to the *Municipal Elections Act*, 1996, S.O. 1996, c. 32, Sch.

20.2 The Mayor Elect and Clerk shall be responsible for the format, agenda content, and arrangements for the inaugural meeting, but the agenda shall include the declaration of office, pursuant to Section 232 of the *Municipal Act*.

Regular Meetings

21. Schedule

21.1 Council shall hold its Regular Meetings on the second and fourth Wednesday of each month, commencing at 7:00 p.m., subject to the exceptions noted in this By-law, or on such other day as may be determined by resolution of Council. In the event that such a day is a Holiday, Council shall meet at the same hour on the first day thereafter that is not a weekend or Holiday.

21.2 During the month of July Council shall observe a summer schedule during which

time no regular Council meetings will be scheduled.

21.3 During the month of January, Council shall hold one (1) Regular meeting with the date to be determined annually when Council approves the yearly Council Schedule of Meetings, that will commence at 7:00 p.m., and during the months of August and December, Council shall hold one (1) Regular Meeting on the second Wednesday of each month, commencing at 7:00 p.m.

21.4 Where a Regular Meeting is to be held at a time or day other than as set out in this Section, the Clerk shall give at least one week's notice through publication on the Town Website, Town electronic sign, and where practical and time permits in a newspaper, which is contracted with the Town through applicable procurement policies, to give the public reasonable notice of the changed meeting date and time.

22. Notice

22.1 Notice of a Regular Meeting shall typically be provided to the public through publication of the Agenda and attachments on the Town Website by Wednesday at 4:30 p.m. the week prior to the Regular Meeting

22.2 Notwithstanding Section 22.1, the Clerk shall have the discretion to delay the release of the agenda as may be reasonably required.

23. Action Tracking Report

23.1 The Action Tracking Report shall be maintained by Clerk Services on the Town website for public viewing. Managers are responsible for providing Council with requested information and updates, as indicated in the Action Tracking Report.

23.2 Where a matter is Deferred or Tabled, the Clerk shall ensure that the direction is clearly indicated in the Minutes and recorded in the Action Tracking Report.

23.3 Any outstanding items on the Action Tracking Report from a previous Council term shall be considered by a newly elected Council within 60 days of its inaugural Council Meeting. At that time, Council shall either affirm or rescind each of the requests for a staff report, subject to the reconsideration provisions set out in this By-law.

24. Agenda

24.1 The Clerk shall have an Agenda prepared with an Order of Business typically containing the following:

- a) Opening of the Meeting
- b) Open Forum

- c) Approval of the Agenda
- d) Disclosure of Interest
- e) Presentation/Petitions
- f) Delegations by Members of the Public
- g) Delegations by Invited Guests or Town Staff
- h) County Council, Municipal Association & Conservation Authority Updates
- i) Consent List
- j) Committee of the Whole
- k) Notice of Motions/Motion for Which Notice Has Been Given
- l) Announcements
- m) Closed Session (if required)
- n) Confirming By-law
- o) Adjournment

24.2 The Agenda as outlined above may be adjusted at the discretion of the Clerk, CAO, or Chair, to suit the most efficient order of business prior to the distribution of the agenda.

Special Council Meetings

25. Schedule

25.1 A special meeting of Council may be required from time to time and may be initiated by:

- a) The Mayor or Chair;
- b) The Clerk, upon receipt of a two-thirds majority petition of Members, containing their original signatures, and specifying the purpose; or
- c) The Clerk, in consultation with the Chief Administrative Officer.

25.2 In general, Special Meetings of Council should be scheduled on the first and/or third Wednesday of the month, commencing at 6:30 p.m., however, the date, time, and location may be set by the Clerk in consultation with the Mayor or by two-thirds vote of the Members.

25.3 Notwithstanding Section 25.2, Special Meetings of Council, for the purpose of a Closed Session, may be scheduled to commence at 6:00 p.m. prior to a regularly scheduled Council meeting, or as required in consultation with Council.

26. Agenda

26.1 The Clerk shall, when practical, have a Special Meeting agenda typically prepared in

the following Order of Business for the use by Members at a Special Meeting:

- a) Opening of Meeting
- b) Approval of the Agenda
- c) Disclosure of Interest
- d) Delegations or Public Consultation (if required)
- e) Business Items
- f) By-laws
- g) Confirming By-law
- h) Adjournment

26.2 Business transacted at a Special Meeting shall include only that for which notice was provided.

27. Notice

27.1 The Clerk shall provide a minimum of forty-eight (48) hours' notice of the date, time, location and purpose of the Special Meeting, except in critical circumstances as determined by the Mayor and CAO (or their alternates).

27.2 In an emergency situation, at the discretion of the Mayor in consultation with the Clerk or CAO (or their alternates), the Notice, pursuant to Section 27.1, may be waived.

28. Workshop

Where the purpose of a Special Meeting is to have a workshop to receive information, education or training, the Clerk in consultation with the Mayor or Chair may prepare a workshop agenda that reflects the informal setting of such a meeting. The Workshop is deemed to be a session of the Committee of the Whole, although adherence to the provisions of this Procedural By-law related to the Committee of the Whole may be relaxed at the discretion of the Mayor or Chair.

Public Meetings Held Under An Act

29. Schedule

29.1 In the event that a Public Meeting Under an Act is expected to require 30 minutes or less, Council shall hold a Special Council Meeting on the second or fourth Wednesday of each month as required, commencing at 6:30 p.m., subject to the exceptions noted in this By-law, or on such other day as determined by resolution of Council.

29.2 In the event that a Public Meeting Under an Act is expected to require more than 30 minutes, Council may hold a Special Council Meeting, to be held on the third

Wednesday of each month as required, commencing at 6:30 p.m., subject to the exceptions noted in this By-law.

- 29.3 During the month of July, Council shall observe a summer schedule during which time no Public Meetings will be scheduled.
- 29.4 During the month of August and December, Public Meetings may be held on the third Wednesday of the month as required, commencing at 6:30 p.m.

30. Agenda

The Agenda for Public Meetings shall include a Public Consultation section whereby a Delegate may address Council at a Public Meeting regarding the subject matter at hand without prior notice.

31. Public Consultation

- 31.1 Members of the public may register for a Public Meeting by means as indicated within the agenda or on the Town's website and may be permitted to address Council members for an initial five minutes until all persons wishing to speak have had their initial five minutes. The Mayor may invite members of the public to speak for an additional five minutes, and this format shall continue until interested members of the public have been provided an opportunity to speak.
- 31.2 Any presentation materials being used during the Public Consultation must be provided to Clerk Services 48 hours in advance of the Meeting and are subject to review by Town Staff. Presentation materials may be circulated to Council in advance of the meeting by request and may be added to the agenda at the request of a Council member and a two-thirds majority vote.
- 31.3 Comments made by members of the public will be recorded within the Minutes and will form part of the public record.

32. Notice

The Clerk shall provide notice of the date, time, and location of Public Meetings by publication on the Town Website and other means as required by the relevant Act.

33. Hearings

Notwithstanding anything in this By-law, where Council convenes for the purpose of holding a hearing as required by any statute, the provisions of the statute and the *Statutory Powers Procedure Act* R.S.O. 1990, c. 5.22, as applicable, shall govern the proceedings.

34. Shareholder Meetings

Council shall meet as Shareholder by way of a Special Council Meeting for any Corporation for which the Town of Innisfil holds shares. Council, at a regular meeting, may also consider reports from any Corporation for which the Town holds shares, and the Mayor and Clerk are authorized, upon approval by Council, to sign any necessary resolutions.

35. Assemblies

35.1 An Assembly shall not be deemed to be a Meeting and shall not be subject to the formal rules applicable to Meetings contained in this By-law.

35.2 Examples of assemblies include, but are not limited to, community celebrations and events, Board and Agency dinners by invitation, Spirit of the Community Town events, dedications and openings, flag raising events, and award ceremonies.

Part 4 – Meeting Procedures

36. Call to Order and Quorum

36.1 The Mayor or Chair shall call the Members to order as soon after the hour of the Meeting as there is a Quorum present.

36.2 If a Quorum for a Meeting is not present within fifteen (15) minutes of the time fixed for the commencement of the Meeting, the Clerk or designate shall indicate that no Quorum is present and the Meeting shall stand adjourned until the next Meeting called in accordance with the provisions of this By-laws. A No Quorum Report shall be provided to Council.

36.3 The Mayor shall chair Council Meetings unless he/she is unavailable or has a conflict, in which case the Deputy Mayor will chair the Council Meeting. In the absence of the Mayor and the Deputy Mayor, and if a Quorum is present, the Clerk shall call the Members to order. An Acting Head of Council shall be chosen from the Members by the Members, who shall preside during the meeting or until the arrival of the Mayor or the Deputy Mayor, and such person shall be the Chair.

36.4 Members who abstain for reasons of a declared pecuniary interest or perceived conflict of interest are deemed to count towards the total to constitute a Quorum, pursuant to Section 7 of the *Municipal Conflict of Interest Act*.

36.5 If, during the course of a Meeting, Quorum is lost, the Chairperson shall declare that the meeting shall stand recessed temporarily or be adjourned until the date of the

next Meeting called in accordance with the provisions of this By-law.

- 36.6 The Clerk, or his or her designate, shall be present at all Regular Meetings, Closed Sessions, and Special Meetings.

37. Land Acknowledgement

Meetings of Council or their committees may be opened with a Land Acknowledgement where appropriate at the discretion of the Chair, and this acknowledgement may be provided by any member of Council, Staff or invited guests as determined by the Chair.

38. Open Forum

- 38.1 Open Forum allows for comments from the public relating to any item appearing on the current Council meeting agenda.
- 38.2 All comments are to be addressed through the Mayor or Chairperson.
- 38.3 Individuals shall sign the 'Open Forum Register' prior to being permitted to speak to Council or a Committee during Open Forum and provide a written submission of their speaking content.
- 38.4 Open Forum may be made by electronic participation. In the event of any type of connection/service disruption, all other registered speakers will be provided two minutes, and then the Chair will ask the Clerk if the participant has reconnected before Open Forum is completed, or request that the Clerk read the written submission of speaking content as submitted by the participant upon registration.
- 38.5 Open Forum shall last no longer than ten (10) minutes. The length of time each individual has to address Council or a Committee shall be at the discretion of the Mayor or Chairperson, but as a general practice shall not be longer than two (2) minutes.
- 38.6 Individuals may verbally address Council however presentation or distribution of any materials is not permitted at the meeting. Material or information for Council may be provided to Clerk Services before 4:30 p.m. the day before the Meeting and will be reviewed by Staff and circulated to Council before 12 p.m. on the day of the Meeting.
- 38.7 Members and staff shall not be engaged in a debate or discussion during Open Forum. No motions shall be made during Open Forum as a result of comments made during Open Forum other than matters of procedure as outlined in Section 64.1. During Open Forum, no member of the public shall:
- a. Speak disrespectfully of any person;
 - b. use offensive language;

- c. disobey the rules of procedure or a decision of the Mayor or Chairperson; or
- d. speak to Council about matters:
 - i. Involving current or pending litigation;
 - ii. Involving insurance claims;
 - iii. Administrative complaints that have not been reported and investigated through the Customer Service process;
 - iv. Beyond the jurisdiction of Council; or
 - v. Contrary to *MFIPPA*.

38.8 Comments made during Open Forum will not form part of the Minutes of Meeting. Council members may request that any material received regarding Open Forum be included on the Correspondence List of a subsequent Council meeting.

39. Approval of the Agenda

39.1 Council shall approve the agenda as provided by Clerk Services.

39.2 The Clerk has the discretion to add item(s) to the Agenda under Approval of the Agenda section, after the Supplementary Version has been posted to the Town's website, where the Clerk is of the opinion that the matter is sufficiently urgent to violate the fundamental principle of providing the prescribed public notice, and the Late Submission item(s) should meet one of the following time-sensitive conditions:

- a) Provide additional information to an existing agenda item;
- b) Required to meet government/agency deadlines;
- c) Delay would have legal or financial implications; or
- d) Council/Committee direction.

39.3 All items, received after the Supplementary Version has been posted, must be approved by the Clerk before consideration by Council during Approval of the Agenda.

39.4 Council shall consider the Late Submission item(s) during Approval of the Agenda and these items require a two-thirds majority vote of Council to be added, with the exception of Delegations or Notices of Motion received by the permitted deadline. Any Delegation request received after the deadline would require a two-thirds majority vote.

39.5 Items approved for addition shall be added to their respective areas of the agenda with a notation to indicate that the item has been added.

39.6 Items added under this section may be Tabled or Deferred to allow for adequate public notice.

39.7 Whenever possible, the Clerk shall endeavor to circulate Late Submission items and supporting documentation to Council, Town Staff and the media by posting them on the Town Website as soon as practical, preferably in advance of the Regular Meeting.

40. Disclosure of Interest

40.1 Where a Member, either on his or her own behalf or while acting for, by, with and/or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council or Committee at which the matter is the subject of consideration, the member shall:

- a) Prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- b) Not take part in the discussion of or vote on any question with respect to the matter; and
- c) Not attempt in any way before, during and/or after the meeting to influence the voting on any such question.

40.2 Where a meeting is not open to the public and a Member has a pecuniary interest in a matter, in addition to complying with the requirements of Section 36.1, the Member shall forthwith leave the meeting for the part of the meeting during which that matter is under consideration.

40.3 Where the interest of a Member has not been disclosed by reason of his/her absence from a particular Meeting, the Member shall disclose his/her interest and otherwise comply at the first meeting of Council or Committee attended by him/her after that Meeting.

40.4 The Clerk shall record the particulars of any disclosure of pecuniary interest made by a Member and any such record shall appear in the minutes of that particular Meeting. The Clerk shall also maintain a Registry of all disclosures of interest that shall be made available to the Public as required.

40.5 Where a consent list item is the source of a declaration of pecuniary interest, the Member who has declared such an interest is deemed not to have voted on that matter.

41. Presentations

41.1 Each Presentation may be provided up to ten (10) minutes speaking time, however, the requested time does not guarantee actual speaking time. Placement on an agenda and permitted speaking time shall be determined by the Clerk, subject to the volume of material on a given Regular Agenda. Clerks Services shall confirm the

allotted speaking time to the Presenter(s) in advance of the meeting. The Mayor or Chairperson has discretion to provide latitude under this section.

- 41.2 Presentation requests may be made to the Clerk no later than 12:00 p.m. (noon) on the Friday prior to a Regular Meeting. A request does not guarantee placement on an agenda.
- 41.3 Any material(s) that the Delegate wishes to use or have distributed to Council during their Delegation at Regular Council Meeting or Advisory or Ad Hoc Committee Meeting must be provided to Clerk Services 48 hours in advance of the Meeting, including any power point or other type of presentation.
- 41.4 Presentations may be made by electronic participation. In the event of any type of connection/service disruption, the Chair may recess the meeting to allow for attempts to reconnect. After 10 minutes of a connection/service disruption, the meeting shall resume, and no more efforts shall be taken to reconnect. The meeting minutes will reflect by notation that due to technical difficulties the presentation was interrupted. The Presentation may be rescheduled to the next available Council meeting or Council may receive the information as presented or refer the information to Staff.
- 41.5 A motion to express Council's or a Committee's appreciation or similar sentiment is proper during this part of the meeting without prior notice.

42. Petitions

- 42.1 Each presentation of a Petition may be provided up to ten (10) minutes speaking time, however, the requested time does not guarantee actual speaking time. Placement on an agenda and permitted speaking time shall be determined by the Clerk, subject to the volume of material on a given Regular Agenda. Clerks Services shall confirm the allotted speaking time to the Presenter(s) of a Petition in advance of the meeting. The Mayor or Chairperson has discretion to provide latitude under this section. The subject matter of a Petition need not relate to a matter on the Agenda.
- 42.2 Presenters of Petitions shall apply on the form prescribed by the Clerk no later than 12:00 p.m. (noon) on the Friday prior to a Regular Meeting. A request does not guarantee placement on an agenda.
- 42.3 Timing for submission of a Petition to a Committee, shall be at the discretion of the Chair of the respective Committee.
- 42.4 Any material(s) that the Petitioner wishes to use or have distributed to Council during their Delegation at Regular Council Meeting or Advisory or Ad Hoc Committee

Meeting must be provided to Clerk Services 48 hours in advance of the Meeting, including any power point or other type of presentation.

- 42.5 Presenters of a Petition may be made by electronic participation. In the event of any type of connection/service disruption, the Chair may recess the meeting to allow for attempts to reconnect. After 10 minutes of a connection/service disruption, the meeting shall resume, and no more efforts shall be taken to reconnect. The meeting minutes will reflect by notation that due to technical difficulties the presentation of the Petition was interrupted. The Presentation of the Petition may be rescheduled to the next available Council meeting or Council may receive the information as presented or refer the information to Staff.
- 42.6 Motions to receive a Petition, refer the matter to Town Staff for consideration, or direct Town Staff to report back to Council, are proper during this part of the Agenda without prior notice. Any other motion related to a Petition shall be moved during the Notice of Motion part of the Agenda.
- 42.7 The Clerk may refuse to schedule a Petition presentation and not place a Petition on the Council Agenda where the subject matter:
- a) involves current or pending litigation
 - b) Involves insurance claims;
 - c) Involves administrative complaints that have not been reported and investigated through the Customer Service process;
 - d) Is beyond the jurisdiction of Council; or
 - e) Is contrary to *MFIPPA*.
- 42.8 Petitions must include at least ten (10) signatures. Signatories to a Petition are deemed to have waived any expectation of privacy as a result of the record being created for review by the general public.
- 42.9 Petitions shall contain the printed name, signature, address and phone number of the individuals signing it. Signatures without contact information shall be redacted by the individual or group submitting the Petition.
- 42.10 Petitions containing only original signatures will be accepted and may be submitted electronically.
- 42.11 After a petition has been presented to Council, all follow-up by Town Staff will be provided to the person who made the initial submission, and it is the responsibility of that person to contact or update any of the persons who signed the initial petition.

43. Delegations by Members of the Public/Delegations by Invited Guests or Members of Staff

- 43.1 Each Delegation may be provided up to ten (10) minutes speaking time, however, the requested time does not guarantee actual speaking time. Placement on an agenda and permitted speaking time shall be determined by the Clerk, subject to the volume of material on a given Regular Agenda. Clerks Services shall confirm the allotted speaking time to the Delegate(s) in advance of the meeting. The Mayor or Chairperson has discretion to provide latitude under this section. The subject matter of a Delegation need not relate to a matter on the Agenda.
- 43.2 Delegates regarding an item appearing on the agenda shall apply on the prescribed form no later than 12:00 p.m. (noon) on the Monday prior to a Regular Council Meeting, or two (2) business days prior to an Advisory or Ad Hoc Committee Meeting. In addition to the information set out in the prescribed form, the Delegate shall provide the Clerk or his/her designate with the purpose of the Delegation, an outline of the subject matter to be covered, and any supporting materials electronic or otherwise.
- 43.3 Delegates regarding an item **not** appearing on the agenda shall apply on the prescribed form no later than 12:00 p.m. (noon) on the Friday prior to a Regular Council Meeting or Advisory or Ad Hoc Committee Meeting. In addition to the information set out in the prescribed form, the Delegate shall provide the Clerk or his/her designate with the purpose of the Delegation, an outline of the subject matter to be covered, any supporting materials electronic or otherwise and the requested speaking time up to a maximum of ten (10) minutes. Requested time does not guarantee actual speaking time.
- 43.4 Any material(s) that the Delegate wishes to use or have distributed to Council during their Delegation at Regular Council Meeting or Advisory or Ad Hoc Committee Meeting must be provided to Clerk Services 48 hours in advance of the Meeting, including any power point or other type of presentation.
- 43.5 Notwithstanding Section 43.1 of this By-law, Delegations by Invited Guests that includes Town Consultants, Committees, Boards or Commissions, municipal partners, or Town Staff may be permitted additional time that would facilitate adequate presentation of subject material.
- 43.6 Delegations may be made by electronic participation. In the event of any type of connection/service disruption, the Chair may recess the meeting to allow for attempts to reconnect. After 10 minutes of a connection/service disruption, the meeting shall resume, and no more efforts shall be taken to reconnect. The meeting minutes will reflect by notation that due to technical difficulties the Delegation was interrupted. The Delegation may be rescheduled to the next available Council

meeting agenda or Council receive the information or refer the information to Staff.

- 43.7 By two-thirds majority vote, Council or Committee may add a Delegation that missed the registration deadline noted in this By-law or extend the time allotted for a specific Delegation, provided that it relates to an item on the agenda for the current meeting.
- 43.8 The Mayor or Chairperson may curtail any Delegation for disorder or any other breach of this or any By-law. When the Mayor or Chairperson rules that the Delegation is concluded, the individual/group shall withdraw immediately.
- 43.9 Members may ask questions of the Delegate to obtain additional relevant information. Debate between Members is not permitted during the Delegation.
- 43.10 Delegates may be invited to answer further question(s) that may be raised during debate in Committee of the Whole.
- 43.11 A Delegation request is not required for any Proponent or their representative regarding any planning or development matter. The Proponent or their representative will not be identified as a Delegation on the Agenda, unless requested, however they may be permitted to respond to any questions by Council or provide relevant information during consideration of that item.
- 43.12 No Delegate shall:
- a) Speak disrespectfully of any person;
 - b) Use improper language;
 - c) Speak on any subject other than the subject for which they have received approval to address Council or a Committee;
 - d) Disobey the rules of procedure or a decision of the Mayor or Chairperson; or
 - e) Speak to Council about the following matters:
 - Involving current or pending litigation;
 - Involving insurance claims;
 - Administrative complaints that have not been reported and investigated through the Customer Service process;
 - Beyond the jurisdiction of Council; or
 - Contrary to *MFIPPA*.

44. County Council, Municipal Associations & Conservation Authority Updates

Members of Council who sit on external municipal organizations or associations will provide any updates at a Regular Meeting on matters of interest to the Town, when appropriate.

45. Consent List

- 45.1 The Mayor or Chairperson shall review the Consent List at a Regular Meeting by providing Members with an opportunity to:
- a) Ask brief questions, make limited comments or request clarification on an item; and
 - b) Clearly announce a request to refer an item for consideration during the Committee of the Whole part of the Agenda.
- 45.2 Amendments, Deferral Motions, Tabling Motions, discussions, recorded votes, and other procedural motions are not permitted during the review of the Consent List but are permitted in the Committee of the Whole part of the Agenda once the matter has been referred.
- 45.3 A Member's request to refer an item for consideration to the Committee of the Whole part of the Agenda is neither optional nor debatable. For greater clarity, each Member has the right to have a matter referred and considered by Committee of the Whole.
- 45.4 At the conclusion of the review of the Consent List, the remaining recommendations that have not been referred shall be adopted by one omnibus resolution. The Consent List recommendations are deemed to be resolutions of Council as if voted on individually.

46. Reports and Correspondence

- 46.1 The Clerk shall determine what items are requiring action and what items are considered informational and list such items on the Consent List. Reports or Correspondence requesting or directing an action will be listed accordingly. The informational list shall contain reports or communications of a general nature applicable to Council business to be received as information or other recommendation for disposition as prepared by the Clerk.
- 46.2 Correspondence received from members of the public will be circulated to Council and Staff by Clerk Services. A briefing note may be provided where time permits, and this correspondence may be added to the agenda at the request of any member of Council.
- 46.3 Resolutions received from other municipalities will be received by Clerk Services and circulated to Staff. The content of the resolution will be reviewed and where appropriate, a briefing note will be provided along with the resolution to Council and copied to Clerk Services. Council members may then clarify any content with Staff and may also request that the resolution be added to an agenda as information for

the public or may provide a recommendation for Council consideration.

- 46.4 Communications intended to be presented to Council or a Committee must be legible, signed by the author(s), include their address and must not contain any defamatory allegations, or impertinent or improper information. The Clerk may refuse communications that do not comply with this section.
- 46.5 Communications shall be provided to the Clerk by 12:00 noon on Monday, the week prior to the Regular Meeting date. The sender is responsible for clearly identifying if the communication is confidential and the nature of that confidentiality.
- 46.6 Communications are generally considered public documents and are therefore subject to the *MFIPPA*.
- 46.7 Any Staff Report or Correspondence Item may be referred to Committee of the Whole upon the request of a Member.
- 46.8 A Member's request to refer an item for consideration to the Committee of the Whole part of the Agenda is neither optional nor debatable.

47. Proclamations

- 47.1 Council delegates authority to the Clerk to process and have the Mayor sign Proclamations for the following, which shall be placed on the under Correspondence for information purposes only:
 - a) Arts and cultural celebrations;
 - b) Charitable fundraising campaigns;
 - c) Civic promotions;
 - d) Public awareness campaigns; and
 - e) To honour individuals, institutions, or businesses.
- 47.2 Requests for proclamations shall not be issued for the following:
 - a) Political parties or political organizations;
 - b) Religious organizations or the celebration of religious events;
 - c) Where the intent is contrary to Town policies or by-laws;
 - d) Where the proclamation may result in the defamation or slandering of the integrity of Council, Committees, staff, or residents of the Town; or
 - e) Where the organization has no direct relationship to the Town.
- 47.3 The Clerk shall review the request and make any appropriate amendments to the Proclamation, which in the Clerk's view improves the structure and/or intent of the requested Proclamation.

- 47.4 Council, having delegated the administration of Proclamations, shall not hear Delegations related to Proclamation request.
- 47.5 Each organization shall be responsible for disseminating a Proclamation to the media and making arrangements for the attendance of the Mayor, Deputy Mayor or Councillor(s) at related function(s) or event(s) through the Mayor's Office.

48. Committee of the Whole

- 48.1 The Committee of the Whole is a mechanism to allow freer debate and consideration of reports, by-laws, and other matters of concern for Members.
- 48.2 When a matter is referred from the Consent List to the Committee of the Whole, the staff recommendation will appear on the screen followed by, where applicable, a revised recommendation proposed by the Member referring the item to the Committee of the Whole. The mover and seconder shall have an opportunity to speak first to the recommendation.
- 48.3 After the Committee of the Whole has finished its deliberations, its recommendations and findings shall be presented for formal adoption by Council. Council shall adopt those recommendations and by-laws considered by the Committee of the Whole in an omnibus motion, which deems those recommendations to be resolutions and by-laws, as applicable, of Council.
- 48.4 The Council may determine from time to time such procedures for the governing of Committee meetings as may be determined necessary for the effective conduct and administration of the operations of the Committee of the Whole.
- 48.5 The Mayor may appoint any member of Council as Chairperson for a specific Committee of the Whole Session. While presiding, that Chairperson has the same powers of the Head of Council with respect to the conduct of the meeting.
- 48.6 Should any member of Council wish to Chair a Committee of the Whole meeting, they may provide their name to the Clerk who shall prepare a schedule that will provide for two consecutive meeting opportunities for those members to act as Chair for that portion of a Regular meeting subject to consultation with the Mayor regarding Chair requirement This schedule shall be maintained by the Clerk and be made available to the Public.

49. Supplementary Business

- 49.1 Supplementary items for a Regular Meeting shall be provided to Council and the public through publication of the Supplementary Agenda and attachments on the Town

Website by Friday at 4:30 p.m. the week prior to the meeting.

- 49.2 Supplementary item titles shall be noted under the Opening Statement by the Mayor then added to their respective areas of the agenda with a notation to indicate that the item has been added.

50. Notice of Motion/Motion for Which Notice has Been Given

- 50.1 All Notices of Motions shall be in writing and provided to the Clerk, up to 48 hours before the meeting where the Notice is being given.
- 50.2 Once a Notice of Motion is provided in accordance with this By-law, the Clerk shall automatically add it to next Regular Meeting agenda, where it shall appear as a Motion for Which Notice has Been Given.

51. Announcements

- 51.1 Members may speak for no more than three (3) minutes on public service announcements and community events, at the discretion of the Mayor or Chairperson.
- 51.2 Announcements will only form part of the minutes if the Member provides written information regarding the announcement to the Clerk's Office by end of day following a meeting.

52. Closed Session

- 52.1 Typically, Closed Session meetings will be held as part of a Special Council meeting held at 6 p.m. prior to a regular meeting of Council, however, a Closed Session may be included on a regular Council meeting agenda. A Meeting or a Special Meeting may be closed to the public if the subject matter being considered involves one of the following:
- a) The security of the property of the municipality or Board;
 - b) Personal matters about an identifiable individual, including municipal employees;
 - c) A proposed or pending acquisition or disposal of land by the municipality or Board;
 - d) Labour relations or employee negotiations;
 - e) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or 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 Session 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.; or

52.2 A meeting shall be closed to the public if the subject matter being considered is:

- a) A request under *MFIPPA*, if the Council or Board is designated as head of the 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; or

52.3 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:

- a) Education or training of members where no member discusses or deals with a matter in a way that materially advances the business or decision- making of council, local board or committee.

52.4 Before holding a Meeting or part of a Meeting that is to be closed to the public, Council or the Committee shall state by resolution:

- a) The fact of the holding of the Closed Session, including the date and time; and
- b) the general nature of the matter to be considered at the Closed Session;

52.5 Members shall ensure that confidential matters disclosed to them and materials provided to them for a Closed Session are strictly confidential and are not to be discussed with or disclosed to any individual. The Clerk will collect all confidential material after the meeting or request that any confidential information circulated electronically be deleted and removed from any of the Member's devices.

52.6 A Meeting may be closed to the public during a vote if:

- a) Sections 49 of this By-law permits or requires a meeting to be closed to the public; and
 - b) The vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality or persons retained by or under contract with the municipality.
- 52.7 Following a Closed Session, the Clerk shall prepare a public record for Council or a Committee, detailing the date, duration, subject matter, and those Council Members and Town Staff in attendance.
- 52.8 Members shall not release, make public or in any way divulge any confidential information or any aspect of Closed Session deliberations, unless expressly authorized or required by law.
- 52.9 Adjournment for Closed Sessions shall be no later than 10:30 p.m., unless this rule is temporarily suspended by a two-thirds majority vote, in which case the motion to extend the meeting shall stipulate the time to which the meeting is being extended.
- 52.10 Unfinished business of a Closed Session shall be automatically deferred ~~tabled~~ to the next Closed Session where the meeting is adjourned pursuant to the previous Section.

53. Adjournment

- 53.1 Adjournment for evening Regular Meetings shall be no later than 10:00 p.m., unless this rule is temporarily suspended by a two-thirds majority vote of the Members present, in which case the motion to extend the meeting shall stipulate the time to which the meeting is being extended and may be extended up to one additional time during the same meeting.
- 53.2 Unfinished business as a result of an adjournment pursuant to the previous Section shall be automatically deferred to the next Regular Meeting.
- 53.3 The previous two Sections do not apply to Closed Session meetings.

Part 5 – Committees and Boards

54. General

- 54.1 Council may, from time to time, appoint certain Council Members, ratepayers, staff, professionals or others, to serve on such external board, authorities and commissions and report to Council. These appointments may be made by resolution unless specifically required by law to be passed by by-law.

- 54.2 When a Committee is composed of Council Members or a Councillor vacancy occurs on a Committee, the Mayor shall nominate Council Members for that Committee and such nominations shall be confirmed by resolution of Council.
- 54.3 Should the need to fill a vacancy be time-sensitive, the Mayor may nominate and appoint a Council Member on an interim basis, with such nomination being confirmed by resolution at the next regular Council meeting.
- 54.4 When a Committee is established and comprised of public members, or a vacancy of a public member occurs on a Committee, Council may review any applications containing personal matters about an identifiable individual during a Closed Session prior to deciding on the nominations, which are then adopted by Council resolution.
- 54.5 Summary Reports of Committee Meetings shall be received and the recommendations considered by Council in the Consent List part of the Agenda on an ongoing basis.

55. Committee Chairperson

- 55.1 The Chairperson of the Committee, unless otherwise prescribed by Council resolution or set out in the Committee's Terms of Reference, is chosen by the members of the Committee.
- 55.2 The Chairperson shall preside over the conduct of the Meeting as outlined in this By-law and Committee Members shall respect the Chairperson's efforts to do so. A Chairperson's ruling on a Point of Order is subject to an appeal by any Committee Member to Council.
- 55.3 If the Chairperson desires to vacate the chair role for the purpose of taking part in the debate or otherwise, the Chairperson shall call on the Vice Chairperson, or in the absence of the Vice Chairperson on another Member, to temporarily fill the chair role.

56. Advisory Committees

The Clerk shall maintain a list of Advisory Committees and the resolution or by-law that appoints same, as well as their Terms of Reference.

57. Ad-Hoc Committees

- 57.1 Ad-Hoc Committees may be established by Council or a Committee to consider a specific matter.
- 57.2 Once the task has been completed, the Ad-Hoc Committee will present a final report

to Council.

- 57.3 When an Ad-Hoc Committee has made its final report to Council, it shall be deemed to be dissolved, unless otherwise determined by Council.

Part 6 – By-laws

58. General

- 58.1 Every by-law shall be introduced by motion by a Council Member, specifying the number of the by-law, except where a by-law is passed on the Consent List or in Committee of the Whole, in which case it shall form part of one of the omnibus Council resolutions.
- 58.2 Every by-law shall contain no blanks except as may be required to conform to accepted procedure or to comply with provisions of any act. It shall subsequently be completed by the Clerk.
- 58.3 All amendments to any by-law approved by the Council shall be deemed to be incorporated into the original by-law and if the amendment is enacted and passed by the Council, it shall be inserted therein by the Clerk or their designate, creating the consolidated version of the by-law.
- 58.4 By-laws may be considered and adopted within the same meeting without three readings.
- 58.5 Every by-law enacted by Council shall be numbered, dated, affixed with the seal of the Town, signed by the Clerk and the Head of Council, and its safekeeping shall be assured by the Clerk.
- 58.6 The Mayor and Clerk are required to sign any formal agreement binding the corporation other than those authorized under the Town's procurement policy.

Part 7 – Debate

59. Conduct of Members

- 59.1 Members shall:
- a) Discharge with integrity all responsibilities to Council, the Town, and the public, in keeping with approved corporate policies;
 - b) Encourage public respect for and try to improve the administration of the Town;
 - c) Not speak disrespectfully of the Reigning Sovereign, any member of the Royal Family, the Governor-General, the Lieutenant-Governor, the Head of the

- Government of Canada, or the Province of Ontario;
- d) Treat the Chairperson, other Members, staff, and Delegates with courtesy, respect and honesty;
 - e) Hold in strict confidence all information concerning matters dealt with in a Closed Session;
 - f) Be respectful of staff who are expected to make recommendations to Council and Committees that reflect professional and corporate management, judgment, and opinions, which are not unduly influenced by any single Member;
 - g) Not leave their seat or make any noise or disturbance while a vote is being taken and until the result is declared;
 - h) Respect the decision of the Mayor, Chairperson or Council on a question of a Point of Order, practice or interpretation related to this By-law;
 - i) When a Member is speaking, no other Member shall pass between the member speaking and the Mayor or Chairperson, or interrupt the member except to raise a Point of Order;
 - j) 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 he/she is speaking; and
 - k) Ask a succinct question only for the purpose of obtaining facts relevant to the matter under discussion and necessary for a clear understanding, not as a means of making statements or assertions.

59.2 In addition, Council Members shall:

- a) Act in accordance with their Oath of Allegiance and Oath of Elected/Appointed Office;
- b) Serve their constituents in a conscientious and diligent manner;
- c) Where a Councillor is involved with an issue outside the Councillor's own ward, inform the ward Councillor of such involvement and make reasonable efforts to invite the ward Councillor to any related meetings unless the issue is clearly of Town-wide significance, or the Councillor is the Chairperson of the Committee handling the matter;
- d) Not consume food in the Council Chambers during Meetings; and
- e) Shall be permitted to speak up to two (2) times on a subject for not longer than three (3) minutes each time. The Mayor or Chairperson has discretion to provide latitude under this section, but where such latitude is granted, the Mayor or Chairperson will endeavor to provide it equally to all Members.

60. Motions

60.1 All motions shall be moved and seconded and then debated. The mover and seconder shall ensure that the proper wording is on the display screen for Members and the public prior to any debate. Whenever possible, wording of motions should be

provided to the Clerk in advance of the Meeting.

- 60.2 Members may provide a **Revised Recommendation** to Clerk Services in advance of the meeting in the event that the recommendation as provided by Staff does not meet the Member's prerequisites for Council consideration.
- 60.3 Members may move a motion and may also vote against that motion if they determine through the debate or consideration that they are no longer in favour of the motion as presented. Members may request a recorded vote to record this action in the minutes. Members may also deliberately move a motion so that it is defeated, and Council show that they have taken a position against an item or action.
- 60.4 After a motion has been moved and seconded, and the wording confirmed, it shall be deemed to be in the possession of Council or the Committee and therefore the seconder need not vote in favour of the motion.
- 60.5 When a motion is under debate, no other motion shall be received, except a motion to Amend, Defer, Refer, Table, Divide the Question, or Call the Question.
- 60.6 After the question is called, no Member shall speak to the question nor shall any other motion be made until after the result of the vote has been declared.
- 60.7 Resolutions shall require a Majority in order to be valid and binding on Council or a Committee, unless otherwise specified in this By-law.
- 60.8 Should the Mayor or Chairperson desire to move a motion or by-law, the Deputy Mayor or Vice Chairperson, or in their absence another Member, shall temporarily chair the meeting.

61. Motion to Call the Question

A motion to call the question shall take precedence over any other motion. It is only proper after a minimum twenty (20) minutes of discussion on the same motion and all Members wishing to speak to the matter have had an opportunity to speak at least once.

62. Motion to Adjourn

A motion to adjourn the meeting shall be put immediately without debate.

63. Withdrawal of a Motion

A motion may be withdrawn at any time before the question is called by Council consent without calling a vote and noted in the minutes as "Withdrawn by Council consent". Should any member of Council object at that time, a vote will be called by

the Chair.

64. Ultra Vires

A motion in respect to a matter which is beyond the scope of power (i.e. ultra vires the jurisdiction) of Council or a Committee shall not be in order except regarding a matter which, in the opinion of the majority of the Members, the question has to do with the welfare of the Town's citizens generally.

65. Ruling Challenge

The ruling of the Mayor or Chairperson on a procedural matter, including a Point of Order and Point of Personal Privilege, may be overturned by a two-thirds vote of the Members. Such a vote is conducted by the Clerk.

66. Other Information regarding Motions

66.1 The following motions do not require advance or written notice as they may occur as a matter of meeting procedure:

- a) Point of Order;
- b) Point of Personal Privilege;
- c) To suspend a rule of procedure in this By-law;
- d) For a ruling by the Mayor or Chairperson as to whether an action is in compliance with a rule of procedure;
- e) To overturn a ruling by the Mayor or Chairperson with respect to a matter of procedure;
- f) To call the question, which is not debatable; or
- g) To adjourn, which is not debatable.

66.2 In addition, the following motions may be introduced without notice, but such motions shall be in writing or dictated and placed on the display screen and, where possible, provided to the Clerk in advance of the Meeting:

- a) To Defer;
- b) To Refer;
- c) To Table;
- d) To Divide the Question;
- e) To Amend;
- f) To Suspend a provision of this By-law unless otherwise prohibited; or
- g) To resolve itself into the Committee of the Whole, which is not debatable.

67. Dispensing with Notice

- 67.1 Any motion may be introduced without notice if the Members, without debate, dispense with notice with a two-thirds majority vote of the Members present.
- 67.2 Motions introduced without notice shall generally be placed under the Committee of the Whole portion of the agenda as new business.

68. Motion to Divide the Question

- 68.1 Any Member may request that the Mayor or Chair divide the question (also known as “splitting the motion”) where there are separate clauses contained in a motion.
- 68.2 If there is no objection, the Mayor or Chair shall facilitate the debate and the vote shall be called on each clause separately. If a Member objects to the division, the Mayor or Chair will call the vote on the question of whether the motion should be divided. In that case, a simple majority is required to divide the question.
- 68.3 A motion to divide the question is not debatable.

69. Motion to Amend

- 69.1 A motion to amend the main motion shall:
- a) Be moved, seconded and then the amendment shall be dictated and placed on the display screen in a manner that highlights the change(s);
 - b) Receive disposition of Council or the Committee before a previous amendment or the question;
 - c) Not be further amended more than once, although further amendments may be made to the main motion;
 - d) Be relevant to the main motion;
 - e) Not propose a direct negative to the main motion, although it may propose a separate and distinct disposition of a question; and
 - f) Be put to a vote in the reverse order to that in which amendments were moved.
- 69.2 Where a motion to amend is relevant to the main motion but significantly changes the substance of the original recommendation, Members are encouraged to Table the amendment to allow for public notice of the change.
- 69.3 The vote on a motion to amend determines only whether the amendment is adopted. The next step will usually involve a vote on the main motion as amended (with the amendments incorporated), unless that has become unnecessary as the amendment was not adopted.

69.4 A Member other than the mover and seconder may suggest a clarification amendment to the current motion where it does not change the core substance and is intended to aid with clarity and grammatical correctness. The mover and seconder shall either accept or reject such minor changes immediately and without debate. This is known as a “Friendly Amendment”.

70. Motion to Defer (to a certain date or time)

70.1 Shall be open to debate as to the advisability of the deferral.

70.2 Can be amended as to the time or date to which the matter is deferred.

71. Motion to Refer (a matter to staff or another committee or as indicated by Council)

71.1 Shall be open to debate as to the advisability of the referral.

71.2 Shall include the terms and reasons for the referral.

71.3 Can be amended as to whom the matter is being referred to and may include the time or date to which the matter is to be returned.

72. Motion to Table (to postpone consideration indefinitely)

72.1 A motion to Table the main motion is debatable, but only with respect to the issue of whether to Table the matter.

72.2 A motion to Table the main motion may not be brought more than once during the same debate.

72.3 A motion that has been “tabled” that has not been decided by Council either in the affirmative or in the negative during the term of the Council in which the motion was introduced shall be deemed to have been withdrawn.

73. Reconsideration

73.1 After any question has been decided, i.e. a question or resolution was voted on and either carried or failed, the following shall prevail:

- a) No question shall be reconsidered within 365 days, including at the same meeting it is originally passed;
- b) Notwithstanding Section 72.1.a, Council may be presented with a new question, or recommendation regarding that subject, but only if no action had been taken and the original motion that passed was to be received or received

as information.

- c) Notwithstanding paragraph (a) above, a Member may give notice within 365 days in which a question was decided of a reconsideration of the question at any Regular Meeting. A two-thirds majority vote will be required to carry a motion for reconsideration; and
- d) No discussion of the main motion shall be allowed until the motion for reconsideration is carried.

73.2 For greater clarity, reconsideration is not triggered within the same debate at the same meeting.

74. Recess

Council or a Committee may without motion recess for a short period as deemed appropriate by the Mayor or Chairperson.

75. Voting

75.1 Every Member, including the Mayor and Chairperson, shall have one vote.

75.2 Every Member present at a Meeting 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, when required, shall be so recorded, subject to the provisions of this By-law.

75.3 Any Member who is not present during the vote, will have his/her name added to a procedural notation regarding that item within the minutes.

75.4 When a vote is called, every Member shall immediately:

- a) Occupy their seat and shall remain there until the result of the vote has been declared;
- b) Not traverse the room;
- c) Cease all discussion on the matter immediately; and,
- d) Not speak to any other member or make any noise or disturbance.

75.5 Any question on which there is a tie vote result shall be deemed to be lost.

75.6 The Mayor or Chairperson shall have the discretion to either announce that the motion has carried or been defeated or may provide the number of votes in favour and the number of those opposed after each and every vote, unless it is by way of a recorded vote or it is unanimous.

76. Recorded Vote

- 76.1 Any member present at a Meeting may asked for a recorded vote at the time of a vote or immediately after the taking of the vote so that the vote may be recorded in the minutes. The Clerk shall call out the names of the Members, as randomly electronically generated, who will then announce his/her vote; and the Clerk shall record the same and then announce the result of the vote.
- 76.2 Where a Member abstains, the recorded vote shall read “opposed”, except where the abstention is for reasons of a declared conflict of interest, in which case the vote shall read “abstain”.