



**SPECIAL EMERGENCY COUNCIL
MEETING AGENDA
CORPORATION OF THE
TOWNSHIP OF ZORRA
ELECTRONIC MEETING
MARCH 24, 2020
4:00 P.M.**

TELECONFERENCE DETAILS:

Dial 519-539-2003

Enter Access Code: 086055#

1. CALL TO ORDER

2. ADOPTION OF AGENDA

**3. DECLARATION OF PECUNIARY INTEREST OR THE GENERAL NATURE
THEREOF**

4. CORRESPONDENCE REQUIRING DIRECTION

- (a) Memorandum 2020-042 from the Director of Corporate Services regarding Council Meeting Electronic Participation during Emergencies.
-

5. BY-LAWS

18-20 A by-law to amend procedural by-law no. 05-04.

6. CONFIRMATORY BY-LAW

19-20 Confirmatory By-law.

7. ADJOURNMENT

Submitted by: Karen Martin, Director of Corporate Services

Report No: 2020-042

Council Meeting Date: March 24, 2020

Agenda Item: 4(a)

Subject: Council Meeting Electronic Participation During Emergencies

File: C11 Reports to Council

RECOMMENDATION:

THAT Council amends Procedural By-Law 05-04 to include the following:
4.10(b) Electronic Participation by Council/Committee members during meetings is permitted during any period where an emergency has been declared to exist in all or part of the municipality under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, including both open meetings and closed meetings and members participating/voting electronically will count towards quorum.

BACKGROUND & COMMENTS:

With the COVID-19 Pandemic, Medical Officers of Health have asked that social distancing be practiced and they are encouraging events to be cancelled when there are large groups congregating/attending.

While staff understands the intent of the Health Authority, the Municipal Act currently does not allow Council members to participate by electronic means and be counted as quorum. As a municipality, there is certain direction required by Council or approvals required during this pandemic period.

Municipalities across the Province along with AMO asked the Province to consider changing the legislation to allow Council members to participate in electronic meetings.

On March 19, 2020, the Province gave Royal Assent to Bill 187, An Act to amend the Municipal Act, 2001 and the City of Toronto Act, 2006. A copy of the legislation is attached.

An amendment to the Procedural By-law is needed to allow Zorra to conduct electronic Council meetings during this period of the Provincial Emergency. The amendment is highlighted in yellow in the by-law, section 4.10(b). Normally, notice is required to be given of any changes to the Procedural By-Law but the Province is allowing Council to hold a Special Council meeting (to be conducted electronically) to make this change to our Procedural By-Law.

Staff is working on best practices for electronic meetings.

FINANCIAL IMPLICATIONS

There are no additional costs as the Township has the IT infrastructure in place to conduct electronic/teleconference meetings.

LINK TO STRATEGIC PLAN

By ensuring that subdivision design and proper infrastructure is being installed, the following goal and action in the Strategic Plan is supported:

Goal: We are a *prosperous* community that provides opportunities to work and shop in our community and to grow in a sustainable manner.

Action: By investing in our infrastructure

ATTACHMENTS

a. Bill 187

Submitted by:

Karen Martin

Karen Martin
Director of Corporate Services

Approved by:

Don MacLeod

Don MacLeod
Chief Administrative Officer

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 42ND LEGISLATURE, ONTARIO
69 ELIZABETH II, 2020

Bill 187

(Chapter 4 of the Statutes of Ontario, 2020)

An Act to amend the Municipal Act, 2001 and the City of Toronto Act, 2006

The Hon. S. Clark

Minister of Municipal Affairs and Housing

1st Reading	March 19, 2020
2nd Reading	March 19, 2020
3rd Reading	March 19, 2020
Royal Assent	March 19, 2020



EXPLANATORY NOTE

This Explanatory Note was written as a reader's aid to Bill 187 and does not form part of the law. Bill 187 has been enacted as Chapter 4 of the Statutes of Ontario, 2020.

The *Municipal Act, 2001* and the *City of Toronto Act, 2006* are amended to provide that, during emergencies, should they choose to, members of councils, local boards and committees who participate electronically in open and closed meetings may be counted for purposes of quorum.

The *Municipal Act, 2001* is also amended to allow the Lieutenant Governor in Council to make regulations imposing limits and conditions on the powers of a municipality under section 129 of the Act.

An Act to amend the Municipal Act, 2001 and the City of Toronto Act, 2006

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Municipal Act, 2001

1 Section 238 of the *Municipal Act, 2001* is amended by adding the following subsections:

Electronic participation, emergencies

(3.3) The applicable procedure by-law may provide that, during any period where an emergency has been declared to exist in all or part of the municipality under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*,

- (a) despite subsection (3.1), a member of a council, of a local board or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and
- (b) despite subsection (3.2), a member of a council, of a local board or of a committee of either of them can participate electronically in a meeting that is closed to the public.

Same, procedure by-law

(3.4) A municipality or local board may hold a special meeting to amend an applicable procedure by-law for the purposes of subsection (3.3) during any period where an emergency has been declared to exist in all or part of the municipality under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act* and despite subsection (3.1), a member participating electronically in such a special meeting may be counted in determining whether or not a quorum of members is present at any time during the meeting.

2 Subsection 451.1 (1) of the Act is amended by striking out “sections 9, 10 and 11” and substituting “sections 9, 10, 11 and 129”.

City of Toronto Act, 2006

3 Section 189 of the *City of Toronto Act, 2006* is amended by adding the following subsections:

Electronic participation, emergencies

(4.2) The applicable procedure by-law may provide that, during any period where an emergency has been declared to exist in all or part of the City under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*,

- (a) despite subsection (4), a member of city council, of a local board of the City or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and
- (b) despite subsection (4.1), a member of city council, of a local board of the City or of a committee of either of them can participate electronically in a meeting that is closed to the public.

Same, procedure by-law

(4.3) The city council or a local board of the City may hold a special meeting to amend an applicable procedure by-law for the purposes of subsection (4.2) during any period where an emergency has been declared to exist in all or part of the City under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act* and despite subsection (4), a member participating electronically in such a special meeting may be counted in determining whether or not a quorum of members is present at any time during the meeting.

Role of head of council

(4.4) Despite anything in this or any other Act, only the head of council may call a special meeting of city council for the purposes of subsection (4.3).

Commencement

4 This Act comes into force on the day it receives Royal Assent.

Short title

5 The short title of this Act is the *Municipal Emergency Act, 2020*.

**THE CORPORATION OF THE
TOWNSHIP OF ZORRA**



BY-LAW NO. 18-20

**A BY-LAW TO AMEND PROCEDURAL BY-LAW
NO. 05-04**

WHEREAS Section 238 of the Municipal Act, 2001, S.O. 2001, Chapter 25, provides that every municipality shall pass a procedural by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS the Council of the Township of Zorra enacted Procedural By-law No. 05-04 on February 17, 2004, governing the calling, place and proceedings of meetings;

AND WHEREAS the Council of the Township of Zorra is desirous of amending Procedural By-law No. 05-04.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ZORRA ENACTS AS FOLLOWS:

1. That By-law 05-04 is hereby amended by deleting Schedule "A" from By-law 74-18 and replacing it with Schedule "A" from By-law 18-20 attached hereto and forming a part of this By-law.
2. That this By-law shall come into force and effect upon third and final reading.

READ A FIRST AND SECOND TIME THIS 24th day of MARCH, 2020.

READ A THIRD TIME AND FINALLY PASSED TIME THIS 24th day of MARCH, 2020.

**MAYOR
MARCUS RYAN**

**CLERK
KAREN MARTIN**

SCHEDULE "A"
TO BY-LAW 74-18

Township of Zorra
Procedural By-Law

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1.0 SHORT TITLE

This By-law shall be known as and referred to as the "Township of Zorra Procedural By-law".

2.0 DEFINITIONS

- 2.1 Act means the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended from time to time.
- 2.2 Ad Hoc Committee means a committee appointed by Council to review and report on a specific issue. Once the final report is delivered and a resolution of the Council is adopted concerning a specific issue, the Ad Hoc Committee is automatically dissolved. An Ad Hoc Committee includes a special committee.
- 2.3 Chair means the position of the person appointed to preside, or presiding at, a meeting whether the person is the regular Chair or not.
- 2.4 Clerk means the Clerk of the Corporation of the Township of Zorra.
- 2.5 Closed Session means a meeting of the Council or Committees that is not open to the public pursuant to Section 239 of the Act.
- 2.6 Council means the Council of the Corporation of the Township of Zorra.
- 2.7 Committee means any advisory or other committee, subcommittee or similar entity of which at least 50% of the members are also members of Council, pursuant to Section 238 of the Act, but does not include any other committee or advisory committee established pursuant to any other Statute of the Province.
- 2.8 Committee of the Whole means the entire Council membership present and sitting in committee.
- 2.9 Deputy Mayor means the member of Council appointed to act on behalf of the Mayor in his/her absence.
- 2.10 Majority means more than half of the votes cast by members entitled to vote and present at the vote.
- 2.11 Mayor means the Head of Council.
- 2.12 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.
- 2.13 Quorum means a majority of the Members.
- 2.14 Recorded Vote means the recording of the name and the vote of every member present voting on any matter or question.
- 2.15 Rules of Procedure means the rules and regulations set forth herein.
- 2.16 Substantive Motion means any motion except one of the following:
- (a) to refer;
 - (b) to amend;
 - (c) to lay on the table (table);

- (d) to postpone indefinitely or to a certain day;
- (e) to adjourn

3.0 GENERAL PROVISIONS

The rules and regulations in this by-law shall be observed in all proceedings of the Council unless otherwise provided for, and with the necessary modifications, the committees of Council, and shall be the rules and regulations for the order and conduct of business.

3.1 *Suspension of the Rules of Procedure*

The rules and regulations in this by-law may be suspended by a two-thirds majority vote of the Members present, unless such rule or regulation is necessary to conform to Provincial legislation.

3.2 *Questions of Procedure Not Provided For*

In any case or instance of procedure not provided for in this by-law, Roberts Rules of Order (Procedure) shall be followed, as near as is practicable.

4.0 COUNCIL AND COMMITTEE MEETINGS

4.1 *Frequency & Place*

The Township Council shall meet the first Wednesday of the month at 9:00 a.m. and on the third Wednesday of the month at 6:00 p.m. All meetings are to be held in the Council Chamber at the Township Municipal Building unless Council by resolution directs otherwise, in which case a notice shall be posted in the Municipal Office and on the Township website advising of the time and place.

4.2 *Curfew*

Meetings commencing at 9:00 a.m. shall have a curfew of 4:00 p.m., however with a simple majority vote of Council business may be conducted until 4:30 p.m. Under no circumstances shall any business be dealt with after 4:30 p.m.

Meetings commencing at 6:00 p.m. shall have a curfew of 10:00 p.m., however with a simple majority vote of Council, business may be conducted until 10:30 p.m. Under no circumstances shall any business be dealt with after 10:30 p.m.

4.3 *Statutory or Declared Public Holiday*

Where the regularly scheduled meeting of Council falls on a statutory or declared public holiday, the meeting shall be held the next regular working day unless otherwise provided for by resolution of Council.

4.4 *Special Meetings*

In addition to regular meetings, special meetings of Council may be called by:

- (a) a two-thirds vote made by the members present at the last regular meeting;
- (b) at the Call of the Mayor with notice given to all other members not less than forty-eight (48) hours prior to the convening of such special meeting.

The foregoing notwithstanding, upon receipt of a petition signed by the majority of the members of Council, the Clerk shall summon a special meeting for the purpose and at the time and place mentioned in the petition.

Subject matter for discussion and debate at a special meeting shall only be that stated in the Notice, or Petition, and no other business may be considered or discussed except with the unanimous consent, by recorded vote, of all members present.

When practical, notice of a special meeting of Council shall be posted on the Township website at least 24 hours prior to the meeting.

4.5 Notice of Special Meeting

Pursuant to Clause 4.4 herein, the Clerk shall give to all Members of Council written notice of each special meeting of the Council and such notice shall be delivered to each member, not less than forty-eight (48) hours before the hour set for such meeting. The Notice shall state the business to be considered at the special meeting.

4.6 Council & Committee Meetings Open to the Public

Except as otherwise provided for herein, all meetings of Council or a committee thereof shall be open to the public.

4.7 Closed Meetings

Subject to Clause 4.6, meetings of Council or committees thereof may be closed to the public pursuant to Section 239 (2), (3) and (3.1) of the Municipal Act, as amended. The Clerk shall provide members with all updates and amendments to section 239.

4.8 Closed Meetings, How Called

Council or committee shall state by resolution:

- (a) the fact of the holding of the closed meeting; and
- (b) the general nature of the matter to be considered at the closed meeting or part thereof.

4.9 Closed Meetings, Taking of a Vote

Despite Section 244 of the Act, a meeting may be closed to the public during a vote if,

- (a) subsection (2) or (3) permits or requires the 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, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.

4.10 Emergency Meeting of Council

- (a) Despite Clause 4(4), where an emergency situation arises having a potential for serious or grave consequences for the municipality or its inhabitants, the Mayor may issue a call for the immediate assembling of the members of Council into an emergency session. The meeting shall be held at the time and place specified by the Mayor. In the absence of the Mayor and under emergency conditions, the Clerk shall be similarly so empowered.
- (b) Electronic Participation by Council/Committee members during meetings is permitted during any period where an emergency has been declared to exist in all or part of the municipality under section 4 or 7.0.1 of the

Emergency Management and Civil Protection Act. This includes both open meetings and closed meetings and members participating/voting electronically will count towards quorum.

4.11 Inaugural Meeting

The Inaugural Meeting of the Council of the Township of Zorra after a regular election shall be held on the first Monday of December at 7:00 p.m. This Inaugural Meeting will be only for the purposes of filing of certificates, presenting Declarations of Office and Oaths of Allegiance.

5.0 ORDER OF PROCEEDINGS OF COUNCIL AND COMMITTEES

The Chair shall call the members to order at the time the meeting is scheduled to start.

5.1 Quorum

The definition of a quorum shall be consistent with the definition contained in the Municipal Act and is a majority of the members of Council or committee not prevented from voting by having a pecuniary interest under any Act.

If no quorum is present one half hour after the time appointed for a meeting of Council, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the day of the next regular or special meeting.

5.2 Absence of Chair

Subject to the provisions of any other Act to the contrary, where the Mayor does not attend at the time appointed for the meeting of Council or committee, the Deputy Mayor shall assume the Chair or, in his/her absence, the Clerk shall call the Members to order and the Council members, by resolution, shall appoint a Chair from among themselves, and he or she has the same authority as the absent person would have had if present, while presiding at meetings.

The Chair who presides over any part of a Meeting may state relevant facts and the Chair's position on any matter before the Council or committee without leaving the Chair, which may take place immediately prior to the vote, but it shall not be permissible for the Chair to move a Motion or debate a question without first leaving the chair. If during a Meeting of Council the Mayor desires to leave the chair to move a Motion, to take part in the debate, speak to a motion taking a definite position and/or endeavouring to persuade the Council to support that position, the Mayor shall call on the Deputy Mayor to preside until the Mayor resumes the chair. The Chair does not need to vacate the Chair to simply state support or opposition to a motion on the floor.

6.0 DUTIES OF CHAIR

It shall be the duty of the Chair,

- (a) to open the meeting by taking the chair and calling the members to order,
- (b) to announce the business in the order in which it is to be acted upon,
- (c) to receive and submit, in the proper manner all motions presented by the members,
- (d) to put to vote all questions which are moved and seconded, or necessarily arise in the course of proceedings, and to announce the result by noting whether motions were "Carried", "Carried Unanimously" or "Lost",
- (e) to decline to put to vote motions which infringe the rules or procedure,

- (f) to restrain the members, within the rules of order, when engaged in debate,
- (g) to enforce on all occasions the observance of order and decorum among the members,
- (h) to call by name any member persisting in breach of the rules of order, thereby ordering him/her to vacate the meeting place,
- (i) to receive all messages and other communications and announce them,
- (j) to authenticate, by his/her signature when necessary, all by-laws, resolutions, and minutes,
- (k) to inform, when necessary or when referred to for the purpose on a point of order or usage,
- (l) to represent and support the Council or committee, declaring its will, and implicitly obeying its decisions in all things,
- (m) to ensure that the decisions of Council or committee are in conformity with the laws and by-laws governing the activities,
- (n) to name the member entitled to speak first when more than one member wishes to address the chair at the same time,
- (o) to adjourn the meeting without question put in the case of grave disorder arising in the Council Chamber.

7.0 ORDER OF BUSINESS

7.1 *Council Agenda*

Unless circumstances and subject matter dictate otherwise, the order of procedure for meetings of Council shall generally be as follows:

1. Call to Order
2. Adoption of Agenda
3. Declaration of Pecuniary Interest or the General Nature Thereof
4. Minutes & Business Arising out of the minutes
5. Public Meetings & Drainage Meetings
6. Delegations
7. Reports from Staff/Correspondence Requiring Direction
8. Information Items
9. Unfinished Business
10. Council Question Period and New Business
11. By-laws
12. Public Question Period
13. Closed Meeting Session
14. Confirmatory By-law
15. Adjournment

7.2 *Call to Order*

As soon after the hour fixed for the meeting as there is a quorum present, the Chair shall call the members to order and the Clerk shall record the names of members in attendance.

7.3 *Declaration of Pecuniary Interest or the General Nature Thereof*

Where a member has any declaration of pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council, at which the matter is the subject of consideration, the member shall act in accordance with the *Municipal Conflict of Interest Act, 1990, as amended* and declare a pecuniary interest.

7.4 Minutes & Business Arising out of the Minutes

A copy of the minutes of each meeting of Council shall be made available to each member of Council with the regular agenda at least 48 hours prior to the next regular meeting.

In the event that corrections are considered to be in order for the minutes of the previous meeting(s), it shall be considered appropriate to adopt the minutes as amended.

Upon the adoption of the minutes during the public portion of the meeting and as provided elsewhere in the by-law, they shall be signed by the Chair and by the Clerk.

7.5 Public Meetings & Drainage Meetings

Meetings of Council or the Committee shall be adjourned for the holding of statutory meetings required under the Planning Act.

Planning reports and drainage reports shall be circulated to the members with the regular agenda at least 48 hours prior to the meeting where the item is to be considered.

7.6 Delegations

Any Individual or group wishing to present information to Council shall advise the Clerk by 4:30 p.m. on the Wednesday prior to the regular meeting of Council or Committee stating the purpose of the delegation and providing a specific detailed outline of the subject matter or presentation. The request shall state the nature of the business including specific detailed information to allow Council, through staff, time to research the matter prior to the meeting at which the person wishes to be heard. If the Clerk is not satisfied that sufficient information has been provided to allow Council to make an informed decision, the individual or group shall be informed that further information is required. The appointment with Council will be postponed until such time as the necessary information is provided.

An individual heard by Council shall be limited in speaking to not more than fifteen (15) minutes except that a delegation consisting of more than three (3) persons shall be limited to not more than twenty (20) minutes. Under extenuating circumstances, speaking times may be extended by leave of Council.

Notwithstanding the provisions of Section 3.1, the Council or Committee may, at their sole discretion via a resolution, entertain delegations with less notice.

In the event that the subject brought to Council or Committee by a delegation is also dealt with in another item listed on the Agenda, the item may be brought forward for discussion along with the consideration of the delegation item.

7.7 Reports from Staff/Correspondence Requiring Direction

Correspondence, reports, petitions and communications intended to be presented to Council shall be legibly written or printed on paper, or provided in an electronic format compatible with the Township's computer system.

Correspondence, memorandums, petitions and communications must be signed; anonymous items will not be presented to Council.

Correspondence, reports, petitions and communications shall be deposited with the Clerk by 4:30 p.m. on the Wednesday prior to the regular meeting of Council.

All correspondence, reports, petitions and communications received after 4:30 p.m. on the Wednesday preceding the meeting shall be given to the Mayor and, if of an urgent nature, it shall be brought before Council and considered, if approved by a resolution of Council.

All departmental and staff memorandums shall be in the approved format and signed by the department head or designate, and be submitted through the Administrator.

All reports of a committee or board shall be in written format and shall contain the recommendations for the consideration of Council. Minutes from the committee or board shall accompany the report for the information of Council. Minutes or Committee meetings yielding no recommendations to Council shall be submitted for Council information only.

7.8 Information Items

Items appearing not to require action of Council or Committee may be placed on the agenda as an information item.

The Clerk, depending on the nature of the item, may decide the item shall only be listed on the agenda and not copied and sent out with the agenda.

Should Council wish to take action on an Information Item, the Mayor shall ask for a resolution, duly moved and seconded, to remove the item from the Information Item section and place in the appropriate section of the agenda.

7.9 Unfinished Business

The items listed in the order of the topics set out in the agenda of prior meetings which have not been disposed of by Council or Committee and the date of their first appearance on the agenda shall be noted and repeated for 2 months, and unless the item is disposed of by Council, the item shall be removed from the agenda.

7.10 Council Question Period and New Business

Members of Council may submit to any other member or staff any question pertaining to the business of the Council and matters of community interest. The member or official to whom a question is directed may answer orally at the same meeting or at the next regular Council meeting. Members are urged to contact staff prior to the meeting so that an item may be properly researched and presented to Council.

Members of Council may present at this time an address on any subject pertaining to the other business of Council and matter of community interest. No member submitting such an address, without leave, shall address the Council for a length of time in excess of five (5) minutes.

New business may include matters that are introduced by a Member of Council at a meeting; however, consideration of the matter shall be given at the next regular meeting unless otherwise determined by consent of the majority of the Members of Council.

New Business may also include announcements about past or upcoming events that a Member of Council wishes to inform other Members and the public about. Announcements are not required to be recorded in the Minutes.

7.11 Notice of Motion

Submitted Prior to the Meeting:

(a) Notice of motions, insofar as practicable, shall be given in writing to the Clerk no later than 4:30 p.m. on the Wednesday preceding the next regular Council Meeting so that the matter may be included in the Council agenda package.

Submitted During Meeting:

A notice of motion may be submitted to the Clerk during a meeting, in which case:

- (a) during the "New Business" portion of the meeting, the Mayor or Chair shall have the notice of motion read; and
- (b) the notice of motion shall be recorded in the minutes and placed on the agenda for the next regular meeting; or
- (c) a motion may be introduced and considered at a meeting without notice if it is duly moved and seconded; and receives a majority vote of the majority of the Members of Council or Committee.

The Member who initiated the notice of motion need not be present when the related motion is read. A notice of motion may be withdrawn orally by its originating Member prior to the related motion being read.

7.12 *By-laws*

A copy or an explanation of every by-law shall be listed or circulated with the Council agenda.

Every by-law shall be introduced with one motion by a member of Council, specifying the number of each by-law. If a member has declared a pecuniary interest on a matter or previously requested that the matter be considered separately, the by-law shall be presented by separate motion.

Every by-law shall be given three readings previous to its being passed, save and except for by-laws processed pursuant to subsection 45(1) of The Drainage Act, R.S.O. 1990. The first and second reading of a by-law shall be decided at one time when introduced.

After second reading, a by-law may be referred to committee for further study and revision upon majority vote of the Members present at the meeting.

If Council so determines, a by-law may be taken as read, being deemed to have been given three readings and passed.

Each by-law shall be endorsed with the signatures of the Mayor and the Clerk, have the Corporate Seal affixed thereto, and shall have the date of each respective reading noted thereon and shall be consecutively numbered and catalogued.

7.13 *Adjournment*

At this time in the meeting, a standard motion to adjourn shall be in order at the request of the Chair.

8.0 COMMITTEES

8.1 *Appointment of Council Members*

At the first sitting of the Council-elect, or so soon thereafter as may be practical, each member of Council shall indicate in writing his or her preferences for appointments to Committees. A Striking Committee, comprised of the Mayor, and Clerk, shall then take these preferences into consideration and shall fairly and as impartially as possible recommend the respective committee memberships to Council at its next regular meeting. Such appointments to committee shall be for the term of Council unless otherwise agreed to by the majority of the members of Council.

8.2 *Advisory & 'Ad Hoc' Committees:*

Council may form, from time to time, special purpose committees to address areas of specific interest and jurisdiction, serving at the pleasure of Council.

8.3 *Appointment of Non-Council Members*

Non-Council membership on any 'ad hoc' or advisory committee or board shall, unless otherwise provided for, be determined and made by one of the following procedures:

- (a) recommendation to Council;
- (b) solicitation for applications;
- (c) such other manner deemed appropriate with final approval as made by Council

8.4 Structure

All committees shall consist of the following executive structure:

- (a) Chair
- (b) Vice-Chair
- (c) Recording Secretary.

Unless otherwise provided for, all committee executive members shall be sitting members of the respective committee. The Mayor shall sit "ex officio" on all Committees of the Township and may attend all meetings and shall have full voting privileges but shall not be counted for the purposes of quorum. Where applicable, employees and staff members may be requested, from time to time, to serve the committees in a resource and advisory role.

9.0 RULES OF DEBATE IN COUNCIL

9.1 General Rules

The Chair, shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting. A member shall not:

- (a) disturb the Council by any disorderly deportment;
- (b) use profane or offensive words or insulting expressions;
- (c) disobey the rules of the Council or Committee, a decision of the Chair, or the Council, on points of order or on the implementation of the rules of procedure of the Council;
- (d) leave his/her seat or make any noise or disturbance while another member is speaking or while a vote is being taken or until the result of the vote is declared;
- (e) interrupt a member who is speaking, except to raise a point of order or a question of privilege.

9.2 Recognition by Chair

Prior to speaking on any question, every member shall first raise his/her hand for recognition by the Chair and, upon such being given, shall address the Chair. When two or more Members rise to speak, the Chair shall designate the Member who has the floor, being the Member who, in the opinion of the Chair, rose first.

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

9.3 Speaking on a Matter

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.

Members are encouraged to only speak once to the same question and no member, without leave of the Council, shall speak to the same question, or in reply, for longer than ten minutes.

A member may ask a question only for the purpose of obtaining information relating to the matter under discussion and such question must be stated concisely and asked only of the previous speaker.

Notwithstanding Section 9.2, when a member has been recognized as the next speaker, then immediately before speaking such member may ask a question of the Chair or an official of the Township on the matter under discussion but only for the purpose of obtaining information, following which the member shall speak.

In all unprovided cases in the proceedings of the Council, the matter shall be decided by the Chair, subject to an appeal to the Council upon a point of order.

10.0 POINTS OF ORDER AND PRIVILEGE

The Chair shall preserve order and decide questions of order. The Council, if appealed to, shall decide the question without debate and its decision shall be final.

10.1 *Conduct of Members of Council*

No member shall:

- (a) use offensive words or unparliamentary language in or against the Council or against any member;
- (b) speak on any subject other than the subject in debate;
- (c) criticize any decision of the Council except for the purpose of moving that the question be reconsidered;
- (d) disobey the rules of the Council or a decision of the Chair or of the Council on questions of order or practice or upon the interpretation of the rules of the Council.

and in case a member persists in any such disobedience after having been called to order by the Chair, the Chair may put forth the question that such member be ordered to leave his/her seat for the duration of the meeting of the Council.

When the Chair is putting the question no member shall leave or make a disturbance.

11.0 RESOLUTIONS/MOTIONS

All substantive motions and resolutions shall be submitted in writing to the Chair and shall be read before debate.

11.1 *Ultra Vires Resolutions/Motions*

A motion or resolution in respect to a matter which is ultra vires of the jurisdiction of Council shall not be in order nor shall it be debated or voted upon.

11.2 *Withdrawal*

After a motion or resolution is read, or stated by the Chair, it shall be deemed to be in possession of the Council but may, with the permission of Council, be withdrawn at any time before being amended or voted on.

11.3 Priority of Disposition

A motion properly put before the Council for decision must receive disposition before any other motion or resolution can be received except motions to amend.

11.4 Reference to Committee

A motion to refer a matter under discussion by the Council to a Committee shall preclude all amendments of the main question until it is decided.

11.5 Amendments

A motion or resolution to amend:

- (a) may be verbal or presented in writing;
- (b) shall receive disposition of Council before a previous amendment or the question;
- (c) only one motion to amend an amendment shall be put; any further amendment must be 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 contain a separate and distinct disposition of a question;
- (g) shall be put in the reverse order to that in which it is moved.

11.6 The Previous Question

A motion for the previous question:

- (a) cannot be amended;
- (b) cannot be proposed when there is an amendment under consideration;
- (c) when resolved in the affirmative, requires that the question be put forward without debate or amendment;
- (d) can only be moved in the following words - "That the question be now put"; and
- (e) may be voted against by the mover and seconder.

11.7 Motion to Adjourn

A motion to Adjourn shall always be in order except as provided in this Rule:

- (a) when resolved in the negative, it cannot be made again until after some intermediate proceedings shall have been completed by Council;
- (b) is not in order when a Member is speaking or during the verification of a vote;
- (c) is not in order immediately following the affirmative resolution of a motion for the previous question;
- (d) when a member has already indicated to the Chair that he/she desires to speak on the question.

11.8 Privilege

A question on a matter of privilege shall receive disposition of the Chair forthwith upon receipt and when settled, the question so interrupted shall be resumed to the point where it was suspended.

11.9 Motion to Refer

A motion to refer or refer back a question to Committee with or without instructions may be amended but must receive disposition by Council before the question, or an amendment to the question.

11.10 Motion to Divide

A Report or Motion containing distinct proposals may be divided and separated by leave of Council and any item divided and separated shall be considered as a separate question.

11.11 Reconsideration

After any question, except one of indefinite postponement, has been decided, any member who voted in the majority may, at the same or a subsequent meeting, move for a reconsideration thereof, but no discussion of the main question shall be allowed unless the motion to reconsider is approved by a 2/3 vote of the members present; nor shall any question be reconsidered more than once.

12.0 VOTING ON MOTIONS

12.1 Questions Stated

Immediately preceding the taking of the vote, the Chair may state the question in the form introduced and shall do so if required by a Member.

12.2 No Interruption After Question

After a question is finally put by the Chair, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

12.3 Division of a Question

A separate vote shall be taken upon each proposal divided and separated from the main question by leave of Council.

12.4 Vote Not Allowed

A member not present when the question is put shall not be entitled vote on that question.

12.5 Unrecorded Vote

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

12.6 Recorded Vote

Any Member present when the question was stated may ask for a recorded vote. Each Member present shall be polled singly and a Recorded Vote taken of each members vote. The order of voting shall be determined by the Clerk by drawing the name of each Member randomly from a Lottery Box provided for such a purpose.

12.7 Tie Vote

A tie vote shall be deemed to be negative and thus defeated and lost.

12.8 Voting by the Mayor

The Mayor, except when disqualified to vote by reason of interest, may vote with the other Members on all questions.

12.9 Failure to Vote

A failure to vote by a Member who is present at the Meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.

13.0 AMENDMENT OR REPEAL OF THIS BY-LAW

This By-law is not to be amended or repealed except by a majority of all Members of Council present at a regularly scheduled meeting.

No amendment or repeal of this By-law is to be considered at any meeting of the Council unless notice of the proposed amendment or repeal was given at a previous regular meeting of the Council and the Council may not waive such notice.

14.0 FORCE AND EFFECT OF THIS BY-LAW

The provisions of this by-law shall take full force and effect on the date of passing thereof and shall so remain in effect until either amended or repealed.

15.0 REPEAL OF BY-LAW NO. 74-18

That By-law No. 74-18 is hereby repealed in its entirety.

**THE CORPORATION OF THE
TOWNSHIP OF ZORRA**



BY-LAW NO. 19-20

**BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF
THE COUNCIL OF THE TOWNSHIP OF ZORRA AT A
SPECIAL EMERGENCY COUNCIL MEETING HELD ON
MARCH 24, 2020**

WHEREAS Section 5(3) of the Municipal Act, 2001, Chapter 25, provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF
ZORRA ENACTS AS FOLLOWS:**

1. That the actions of the Council of the Township of Zorra, at a meeting held on March 4, 2020, in respect to each report, motion, resolution or other action passed and taken by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by its separate by-law.
2. That the Mayor and the proper officers of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action, or obtain approvals, where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary in that behalf and to affix the Corporate Seal of the Township of Zorra to all such documents.

READ A FIRST AND SECOND TIME THIS 24TH DAY OF MARCH, 2020.

READ A THIRD TIME AND FINALLY PASSED THIS 24TH DAY OF MARCH, 2020.

**MAYOR
MARCUS RYAN**

**CLERK
KAREN MARTIN**