

# TOWNSHIP OF ZORRA



**The Council of the Municipal  
Corporation of the Township of Zorra**

## **PROCEDURAL BY-LAW**

### **By-law No. 62-22**

**Amended by By-law No. 80-22 *(replace section 4.1)***

**September 21, 2022**

**CORPORATION OF THE  
TOWNSHIP OF ZORRA**



**BY-LAW NO. 62-22**

**BEING A BY-LAW TO ESTABLISH NEW PROCEDURES  
FOR GOVERNING THE PROCEEDINGS OF COUNCIL,  
THE CONDUCT OF ITS MEMBERS AND THE CALLING  
OF MEETINGS OF THE COUNCIL OF THE TOWNSHIP OF  
ZORRA AND TO REPEAL BY-LAW 05-04, AS AMENDED**

**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 is desirous of repealing and replacing Procedural By-law No. 05-04, as amended to establish revised rules of order and procedures governing Council, its members and the calling of meetings.

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

1. That the proceedings of Council and its Committees, the conduct of the members and the calling of meetings shall be governed by the provisions and regulations contained in the By-law and in Schedule "A" attached hereto and forming part of this By-law.
2. That By-law No. 05-04, as amended, is hereby repealed.
3. That this By-law shall come into full force and effect upon adoption.

**READ A FIRST AND SECOND TIME THIS 21<sup>st</sup> day of SEPTEMBER, 2022.**

**READ A THIRD TIME AND FINALLY PASSED TIME THIS 21<sup>st</sup> day of SEPTEMBER, 2022.**

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**MAYOR  
MARCUS RYAN**

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**CLERK  
KAREN MARTIN**

**SCHEDULE “A”  
TO BY-LAW 62-22**

**Township of Zorra Procedural By-Law**

**Contents**

1.0 SHORT TITLE..... 5

2.0 DEFINITIONS ..... 5

3.0 GENERAL PROVISIONS ..... 6

    3.1 Suspension of the Rules of Procedure..... 6

    3.2 Questions of Procedure Not Provided For ..... 6

4.0 COUNCIL AND COMMITTEE MEETINGS ..... 6

    4.1 Frequency & Place..... 6

    4.2 Curfew ..... 6

    4.3 Statutory or Declared Public Holiday ..... 7

    4.4 Special Meetings..... 7

    4.5 Notice of Special Meeting ..... 7

    4.6 Council & Committee Meetings Open to the Public ..... 7

    4.7 Closed Meetings..... 7

    4.8 Closed Meetings, How Called..... 7

    4.9 Closed Meetings, Taking of a Vote ..... 8

    4.10 Emergency Meeting of Council ..... 8

    4.11 Electronic Meetings..... 8

        (a) Electronic Participation – Council..... 8

        (b) Electronic Participation – Public and Staff..... 8

        (c) Electronic Meeting - Conflict of Interest..... 9

        (d) Electronic Meeting - Closed Session..... 9

        (e) Electronic Meeting - Technical Failure ..... 9

    4.12 Inaugural Meeting ..... 9

5.0 ORDER OF PROCEEDINGS OF COUNCIL AND COMMITTEES..... 9

    5.1 Quorum..... 9

    5.2 Absence of Chair ..... 10

6.0 DUTIES OF CHAIR..... 10

7.0 ORDER OF BUSINESS – COUNCIL AGENDA ..... 11

    (1) Call to Order..... 11

    (2) Adoption of Agenda ..... 11

    (4) Minutes & Business Arising out of the minutes ..... 11

    (5) Public Comment Period (for items on agenda only)..... 11

    (6) Public Meetings & Drainage Meetings ..... 11

    (7) Delegations ..... 11

    (8) Reports from Staff..... 12

    (9) Correspondence Requiring Direction ..... 12

    (10) Boards and Committees..... 13

    (11) Information Items ..... 13

    (12) Unfinished Business ..... 13

    (13) Notice of Motions ..... 13

    (14) By-Laws ..... 14

    (15) Items of Community Interest ..... 14

---

(16) Closed Meeting Session .....	14
(17) Confirmatory By-law.....	14
8.0 COMMITTEES .....	14
8.1 Appointment of Council Members .....	14
8.2 Advisory Committees:.....	15
8.3 Appointment of Non-Council Members .....	15
8.4 Structure.....	15
9.0 RULES OF DEBATE IN COUNCIL .....	15
9.1 General Rules .....	15
9.2 Recognition by Chair.....	16
9.3 Speaking on a Matter.....	16
10.0 POINTS OF ORDER AND PRIVILEGE.....	16
10.1 Conduct of Members of Council.....	16
11.0 RESOLUTIONS/MOTIONS .....	17
11.1 Ultra Vires Resolutions/Motions.....	17
11.2 Withdrawal.....	17
11.3 Priority of Disposition .....	17
11.4 Amendments .....	17
11.5 The Previous Question .....	17
11.6 Motion to Adjourn.....	18
11.7 Privilege.....	18
11.8 Motion to Refer .....	18
11.9 Motion to Divide .....	18
11.10 Reconsideration.....	18
Exceptions .....	18
12.0 VOTING ON MOTIONS .....	19
12.1 Questions Stated .....	19
12.2 Division of a Question .....	19
12.3 Vote Not Allowed .....	19
12.4 Unrecorded Vote.....	19
12.5 Recorded Vote.....	19
12.6 Tie Vote .....	19
12.7 Voting by the Mayor.....	19
12.8 Failure to Vote .....	19
13.0 AMENDMENT OR REPEAL OF THIS BY-LAW .....	19
14.0 FORCE AND EFFECT OF THIS BY-LAW .....	19

## 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 Advisory Committee means a committee appointed by Council to provide recommendations to Council on a specific project or issue, as directed by Council. These advisory committees may be legislatively mandated and/or include a significant financial component. The composition of the advisory committee shall be comprised of community members/stakeholders and up to two (2) Zorra Township Councillors. Once the project is completed the Advisory Committee is automatically dissolved.
- 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 a group that is appointed by Council, and 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 one of the following:
- (a) to refer;
  - (b) to amend;
  - (c) to lay on the table (table);
  - (d) to defer;
  - (e) to adjourn
- 2.17 Task Force means a special purpose group, with a defined scope of work, that is established by the Township to complete a specific project, or to review and report on a specific issue. Task forces advance previously decided positions by Council and/or exchange information on a particular topic. Once the project is complete and/or the final report is delivered to the Township, the task force is automatically dissolved.

### **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.

Task forces shall be exempt from the provisions of the Procedural By-law.

#### **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 9:30 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.  
*(amended by by-law 80-22)*

#### **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.

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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, committees, or advisory committees thereof shall be open to the public.

#### **4.7 Closed Meetings**

Subject to Clause 4.6, meetings of Council, committees, or advisory 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 Electronic Meetings**

##### **(a) Electronic Participation – Council**

Members of council may participate electronically in a meeting which is open or closed to the public. Members participating/voting electronically will count towards quorum. Members will be permitted to attend meetings electronically by notifying the Clerk by no later than noon the day before the meeting or, at the discretion of the Mayor or Clerk if the situation arises on short notice where a member is unable to attend a meeting in person.

Where the call for a meeting arises having a potential for serious or grave consequences for the municipality or its inhabitants, the Mayor may issue a call for an electronic meeting of the members of Council. The meeting shall be held at the time in accordance with 4.1. In the absence of the Mayor and under severe conditions, the Clerk shall be similarly so empowered.

Council Members must have their video enabled while participating in the meeting. No virtual backgrounds are permitted for Council members. During voting, Council members will raise their hands clearly when appearing by video to show their vote when called for by the Mayor.

Except for periods where there are declared emergencies and circumstances cited herein, a member may not attend Council meetings virtually for three successive months without being authorized to do so.

##### **(b) Electronic Participation – Public and Staff**



Delegations, planning applicants, participating staff, and the public will be permitted to attend meetings electronically by notifying the Clerk by no later than noon the day before the meeting to access meeting particulars. The Chair will canvass the members participating remotely about their intention to speak to a matter on the floor and will notify each Member when it is their turn to speak.

The Clerk may remove any unauthorized person(s) joining the electronic Council meeting.

**(c) Electronic Meeting - Conflict of Interest**

When a member has declared a conflict of interest, the Member may choose to turn off their audio and video. Once the item is complete staff will inform the Member they may rejoin the meeting.

**(d) Electronic Meeting - Closed Session**

A zoom link will be provided for all members when electronically participating in a closed session.

When Members of Council participate electronically in closed sessions all members shall ensure confidentiality to the best of their ability.

**(e) Electronic Meeting - Technical Failure**

In the event of a technical failure (ex. council member disconnects) during the meeting, Council may take a recess to allow staff to reinstate the electronic participation. If a Council Member can no longer participate by electronic means it will not affect the validity of the meeting or decisions made. If quorum is lost because of a Council Member(s) disconnecting remotely or leaving the room the Chair will wait fifteen (15) minutes for that member to reconnect to return after which time the meeting will be concluded as quorum no longer exists.

If the Council meeting livestream drops at any point throughout the meeting, Council may take a recess for fifteen (15) minutes to allow staff to reinstate the livestream. If staff are unable to reconnect the livestream, the meeting will be recorded and uploaded after it is adjourned.

**4.12 Inaugural Meeting**

The inaugural meeting of the Council of the Township of Zorra after a regular election shall be held on November 15 at 7:00 p.m. in the year of the election and should November 15 fall on a Friday, Saturday, or Sunday, the inaugural meeting shall be held on the following Monday. 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 – 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

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.

### (2) Adoption of Agenda

### (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.

### (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.

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.

The approved minutes shall be signed by the Chair and by the Clerk.

### (5) Public Comment Period (for items on agenda only)

An individual wishing to appear under Public Comment Period, to present comments to Council on an item on a public agenda, may submit a written request, including the item on the agenda they request to speak to and any written material, to the Township Clerk no later than 12:00 p.m. on the day prior to the Council meeting. There shall be a limit of four (4) public comment delegations per Council Meeting. Any written material received shall be forwarded to council upon receipt. Individuals speaking to an item on the agenda shall be limited to not more than three (3) minutes. The Township Clerk shall circulate any received public comment forms to Council prior to the commencement of the meeting. Council will not ask questions or enter into a debate or discussion on the subject matter of the delegation.

### (6) Public Meetings & Drainage Meetings

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

Planning reports and drainage reports shall be circulated to the members with the regular agenda.

### (7) Delegations

Any Individual or group wishing to present information to Council shall make a request in writing to the Township Clerk by 4:30 p.m. on the Wednesday prior to the regular meeting of Council or Committee. Group delegations shall be limited to not more than three (3) speakers. The request shall state the nature of the business including specific detailed information outlining the subject matter and shall include all presentation materials 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.

Delegation requests shall be limited to not more than four (4) delegations per meeting to allow Council adequate time to address the Council business set forth on the agenda.

To avoid repetition, Council may decline to hear a repetitive point of view already expressed on a topic. Where possible, the Township Clerk shall ensure Delegations are not repetitive.

An individual heard by Council shall be limited in speaking to not more than fifteen (15) minutes except that a group delegation consisting of up to 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.

No person shall be allowed to appear before Council a second or subsequent time to address the same subject matter in any twelve (12) month period, unless; the person is providing new information.

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.

Delegations shall respect the decorum and Rules of Procedures in accordance with this By-law.

**(8) Reports from Staff**

Reports from staff shall be deposited with the Clerk by 4:30 p.m. on the Wednesday prior to the regular meeting of Council.

All reports 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 reports shall be in the approved format and submitted through the electronic meeting software.

**(9) Correspondence Requiring Direction**

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

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All correspondence, 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.

**(10) Boards and Committees**

All reports of a committee or board shall be in written format and shall contain the recommendations for the consideration of Council. All reports shall be deposited with the Clerk by 4:30 p.m. on the Wednesday prior to the regular meeting 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.

Information from the Township task forces may be included on the agenda at the request of Council, or at the request of the task forces, as approved by the Clerk.

**(11) Information Items**

Items appearing not to require action of Council or Committee may be placed on the agenda as an information item. All items shall be deposited with the Clerk by 4:30 p.m. on the Wednesday prior to the regular meeting of Council.

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.

**(12) 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.

**(13) Notice of Motions**

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:

Any Member of Council may provide notice of intent to introduce a motion for consideration of Council at the next Regular Council Meeting by:

- (a) a notice of motion may be submitted in writing to the Clerk during a meeting, in which case 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 Council waives the need for notice by a two-thirds vote.

A notice of motion may be withdrawn orally by its originating Member prior to the related motion being read.

**(14) By-Laws**

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

All by-laws 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.

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 filed.

**(15) Items of Community Interest**

Members of Council may present at this time matters of community interest. Items of community interest may include announcements about past or upcoming events, meetings, notices, or declarations that a Member of Council considers to be of general interest to the community.

Items of Community Interest shall not be recorded in the Minutes.

No business or new business shall be considered by Council during Items of Community Interest. New business shall be introduced by Members of Council through Notice of Motion.

**(16) Closed Meeting Session**

Council may move into a closed meeting session under Section 239.2(c) of the Municipal Act.

**(17) Confirmatory By-law**

**(18) 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. The 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

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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 Committees:**

Council may form, from time to time, special purpose advisory 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 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:

- (d) Chair
- (e) Vice-Chair
- (f) 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 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 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) shall be relevant to the question to be received;
- (d) shall not be received proposing a direct negative to the question.

### **11.5 The Previous Question**

A motion for the previous question:

- (e) cannot be amended;
- (f) cannot be proposed when there is an amendment under consideration;
- (g) when resolved in the affirmative, requires that the question be put forward without debate or amendment;
- (h) can only be moved in the following words - "That the question be now put";  
and

- (i) may be voted against by the mover and seconder.

### **11.6 Motion to Adjourn**

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

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

### **11.7 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.

### **11.8 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.

### **11.9 Motion to Divide**

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

### **11.10 Reconsideration**

After any question has been decided, any member who voted in the majority may, at the same or a subsequent meeting, move for a reconsideration thereof. The mover of a motion for reconsideration shall be permitted to make a brief and concise statement of the reasons in which they believe such reconsideration is justified without in any way debating the content matter. No discussion of the main question shall be allowed unless the motion to reconsider is approved by a majority vote of the members present. If the motion is decided in the affirmative, such reconsideration of the original motion shall become the next order of business unless the motion calls for a future definite date, and debate on the motion to be reconsidered may proceed.

#### **Exceptions**

An amendment which has already been applied to the main motion can only be reconsidered in conjunction with the main motion reconsideration.

No motion shall be reconsidered more than once during a period of twelve months following the date on which the motion was decided, after which the subject matter shall become a matter to be brought forward as though it were a new motion.

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## **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 Division of a Question**

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

### **12.3 Vote Not Allowed**

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

### **12.4 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.

### **12.5 Recorded Vote**

Any Member present when the question was stated may ask for a recorded vote. Each Member present shall be polled individually 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.

### **12.6 Tie Vote**

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

### **12.7 Voting by the Mayor**

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

### **12.8 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.