

The Corporation of the Township of
South Stormont

By-law No. 2019-XXX to
Govern the Proceedings
of Council - DRAFT

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THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT

BY-LAW NO. 2018-094

BEING a by-law to govern the Proceedings of Council and its Committees.

WHEREAS the *Municipal Act, 2001*, c. 25 s. 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the *Municipal Act, 2001*, c. 25 s. 5 (3) provides that the powers of every council are to be exercised by by-law;

AND WHEREAS the *Municipal Act, S.O. 2001*, c. 25, s. 238 (2) requires municipalities to adopt a procedural by-law to govern the calling, place and proceedings of meetings;

AND WHEREAS Council provided the required notice, in accordance with the *Act* of their intention to enact this by-law.

NOW THEREFORE Council of the Corporation of the Township of South Stormont enacts as follows:

1.0 Definitions

1.1 "Act"
means the *Municipal Act, S.O. 2001*, c. 25.

1.2 "Alternate Member of Council"
means a member appointed to serve as an "alternate member" of County Council when the Member of Municipal Council is unable to attend a meeting for any reason.

1.3 "By-law"
means a local law. A by-law is enacted by Council to exercise a power provided by legislation. It is the most formal document used for complex and legal matters providing authority and direction for the Corporation to act on its own affairs.

1.4 "Chief Administrative Officer"
means the Chief Administrative Officer (CAO) of the Corporation of the Township of South Stormont who is duly appointed by By-law.

1.5 "Clerk"
means the Clerk of the Corporation of the Township of South Stormont who is duly appointed by By-law.

1.6 "Closed Meeting"
also known as "In Camera" means a Meeting or part of a Meeting that is closed to the public in accordance with the *Municipal Act, S.O., 2001*, s. 239.

1.7 "Committee"

means any Committee of Council, Advisory, Ad Hoc or other committee, sub-committee, or similar entity of the Corporation of the Township of South Stormont.

1.8 "Committee of the Whole" (COTW)

means the participation of Members of Council of the Township of South Stormont in a Committee Meeting where Members of Council consider questions with greater freedom of debate.

1.9 "Consent Items"

means a component of a Meeting agenda that enables Council to group routine items and motions under one umbrella and is a single item that encompasses all the things Council would normally approve with little comment at a Council Meeting. Consent Items are not discussed before a vote.

1.10 "Council"

means the Council of the Corporation of the Township of South Stormont.

1.11 "Delegation"

means a maximum of two persons representing a group, who wish to provide information to Council/Committee(s) of Council.

1.12 "Head of Council"

means the Mayor of the Corporation of the Township of South Stormont.

1.13 "Local board/Board"

means any entity formed:

- i) With a direct link to the Municipality by way of legislation or authority from the Municipality;
- ii) Carries out the affairs of the Municipality;
- iii) With an element of autonomy.

1.14 "Materially Advances"

means to "substantially", measurably or identifiably advance a matter/issue forward.

1.15 "Meeting"

means any Regular, Special or other meeting of Council, or a Local board or Committee or either of them, where:

- i) A quorum of members are present; and
- ii) Members discuss or otherwise deal with any other matter in a way that materially advances the business or decision-making of Council, a Local board or Committee.

1.16 "Member"

means a person duly elected or appointed to serve on Council or a Committee of Council for the Corporation of the Township of South Stormont

1.17 "Minutes"

means the record of the proceedings of a Meeting and shall be kept in a safe manner.

1.18 "Pecuniary Interest"

(Disclosure of Interest) means a pecuniary interest, direct or indirect, in any matter within the meaning of the *Municipal Conflict of Interest Act*.

1.19 "Presiding Officer"

is the person presiding over a Meeting, who is charged with the responsibility to decide questions and points of order or practice, preserve order and maintain decorum in the proceedings of Council or Committee Meetings.

1.20 "Public Meeting"

means a public meeting held pursuant to the Planning Act or other legislation where statutory notice is required.

1.21 "Quorum"

means the majority of the eligible voting Members of Council or Committee.

1.22 "Recorded Vote"

means the recording of the name and vote of every Member on any matter or question where any Member requests that the vote be recorded.

1.23 "Regular Meeting"

means a scheduled Meeting held in accordance with the approved calendar/schedule of Meetings.

1.24 "Resolution"

is a motion once it has been passed.

1.25 "Rules of Procedure"

(Rules of Order) means the applicable procedural rules and rules of conduct contained in this By-law. The proceedings of Council and its Committees, the conduct of the Members, and the calling of Meetings will be governed by the rules and regulations contained in this By-law. Where a matter being considered by Council arises that is not covered in this By-law, Robert's Rules of Order (latest edition) shall apply.

1.26 "Special Meeting"

means a Meeting not scheduled in accordance with the annual approved calendar/schedule of Regular Meetings.

1.27 "Social Media"

Includes all forms of electronic communication such as Facebook, Twitter, blogs and any current or future means of sharing information electronically.

2.0 Role of Council

As defined within the *Municipal Act, 2001*, it is the role of Council

- i) to represent the public and to consider the well-being and interests of the municipality;
- ii) to develop and evaluate the policies and programs of the municipality;
- iii) to determine which services the municipality provides;
- iv) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;

- v) to ensure the accountability and transparency of the operations of the municipality;
- vi) to maintain the financial integrity of the municipality; and,
- vii) to carry out the duties of Council under this or any other Act.

3.0 Role of the Head of Council

As defined within the *Municipal Act, 2001*, it is the role of the Head of Council,

- i) to act as chief executive officer of the municipality;
- ii) to preside over Council Meetings so that its business can be carried out efficiently and effectively;
- iii) to provide leadership to Council;
- iv) without limiting clause iii), to provide information and recommendations to the Council with respect to the role of Council described in Section 2 (iv) above;
- v) to represent the municipality at official functions; and
- vi) to carry out the duties of the Head of Council under this or any other Act.

The Head of Council, as Chief Executive Officer shall:

- i) uphold and promote the purposes of the municipality;
- ii) promote public involvement in the municipality's activities;
- iii) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and,
- iv) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

4.0 Members of County Council

4.1 Mayor and Deputy Mayor – County Council

The Mayor and Deputy Mayor shall become Members of Council of the United Counties of Stormont Dundas and Glengarry upon:

- i) Certification from the Clerk; and
- ii) Taking the Declaration of Office for the position.

4.2 Alternate Member of Council

The Councillor with the greatest number of votes from the Municipal Election, shall become the Alternate Member of Council of the United Counties of Stormont, Dundas and Glengarry upon:

- i) Certification from the Clerk; and
- ii) Taking the Declaration of Office for the position.

4.3 Alternate Member of Council - Appointed

Notwithstanding 4.2 above, Council may appoint an alternate Member to represent the Township of South Stormont as the Alternate Member of Council of the United Counties of Stormont, Dundas and Glengarry.

4.4 Responsibilities of Alternate Member of Council:

- i) The Alternate Member of Council shall exercise all the rights of a Member of Council solely for the meeting so attended, with the exception of the Head of Council.

- ii) The Alternate Member of Council shall adhere to the provisions of the United Counties of Stormont Dundas and Glengarry By-law.

5.0 Conduct of Proceedings at a Meeting of Council

5.1 It shall be the duty of the Presiding Officer:

- i) to open the Meeting of Council by taking the chair and calling the Members to order;
- ii) to announce the business before Council in the order that it is to be acted upon;
- iii) to receive and submit, in the proper manner, all motions presented by the Members of Council;
- iv) to put to vote all questions that are regularly moved and seconded, or necessarily arises in the course of proceedings, and to announce the result;
- v) to decline to put to vote motions which infringe the Rules of Procedure;
- vi) to restrain the Members, within the rules of order, when engaged in debate;
- vii) to enforce on all occasions the observance of order and decorum among the Members;
- viii) to call by name any Member persisting in breach of the rules or order of Council thereby ordering the member to vacate Council Chambers;
- ix) to receive all messages and other communications and announce them to Council;
- x) to authenticate, by his/her signature when necessary, all By-laws, Resolutions, and Minutes of Council;
- xi) to inform Council, when necessary or when referred to for the purpose, on a point of order or usage.
- xii) to represent and support Council, declaring its will, and implicitly obeying its decisions in all things;
- xiii) to ensure that the decisions of Council are in conformity with the laws and By-laws governing the activities of Council;
- xiv) to adjourn the Meeting when the business is concluded;
- xv) to adjourn the Meeting without question in the case of grave disorder arising in Council Chambers;
- xvi) to order any individual or group in attendance at the Meeting to cease and desist any behaviour that disrupts the order and decorum of the Meeting and to order an individual or group to vacate Council Chambers where such behaviour persists; and
- xvii) to require all individuals or members of the media to disclose the use of any recording devices prior to the start of any open Meeting.

6.0 Committees of Council, Advisory and Ad Hoc Committees

6.1 Appointments

Committees of Council, Advisory and Ad Hoc Committees may be appointed by Council at any time of the year as deemed necessary for consideration of matters within its jurisdiction. Appointments may consist of Members of Council or lay appointees. Members of Council appointed to Committees must report to Council on Committee business, on a regular basis.

6.2 Terms of Reference

Terms of Reference shall be presented for Council's approval at the time a Committee of Council, Advisory or Ad Hoc Committee is established.

6.3 Advisory and Ad Hoc Committee – Purpose

Advisory and Ad Hoc Committees may be appointed for a special purpose and when said Committee has completed its mandate with a final report to Council, it dissolves automatically.

6.4 Delegation of Authority

Delegation of authority shall be provided by Council. Committees of Council, Advisory or Ad Hoc Committee shall only consider matters referred to them by Council unless authority to do otherwise has been delegated by Council.

6.5 Rules of Procedure

All Rules of Procedure outlined in this By-law shall apply to all Committees of Council, Advisory and Ad Hoc Committees.

6.6 Appointment of Members of Council to Committees

Members of Council shall be appointed by the Mayor, in consultation with Council, to sit on various Committees of Council for a two-year term, unless otherwise required by legislation. These appointments may be confirmed at a Meeting of Council at the beginning of the year.

6.7 Lay Appointments

Appointments of non-council members to Committee(s) shall be confirmed at a Meeting of Council at the beginning of the year or when a Committee and lay members are appointed with approved terms of reference. Appointments will be undertaken as follows:

- i) Public notice soliciting individual applications from citizens of the Township of South Stormont shall be conducted.
- ii) A list of applications received shall be presented to Council during a Closed Meeting.

6.8 Appointment of Other Member – Due to Illness – Absence

Should a Member of Council, appointed to any Committee, be unable to attend the Meetings of such Committee due to illness or absence, Council may appoint another Member to act in their place and the Member so appointed shall be deemed to be a Member of the Committee and entitled to act thereon only during such illness or absence.

6.9 Removal of Members not Attending

Should any Member or Members of a Committee neglect or refuse to attend three consecutive Meetings of their Committees, the Presiding Officer shall report such neglect or refusal to Council who may remove the Member or Members of their place; or should any Committee neglect or refuse to give due attention

to all business or matters before them, Council may, by Resolution, discharge such Committee member and appoint another in its stead.

6.10 Absence – Presiding Officer

In the absence of the Presiding Officer, one of the other Members shall be elected to preside, who shall discharge the duties of the Presiding Officer during the Meeting or until the arrival of the Presiding Officer.

6.11 Ex-Officio Member of all Committees

The Mayor shall be an ex-officio member of all Committees of Council and may state his/her opinion on all questions before the Committee and vote on all questions but shall not be counted in the formation of a Quorum.

6.12 Members Attend Committee Meetings

Members of Council may attend Meetings of any Committee of Council, Advisory or Ad Hoc Committee to which they are not appointed members. They shall not be allowed to vote nor take part in discussion or debate, except by the permission of the majority of the members of the Committee.

7.0 Committee of the Whole

Committee of the Whole (COTW) is the participation of Members of Council of the Corporation of the Township of South Stormont in a Committee Meeting where Members of Council consider questions with greater freedom of debate. When sitting as COTW, the results of consensus taken in an open COTW Meeting are not final decisions of Council. Rather, the results have the status of recommendations which Council is given the opportunity to consider further at a formal Council Meeting under its regular rules.

7.1 Meeting Schedule

COTW meetings shall be scheduled at the call of the Mayor and at dates and times agreed to by Council when reviewing the meeting schedule.

7.2 Agenda: The COTW Agenda shall include

- i) Call to Order
- ii) Confirmation of Agenda
- iii) Disclosure of Pecuniary Interest
- iv) Adoption of Minutes
- v) Delegations
- vi) Staff Reports
- vii) New Business
- viii) Closed Meeting
- ix) Adjournment by Resolution

7.3 Delivery of COTW Agenda

The Clerk shall deliver an agenda, including all associated reports and notice of a Closed Meeting, if required, for each Committee of the Whole Meeting, five (5) days prior to the Meeting.

7.4 Meeting Location

COTW meetings shall be held at the Township of South Stormont in Council Chambers or the Boardroom, unless otherwise determined by Council.

8.0 Meetings

8.1 Orientation for New Councillors

An orientation Meeting shall be held with new Members of Council. This Meeting shall allow the CAO and Clerk to provide new Members with an overview of the expectations of their elected office (e.g. inaugural Meeting, Committee expectations, processes of Council, protocol at Meetings, Procedural By-law, dress codes, payroll and a general overview of the Corporation's role and function).

As appropriate and required, orientation meetings / education sessions shall be offered for new Members of Council on topics relevant to Township business.

8.2 Inaugural Meeting of Council

The inaugural Meeting of Council shall be held at 6:00 P.M. on the first weekday following November 15, being the first day of the new term. The location of the inaugural Meeting will be Council Chambers of the Corporation of the Township of South Stormont.

8.2.1 Declaration of Office

All members of Council shall take the declaration of office prior to participating in any Meeting of Council.

8.2.2 Inaugural Agenda: The Inaugural Agenda shall include:

- i) Opening
- ii) Declaration of Office
- iii) Presentations
- iv) Comments by Council
- v) Mayor's Inaugural Address
- vi) Adjournment

8.2.3 Business at Inauguration

No other business shall take place other than the Declaration of Office at the Inaugural Meeting of Council.

8.2.4 Notice to Council

Each member of Council shall be provided with a Township email address for the purpose of disseminating notice(s) for the purposes of the Procedural By-law.

8.2.5 Notice of Meetings

- i) The Meeting agenda shall constitute notice of each Meeting. The agenda shall include the date, time and location of the Meeting.
- ii) Notice of Council Meetings and Committee Meetings shall be posted on the Township's website. If a change in schedule occurs, notice shall be given by publication in a local newspaper having a general circulation in the Township of South Stormont, on the Township's website, via Social Media and posted at the Town Hall.

8.2.6 Curfew

No item of business other than the Ratification By-law shall be considered at a Meeting of Council after the hour of 8:00 P.M. local time, unless decided by a two thirds vote of the members present.

8.2.7 Recording, Broadcasting and/or Live Streaming Meetings

- i) All Meetings with a Quorum of Members may be audio and/or visually recorded, broadcast and/or live streamed publicly by the Township, with the exception of Meetings closed to the public provided for in the Closed Session section of this by-law.
- ii) Attendees using their own recording, broadcasting and/or live streaming devices shall inform the Chair to ensure attendees at the Meeting are notified.
- iii) The approved minutes of a Meeting will form the official record of the Meeting. Any audio, video or other record of the Meeting shall not be considered an official record.

8.3 Regular Meetings

8.3.1 Meeting Schedule – Council

Regular Council Meetings shall be held in accordance with the Meeting schedule. A proposed Meeting schedule will be presented by the Clerk to Council for approval each December for the following year.

8.3.2 Meeting Locations – Council

Regular Council Meetings shall be held in Council Chambers of the Township of South Stormont, in accordance with Council Meeting schedule.

8.3.3 Cancellation of Meetings

The CAO or Clerk, in consultation with the Mayor, has the authority to cancel any Regular Meeting if it is determined there is not sufficient business to be conducted, provided notification has been given at a prior Meeting or within forty-eight (48) hours (not including weekends, or holidays) of the Meeting.

8.3.4 Time of Meeting - Council

All Regular Meetings of Council shall be held on the second and fourth Wednesday of each month, unless otherwise determined by Council, and commence at 5:00 P.M.

8.3.5 Time of Meeting – Exception - Date

Notwithstanding Section 8.3.4, there will only be one Regular Meeting of Council during the months of February, July, August and December in accordance with the Meeting schedule.

8.3.6 Time of Meeting – Exception - Time

Notwithstanding Section 8.3.4, should a Public Meeting or Closed Meeting be required, the Meeting shall commence at an earlier time determined by the Clerk or CAO as deemed appropriate based on the Meeting subject(s) / agenda content.

8.3.7 Time of Meeting – Holiday

When the day for a Regular Meeting of Council is a public or civic holiday, Council shall, unless decided otherwise, meet at the

same hour and place on the following day that is not a public or civic holiday.

8.3.8 Time of Meeting – Exception - Date

The CAO or Clerk, in consultation with the Mayor, has the authority, in the case of unforeseen circumstances, i.e. inclement weather, or any other emergency, to re-schedule a regularly scheduled Council Meeting to the designed hour on the following day that is not a public or civic holiday. Applicable public notice will be provided as soon as practicable.

8.3.9 Meetings to be Open to the Public

Meetings of Council and any Committee of Council shall be open to the public except as provided in the Act.

8.4 Special Meetings of Council

8.4.1 Call of Special Meetings of Council

In addition to regularly scheduled Meetings, the Mayor may at any time call a Special Meeting of Council by providing written direction to the Clerk stating the date, time and purpose for the Special Meeting. Forty-eight (48) hours (not including weekends, or holidays) of written public notice shall be given.

In addition, a majority of Council Members may, at any time, petition the Clerk to call a Special Meeting of Council by providing a written request to the Clerk stating the date, time and purpose for the Special Meeting. Forty-eight (48) hours (not including weekends, or holidays) of written public notice shall be given.

8.4.2 Agenda: Special Meeting

- i) Call to Order
- ii) Confirmation of Agenda
- iii) Disclosure of Pecuniary Interest
- iv) Adoption of Minutes
- v) Delegations
- vi) Staff Reports
- vii) New Business
- viii) Closed Meeting
- ix) Adjournment by Resolution

8.4.3 Restriction of Business stated on Agenda

The only business to be dealt with at any Meeting of Council shall be that stated in the notice/agenda of the Meeting.

8.4.4 Special Meeting - Location

Special Meetings will be held at the Township of South Stormont in Council Chambers or the Boardroom, unless otherwise determined by Council.

8.5 Emergency Meetings

8.5.1 Call of Emergency Meeting without 48 hours' Notice

Notwithstanding this section the Mayor may, in the event of an emergency, call an emergency Meeting of Council without giving the forty-eight (48) hours written notice of the Meeting, provided that the Clerk has diligently attempted to advise all Members of

Council and relevant staff immediately upon being advised of the Mayor's intention to hold an emergency Meeting.

8.5.2 Meeting Location – Council - Emergency

In case of an emergency, Council in its sole discretion may hold its Meetings and keep its public offices at any convenient location within or outside the municipality.

8.6 Closed Meeting

8.6.1 Following of Rules

The Procedural By-law shall apply during Closed Meetings.

8.6.2 Resolution – Enter Closed Meeting

Members may, by Resolution, close a Meeting or part of a Meeting to the public in accordance with section 239 of the *Municipal Act, 2001*.

8.6.3 Identification of Specific Section

The Clerk shall have the Closed Meeting agenda prepared, identifying the subject and qualifying section in accordance with Section 239 of the Act, under which each matter is to be considered in the Closed Meeting. The agenda will be distributed to all Members in attendance at the Meeting.

8.6.4 Agenda

The CAO or Clerk shall prepare an agenda for presentation at the Meeting. The agenda shall be kept in a secure and confidential location under the control of the Clerk.

8.6.5 Record of Meeting

The Clerk shall record without note or comment all procedural matters, directions or instructions at a Closed Meeting. Minutes shall be circulated by the Clerk at the following Closed Meeting for adoption.

8.6.6 Closed to Whom

For the purpose of a Closed Meeting, the Meeting shall be closed to any person not appointed or elected to Council or a Committee. The CAO or Clerk may invite any person deemed appropriate for a specific item of business, to the closed portion of the Meeting.

8.6.7 Location of Meeting

Closed Meetings will be held at the Township of South Stormont in Council Chambers or the Boardroom, unless otherwise determined by Council.

8.6.8 Additional Items for Discussion

Discussion during a Closed Meeting shall be limited to that stated by Resolution. Additional items require public notice by Resolution in an open Meeting to hold a Closed Meeting to discuss the additional item(s).

8.6.9 Procedural Matters – Giving Direction/Instructions

A Meeting shall not be closed to the public during the taking of a vote except as provided in the Act. Votes may only be taken for procedural matters, giving directions or instructions to staff or agents or others.

8.6.10 Collection of Closed Meeting Documents

All documents handed out during a Closed Meeting shall be initialed, dated and returned to the CAO or Clerk at the end of the Closed Meeting.

8.6.11 Calculations and Note Taking

Members and staff may do basic calculations and note taking on paper during the course of a Closed Meeting, however, any such calculations or notes shall be collected by the CAO or Clerk and destroyed following the adjournment of the Meeting.

8.6.12 Confidentiality of Information

Council and / or Committee Members, staff and invited guests shall keep confidential any information:

- i) Disclosed or discussed at a Meeting that was closed to the public. The obligation to keep information confidential applies even if the Member ceases to be a Member.
- ii) Received in confidence verbally in preparation of the Closed Meeting.

8.6.13 No Comment

Members and staff shall respond to any questions regarding an item from a Closed Meeting with a reply of "no comment," or words to that effect.

8.6.14 Securing Minutes

All reasonable efforts shall be made to ensure that Minutes are kept in a secure and confidential location under the control of the Clerk. These Minutes shall only be open to those in attendance at the Meeting, to others approved by Council, or as legislated.

8.6.15 Return to Open Meeting

Once the Closed Meeting has ended, the Members shall return to the open Meeting and the Clerk shall record the time in the Minutes.

8.6.16 Resolution – Closed Meeting Investigator

If an investigation of a closed meeting is completed, the investigator's report will be considered by Council and a resolution will be passed to address recommendations resulting from the investigation.

8.7 Public Meetings

8.7.1 Public Meetings – When Required

When required, Public Meetings held to consider applications under the Planning Act or to obtain public input for other purposes will be held as the fourth order of Business at the Council Meeting.

8.7.2 Public Meetings – Alternate Date

A Public Meeting may be called at an earlier or different date and time upon consultation with the Clerk, CAO and Director of Planning provided that adequate notice is given to the public of the impending change as directed.

8.7.3 Public Meetings – Process Outlined

The Chair shall explain the Public Meeting processes for those in attendance and the statutory requirements under the Planning Act or other application legislation.

8.7.4 Public Meetings – Delegates

Delegates wishing to address Council at a Public Meeting under the Planning Act, or a Public Meeting Called for other purposes shall be permitted to speak without advance notice.

8.7.5 Public Meetings – Time Limit

The time limitation for delegations at a Public Meeting to hear applications under the Planning Act, or other legislation, shall not exceed five (5) minutes. Council may extend, without debate, the five (5) minute time period by a majority vote of the Members present.

8.8 General Rules of Meeting

8.8.1 Rules of Procedure

Rules of Procedure shall be as provided for in this By-law and where not provided, as near as may be to that followed under the current revised version of Robert's Rules of Order.

8.8.2 Attendance

- i) Every Member of Council shall attend all required Meetings. The CAO, Clerk, and necessary Directors shall attend Council Meetings. Municipal staff shall attend a Meeting of Council when directed by the CAO or their respective Director.
- ii) A Member is permitted to be absent from meetings if it is a result of the Member's pregnancy, the birth of the Member's child or adoption of a child by the Member for 20 consecutive weeks or less.

8.8.3 Dress Code

All Members of Council shall wear proper business attire during regular scheduled Council Meetings.

8.8.4 Members of Council – Municipal Staff

No Member shall speak disrespectfully of, nor shall they use offensive language against any Member of Council, Committee(s) of Council or municipal staff or any member of the public in attendance at a Meeting.

8.8.5 Speaking – Subject in Debate Only

No Member shall speak on any subject other than the subject in debate.

8.8.6 Criticize a Decision

No Member shall criticize any decision of Council except for the purpose of moving that the question be reconsidered.

8.8.7 Restrict Use of Mobile Device

Members of Council and Staff are restricted from using their cellular phones or other communication devices to engage in communications with third parties during the Meetings of Council.

8.8.8 Vacating Seat During Meeting

A Member shall not leave his/her seat or the Meeting at any time without advising the Presiding Officer. Such absence, including the length of time absent, shall be recorded.

9.0 Agenda

9.1 Agenda

The business of each Meeting will be considered in the order set forth on the agenda.

9.2 Staff Reports

All staff reports will be delivered to the Clerk five (5) days preceding the Regular Meeting (not including weekends or holidays), to ensure inclusion in the agenda and timely publication of the agenda.

9.3 Council

The Clerk shall prepare, for the use of the Members at Meetings of Council, an agenda that will state the order in which the business of Council shall be conducted.

9.4 Council Meetings

9.4.1 Regular Scheduled Meetings

The Clerk shall deliver an agenda, including all associated reports and notice of a Closed Meeting, if required, for each Meeting five (5) days preceding the date of the Council Meeting. The agenda cover sheet shall be posted to the Township website for access by the public. The agenda with all associated reports will be provided to the public and media two days prior to the Meeting.

9.4.2 Special Meetings

The Clerk shall circulate an agenda, including all associated reports and notice of a Closed Meeting, for each Meeting to Council Members and staff forty-eight (48) hours (not including weekends, or holidays) in advance of the Meeting. The agenda shall be posted to the Township website for access by the media and the public.

9.5 Copy of Agenda

Any person may be provided, upon request to the CAO or Clerk, with a copy of the agenda, within the time frames as noted in Section 8.4.1 and 8.4.2 above. Pursuant to the Township Fees and Charges By-law, fees may apply.

9.6 Further Information Required – Postponement

Where further information or reports are necessary for Council to properly review an item of business, the Clerk or CAO may postpone the placement of an item to a future agenda in order to arrange for the provision of the necessary information.

9.7 Clerk Authorized to Determine

The Clerk shall be authorized to determine the appropriate Meeting at which items of business shall be considered, in accordance with this By-law.

10.0 Order of Business – Council

10.1 Regular Scheduled Meetings

The order of business on the agenda for regular scheduled Meetings of Council shall be as follows:

1. Call Meeting to Order / Opening Remarks
2. Confirmation of Agenda
3. Disclosure of Pecuniary Interest
4. Presentations
5. Public Meeting, if required pursuant to the Planning Act.
6. Delegations
7. Adoption of Minutes
8. Consent Items
9. Consideration of Items Requiring Discussion
10. Key Information Reports
11. Action Requests
12. Committee / Council Member Reports
13. By-laws
14. Motions and Notices of Motions
15. New Business
16. Closed Meeting, if required
17. Ratification By-law
18. Adjournment by Resolution

10.2 Special Meetings

An agenda for a Special Meeting or Committee Meeting is not required to include all agenda headings listed above. The Clerk, or relevant Director will determine based on requirements.

10.3 Changes to Order of Business

The Presiding Officer, with the approval of its Members by majority vote, may vary the order of business before the Members.

11.0 Call Meeting to Order

11.1 Opening Remarks

The opening remarks of the Presiding Officer shall be at the sole discretion of the Presiding Officer and shall normally relate to items of interest.

12.0 Quorum – Call to Order

12.1 Quorum – Call to Order

If there is a Quorum after the time set for the start of the Meeting, the Presiding Officer will take the chair and call the Meeting to order.

12.2 No Quorum – Meeting Adjourned

In the event that a Quorum is not present within fifteen (15) Minutes after the designated start time of the Meeting, the Presiding Officer shall take the chair and call the Meeting to order, announce the absence of a Quorum, and immediately adjourn the Meeting. The Clerk shall record the names of the Members present and the Meeting shall stand adjourned.

12.3 Council Meeting – Presiding Officer Absent

In the case where a Quorum is present at a Council Meeting and the Mayor has not attended within fifteen (15) Minutes after the time appointed, the Deputy Mayor shall preside until the arrival of the Mayor and shall have all powers of the Presiding Officer for the purpose of chairing the Meeting.

12.4 Council Meeting – Deputy Mayor – Absent

Notwithstanding 12.3 above, in the absence of both the Mayor and Deputy Mayor, an Acting Presiding Officer shall be appointed by Resolution, from among the Members present and he/she shall preside until the arrival of the Mayor or Deputy Mayor and shall have all powers of the Presiding Officer for the purpose of chairing the Meeting.

12.5 Meeting Adjourned – Not Ended

If during the course of a Meeting a Quorum is lost, then the Meeting will stand adjourned, not ended, to reconvene at a time and place as called by the Presiding Officer.

13.0 Disclosure of Pecuniary Interest and General Nature Thereof

13.1 Member of Council

To determine possible Pecuniary Interest, the Member may consult with their personal solicitor, and must be in compliance with the *Municipal Conflict of Interest Act*.

13.2 Disclosure of Pecuniary Interest

Declaration of interest by a Member of Council must be disclosed before the matter is considered at the meeting. Such disclosures of interest shall be made publicly by written statement and shall be recorded in the Minutes by the Clerk. Such written statement may be provided electronically.

13.3 Discussion, Vote or Influence

A Member declaring a pecuniary interest about an agenda item, must leave the room, not take part in the discussion, vote or attempts to influence the voting before, during or after the meeting.

13.4 Closed Session

A Member declaring pecuniary interest in a Closed Session must be absent for that portion of the meeting.

13.5 Documentation of Disclosure of Interest

The Clerk must note the disclosure of pecuniary interest in the minutes as well as establish a registry of declarations recorded that shall be available for public inspection.

14.0 Delegations

14.1 Delegation – First Come – First Served – Limit of Four

A maximum of four separate delegations shall be permitted at any Regular Meeting, unless otherwise approved by Council.

14.2 Delegation – Notice – Prior to Meeting

14.2.1 Meeting of Council

Persons wishing to address Council shall make a written application to the Clerk prior to 12 noon five (5) days preceding the Regular Meeting (not including weekends or holidays), or as otherwise provided for in the notice of the Meeting. Such application shall contain the subject matter to be discussed, all information to be presented to Council, and the name, address and telephone number of a spokesperson chosen by the delegation to make the presentation.

14.3 Delegation – Limit of One Appearance – Exception – New Information

Delegations shall be limited to one appearance, unless providing additional information.

14.4 Delegation Refused – Chief Administrative Officer or Clerk

The CAO or Clerk is given the authority to refuse delegations under the following circumstances:

- i) The request is not submitted within the stated time limits;
- ii) The subject matter is deemed to be beyond the jurisdiction of Council;
- iii) The issue is specific to a matter properly held in a Closed Meeting, pursuant to Section 239 of the Municipal Act, 2001; and / or
- iv) Requests/issues where there is no perceived benefit for the Township of South Stormont.

14.5 Delegation – Not to Repeat

Delegations taking the same position on a matter shall be encouraged to select a spokesperson(s) to present their views collectively.

14.6 Delegation – Limited to Subject Matter

Delegations shall be limited to the subject matter indicated in their application for a delegation.

14.7 Delegation – After the Agenda is published

Applications for delegations shall not be received after the deadline established in s. 14.2.1. Notwithstanding, if a matter is listed on the agenda to which anyone is desirous of providing information to the Members, the person shall notify the Clerk prior to the Monday preceding the Meeting and shall provide a brief in writing to the Clerk at the time the request is made so that it may be circulated to the Members.

14.8 Restrictions on Delegations

Delegations shall not:

- i) Address Members directly without permission;
- ii) Interrupt any speaker or action of the Members, or any other person addressing the Members;
- iii) Display or have in their possession picket signs or placards in Council Chambers or Meeting room;
- iv) Speak disrespectfully of any person;
- v) Use offensive words;
- vi) Disobey a decision of the Presiding Officer; and
- vii) Enter into cross debate with other delegations, staff, Members or the Presiding Officer.

14.9 Delegation – Violation

If a Delegation is in breach of the rules, the Presiding Officer may request the termination of a presentation and / or restrict attendance at future Meetings.

14.10 Delegation – Time Limit – 15 Minutes

All Delegations shall be permitted a maximum of fifteen (15) Minutes to make the presentation.

14.11 Delegation – Addressing Members

Delegations shall state their name(s) and make their presentation to the Members.

14.12 Matter Brought Forward

In the event that the subject brought to the Members at a Meeting by a Delegation is also dealt with in any other item listed on the agenda, the Presiding Officer may call for a motion to amend the Order of Business so that the item may be brought forward for discussion at the same time as the consideration of the Delegation item.

14.13 Questions by Members

Upon completion of a presentation by a Delegation, any dialogue between Members and the delegate shall be limited to Members asking questions for clarification and obtaining additional, relevant information only. Questions from Members shall be addressed by the spokesperson to the best of their ability. Members shall not enter into debate with the Delegation respecting the presentation.

14.14 Delegation Information Referred to Subsequent Meeting

Council may defer any decision or action on information received from a Delegation to a subsequent Meeting of Council. A staff report may be requested.

15.0 Presentations

15.1 Ceremonial Presentations/Awards – Council Meetings

Ceremonial presentations and/or awards shall be made at a Council Meeting and considered under Delegations / Presentations in the Order of Business of Council, Section 10.1. A presentation or award may be given by the Presiding Officer, Township staff, a representative from another government or government agency, or any person/organization invited by

Council to make a presentation as may, from time to time, be considered appropriate.

16.0 Minutes

16.1 Record of Meeting: The Minutes of a Meeting of Council shall record:

- i) The date, place and time of the Meeting;
- ii) The name of the Presiding Officer and the attendance of the Members present at the call of the Meeting;
- iii) Arrival and departure of Members after the call of the Meeting;
- iv) A Member who has declared a Pecuniary Interest on a matter or question and the nature thereof, as appropriate;
- v) All motions approved;
- vi) Other proceedings of Council without note or comment; and
- vii) Time of adjournment.

16.2 Approval of Minutes

The draft Minutes of Regular Meetings, Special Meetings, and Committee of the Whole Meetings held will be presented for final approval no later than the next regular scheduled Meeting of Council.

16.3 Amendments to Minutes

If any Member disagrees with any item printed in the Minutes, that Member shall state their objection and the reason therefore. The Members shall determine the accuracy of the Minutes and the Clerk shall note in the Minutes of the present Meeting both the existing text, and changes requested, and make the necessary amendments to the Minutes being adopted. If amendments are required, the question put by the Presiding Officer shall be to adopt the Minutes of the applicable Meeting, held on the applicable date, as amended.

16.4 Clerk Authorized to Make Corrections

The Clerk shall be authorized to make minor corrections to the Minutes resulting from technical or typographical errors provided the intent of the Minutes are not changed prior to the Minutes being signed.

16.5 Signature for Authentication

The Presiding Officer and Clerk shall authenticate the Minutes with their signatures.

16.6 Adopted Minutes

16.6.1 Council – Adopted Minutes

The adopted Minutes of each Meeting of Council shall be posted to the Township's website as soon as practicable.

17.0 Consent Items

17.1 Consent Items – Items Included

Consent Items may include the following:

- i) Departmental Monthly Activity Summaries;
- ii) Monthly Financial Summary

- iii) Township Committee Minutes, i.e. Volunteer Appreciation, Waterfront Development, etc.;
- iv) Communication; and
- v) Items are directed by the Clerk or CAO.

17.2 Consent Items - Clarification

Questions of clarification may be asked by Members about any Consent Item during the adoption of Consent Items without requiring a separate vote. In the event that a Member declares a Pecuniary Interest on an item that is included in Consent Items, that item shall be considered under Consideration of Items Requiring Discussion.

17.3 Consent Items – Request to Separate

Members may request that a matter be removed from Consent Items to be dealt with separately under Consideration of Items Requiring Discussion.

17.4 Consent Items – Adopt by Single Motion

Consent Items shall be adopted in a single motion.

17.5 Consent Items – Notify Clerk

If possible, Members shall notify the Clerk in advance of their wish to remove an item from Consent Items.

18.0 Key Information

18.1 Key information Reports

Key Information Reports may be provided to Council as information items or to facilitate further discussion/action at a subsequent Meeting.

19.0 Action Requests

All reports presented to Council as part of the agenda will be in a written format, complete with draft motion, duly signed by the appropriate Director and approved by the CAO or designate.

20.0 Committee / Council Member Reports

20.1 Committee / Council Member Reports

All Members of Council shall have the opportunity to report on issue(s) currently under debate by the Committee(s) they are a Member of, or recent activities undertaken by that member of Council, i.e. conferences.

21.0 By-laws

21.1 By-laws – Number

The number of every By-law being presented to Council shall be provided on the agenda at which the By-law is being considered.

21.2 Introduction of By-law – Purpose Specified – One Reading (1st, 2nd, 3rd Inclusive)

Every By-law shall be introduced and shall be considered to have been read a first, second and third time short. At the discretion

of Council, a By-law may be read a first and second time, with third reading postponed until later in the Meeting, or subsequent Meeting of Council.

21.3 Clerk – Read By-law Title

The Clerk shall read the By-law title.

21.4 Amendment – Debate on Motion

Debate shall be limited to the subject matter of the By-law.

21.5 By-law Passed – Deposited

Every By-law which has been passed by Council shall, immediately after being signed by the Head of Council and the Clerk and sealed with the seal of the Corporation, be deposited by the Clerk in a secure location and scanned electronically for deposit on the server.

21.6 Clerk Authorized to Make Corrections

The Clerk shall be authorized to make minor corrections to any By-law resulting from technical, formatting or typographical errors provided the intent of the By-law is not changed prior to the By-law being signed.

22.0 Motions and Notices of Motions

22.1 Notices of Motion

22.1.1 Notices of Motion – Introduction No Debate

Notices of Motion introduced at a Regular Meeting of Council shall not be debated and shall be recorded on the agenda for the next Regular Meeting of Council.

22.1.2 Notices of Motion – Mover in Attendance

A notice of motion shall not be considered or otherwise disposed of by Council unless the mover of the motion is in attendance at the Meeting.

22.1.3 Notices of Motion – Presentation

Notices of motion shall be delivered to the Clerk at least five (5) working days, preceding the date of the next Regular Meeting, in order to be included on the agenda, at which time the motion is to be introduced and a motion shall be printed in full in the agenda for that Regular Meeting and each succeeding Meeting until the motion is considered or otherwise disposed of.

22.2 Ultra Vires

A motion in respect of a matter which is beyond the jurisdiction of Council shall not be in order.

22.3 Voting on Motions

22.3.1 Questions Stated

Immediately preceding the taking of the vote, the Presiding Officer may state the question in the form introduced and shall do so if required by a Member. He/she shall state the question in the precise form in which it will be recorded in the Minutes.

22.3.2 No Interruption after Question

After a question is finally put by the Presiding Officer 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.

22.3.3 Unrecorded Vote

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

22.3.4 Vote by Teleconference

Notwithstanding 22.3.3 above, in the event of an emergency, as defined in the Township Emergency Response Plan, Council may proceed to vote on items of an urgent nature by teleconference.

22.3.5 Recorded Vote

When a Member requests a Recorded Vote, the Clerk shall request and record from each Member present, except a Member disqualified from voting under any Act, to announce their vote openly as follows: Councillor in alphabetical order, Deputy Mayor and then the Mayor. The names of those who voted for and against shall be noted in the Minutes. A request for a Recorded Vote can only be made immediately before or after the taking of the vote.

22.3.6 Member Does Not Vote

If any Member, when a question is put, does not vote, he/she shall be deemed as voting against the motion, except where he/she is prohibited from voting by statute, or is the Presiding Officer.

22.3.7 Member Disagrees with Announcement of Vote

If a Member disagrees with the announcement of the Presiding Officer that a question is carried or lost he/she may, but only immediately after the declaration by the Presiding Officer, appeal the declaration and request that a Recorded Vote be taken.

22.3.8 Vote by Secret Ballot

No vote shall be taken by ballot or by any other method of secret voting, except as provided for in the Act.

23.0 New Business – Council Meeting

23.1 Member – Notice

Any Member may present and introduce any matter of new business during the New Business portion of the Meeting, and shall have regard to the following guidelines:

- i) Members are encouraged to raise operational matters prior to the Meeting through the Clerk or CAO; and
- ii) Members are discouraged from raising substantive policy matters.

23.2 Urgent – Immediate Action Required

New items of an urgent nature may be considered if, in the opinion of Council, it requires the immediate attention of Council. A staff report may be required.

24.0 Ratification By-law/By-law to Confirm Proceeding of Council

A By-law to confirm the proceedings and reports of Council at its Meetings held in the previous month shall be presented at each Regular Meeting. Such By-law shall confirm any motion, Resolution and other actions passed or taken by Council at the Meetings indicated therein.

25.0 Adjournment

25.1 Adjournment – Motion – At Request of Presiding Officer

A standard motion to adjourn shall be in order at the request of the Presiding Officer.

25.2 Council

All Regular Council Meetings shall stand adjourned when Council has completed all business as listed on the Agenda. Unfinished business shall be postponed to the next Regular Meeting of Council.

26.0 Receiving Correspondence and Other Communication

26.1 Correspondence

- i) All correspondence addressed to Members of Council shall be considered public information, except as prohibited by legislation.
- ii) All correspondence addressed to Members of Council shall be legible, signed by the author(s). Correspondence that does not include the above or that includes any illegible or defamatory allegations or derogatory remarks shall not be included as correspondence or responded to.
- iii) Where correspondence is not requested to be included on a Meeting agenda, it shall be circulated by the Clerk, or designate, to Members, the CAO, Directors and applicable staff for their information and thereafter forms a part of Township records.
- iv) Where correspondence has been requested to be included on a Meeting agenda or at the request of a Member to the Clerk, correspondence is placed on the agenda for consideration. Where required due to urgency, correspondence may be considered directly by Members as a New Business item.
- v) Council's receipt of correspondence does not constitute endorsement by the Municipality of the correspondence or its contents or any recommendations contained, or actions advocated therein.

26.2 Petitions

- i) All petitions presented to Council shall be filed with the Clerk. Every petition intended for presentation to Council shall be eligible and shall not contain any defamatory allegations or impertinent matter and shall be signed by at least two (2) persons giving their name and mailing address.
- ii) Any person wishing to present a petition shall submit a copy of the material to the Clerk prior to 12 noon five (5)

days preceding the Regular Meeting (not including weekends or holidays), or as otherwise provided for in the notice of the Meeting. If the petition is of a time sensitive nature, the Clerk and/or CAO may bring forward such petition for Council consideration after the aforementioned deadline.

- iii) Petitions designed to be presented to Council and filed with the Clerk shall contain:
 - a) The text petition must appear at the top of every signature sheet.
 - b) Each person petitioning must print his or her name and address on the petition.
 - c) A petition must contain original signatures only, written directly on the face of the petition.
 - d) The petitioners must be residents of the Township of South Stormont.

26.3 Motions from Other Municipalities

- i) All requests for endorsement of resolutions from other municipalities will be electronically circulated to Council and acknowledged by the Clerk with the advice that the Township does not act on resolutions received from other municipalities, but rather makes its position known through the appropriate municipal association, or alternatively, directly to the relevant Minister or government leader.
- ii) Notwithstanding 26.3 i), above, a Member of Council or staff may request that a resolution from another municipality be added to an agenda for consideration.

27.0 Reconsideration

27.1 Reconsideration – Subject To

A Resolution, By-law or any question or matter that has previously been adopted by Council may be reconsidered by Council subject to the following:

- i) a motion for reconsideration shall not be in order if Council is made aware that the question or By-law has been implemented resulting in legally binding commitments as of the date the motion to reconsider is moved unless otherwise deemed permissible;
- ii) such motion must be moved by a Member from the prevailing side of the original motion;
- iii) such motion must be supported by two-thirds (2/3) majority vote of the Members of Council before the matter to be reconsidered can be debated; and
- iv) a vote to reconsider shall not be considered more than once in any twelve (12) month period.

27.2 Debate on Question

Debate on the question must be confined to such matters as new information which has come forward, an error in documentation presented or incorrect statements made during the original debate.

27.3 Motion for Reconsideration

A Motion for Reconsideration shall be considered lost unless the motion receives a majority of votes by Council Members present and therefore no more than one (1) motion for reconsideration of any question or By-law shall be permitted.

27.4 Motion for Reconsideration - Carried

If a motion for reconsideration has been carried in the affirmative, no action shall be taken to carry into effect the question or By-law until that question or By-law has been presented to Council for reconsideration.

27.4.1 Reconsideration Next Council Meeting

If a Motion for Reconsideration is carried in the affirmative, it shall not be in order to reconsider the subject matter of the question or By-law until the next Meeting of Council. The question or By-law being reconsidered shall be stated in the exact manner in which it was first presented and shall be subject to the rules of debate and amendment outlined herein.

27.4.2 Reconsideration Same Council Meeting

No motion passed or debated at a Meeting of Council shall be reconsidered at the same Meeting without consent of two-thirds (2/3) of its Members.

27.4.3 Decision of Previous Council

These rules do not apply when a motion pertains to a decision of a previous Council.

28.0 Rules of Debate

28.1 Speaking in Turn

No Member shall speak to a question or motion until the Member has been recognized by the Presiding Officer. No Member shall speak more than five (5) minutes on the topic.

28.2 Interrupting the Speaker

When a Member is speaking, no other Members shall interrupt that Member except to raise a point of order.

28.3 Restating the Motion

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.

29.0 Points of Order

29.1 Raise Point of Order

A Member may interrupt the person who has the floor to raise a Point of Order when such Member feels that there has been:

- i) A deviation or departure from this Procedural By-law; or
- ii) A deviation from the matter under consideration and the current discussion is not within the scope of the proposed motion.

29.2 Presiding Officer Rule

Upon hearing such Point of Order, the Presiding Officer decides and states his/her ruling on the matter.

29.3 Appeal

Upon hearing the Point of Order ruling, the Member only addresses the Presiding Officer for the purpose of appealing the decision to Council or a Committee.

29.4 Final Decision with No Appeal

If no Member appeals, the decision of the Presiding Officer is final.

30.0 Points of Personal Privilege

30.1 Member to Raise

A Member may rise at any time on a Point of Personal Privilege where such Member feels that the health, safety, rights of integrity of his/her own person, the Council, a Committee Member, Staff or anyone present at the Meeting has been called into question by another member or by anyone present at the meeting.

30.2 Presiding Officer Rule

Upon hearing such Point of Privilege, the Chair decides and states his/her ruling on the matter.

31.0 Motions

31.1 Main Motion

A "Main Motion" is a motion to consider any subject that is brought before Council for its consideration. Main motions yield to Privileged and/or Secondary motions.

31.2 Secondary Motion

A "Secondary Motion" is a motion which affects the disposition of a Main Motion. Secondary Motions take precedence over Main Motions and must be decided before the Main Motion can be acted upon. Examples include motions to refer, amend, and defer to a day certain.

31.3 Privileged Motion

A "Privileged Motion", due to its importance, takes precedence over all other questions and is not debatable. Examples include motions to adjourn and questions relating to the rights and privileges of Council and its Members.

31.4 Order of Consideration

When a motion is under consideration, no motion shall be received except a procedural motion or motion to amend.

31.5 Procedural Motions

Procedural motions shall be considered immediately upon receipt and are subject to debate as follows:

- i) To adjourn
- ii) To refer
- iii) To defer to a day certain

31.6 Motion to Refer

The purpose of a Motion to refer is to refer a question to a Standing Committee, Committee of the Whole, Special Committee, or CAO. A motion to refer:

- i) Shall receive disposition of Council before the vote of the main motion;
- ii) Shall state the committee or appointed official to which the matter shall be referred;
- iii) Shall preclude all amendments of the main question until it is decided.
- iv) Motion to defer
- v) The purpose of the Motion to Defer is to have a matter postponed or deferred to a definite date.

31.7 Motion to Amend

The purpose of a Motion to Amend is to add or insert certain words or phrases, to strike out certain words or phrases, or to amend certain words or phrases. A motion to amend.

- i) Shall be relevant and not contrary to the principle of the motion or report under consideration.
- ii) May propose a separate and distinct disposition of a motion provided that such altered disposition continues to relate to the main issue and subject matter of the motion.
- iii) Shall be voted on before the main motion.

31.8 Order of Amendments

Amendments shall be voted on in reverse order to their introduction. The amendment to the amendment must be disposed of before the amendment and the amendment must be voted on before the main motion

32.0 Conduct of Members of Council

32.1 No Member shall

No Member shall speak disrespectfully of the Reigning Sovereign, or of any of the Royal Family, or of the Governor-General, the Lieutenant Governor of any province, or any Member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.

32.2 No Member shall:

- i) use offensive words or unparliamentary language in or against Council or any Member;
- ii) speak on any subject other than the subject in debate;
- iii) criticize any decision of Council except for the purpose of moving that the question be reconsidered; or
- iv) disobey the rules of Council or a decision of the Presiding Officer or of Council on questions of order or practice or upon the interpretation of the rules of Council.

32.3 Members shall:

- i) come prepared to every Meeting by having read all the material supplied, including agendas and staff reports to facilitate discussion and the determination of action at the Meeting. Whenever possible, the Members shall make inquiries of staff regarding materials supplied in advance of the Meeting; and
- ii) not have the authority to direct or interfere with the performance of any work by administration. All inquiries shall be directed through the office of the CAO.

32.4 Disobedience Persists

In case a Member persists in any such disobedience after having been called to order by the Presiding Officer, the Presiding Officer may forthwith put the question, no amendment, adjournment or debate being allowed, "that such Member be ordered to leave his/her seat for the duration of the Meeting of Council" but if the Member apologizes he/she may, by vote of Council, be permitted to retake his/her seat.

32.5 Approach Council Area

No person shall approach the Council area during a Meeting of Council without permission of the Presiding Officer, or Council upon reference.

32.6 Disturbance While Putting the Question

When the Presiding Officer is putting a question to vote, no Member shall leave or make a disturbance.

32.7 Code of Conduct

Council shall adhere to the Code of Conduct Policy as established by Council.

32.8 Integrity Commissioner

The appointed Integrity Commissioner will report to Council and is responsible for performing in an independent manner the functions assigned by the Municipality with respect to:

- i) The application of the Code of Conduct for Members of Council (or Alternate) and the Code of Conduct for Member of Local boards or of either of them;
- ii) The application of any procedures, rules and policies of the Municipality and Local boards governing the ethical behavior of a Member of Council (or Alternate) and of Local boards or either of them.

32.9 Policies

Council shall adhere to any policies adopted by Council, concerning the conduct of Members of Council.

33.0 Suspension of Rules

33.1 Suspension of Rules

In rare instances, Council may suspend the rules of the Procedure By-law with a two-thirds vote of Council. In no circumstances may Council suspend any statutory procedures from the Act or any applicable legislation.

34.0 Amendment of By-law

34.1 Repeal

No repeal of this By-law shall be considered at any Meeting of Council unless notice of intention of the proposed repeal has been given.

34.2 Amendments

From time to time, amendments to this By-law, or any part thereof, may be considered at any Meeting of Council provided notice is given at a prior Meeting of Council.

35.0 Severability

35.1 Provisions – Severable

The provisions of this By-law are severable. If any provisions, section or word is held to be invalid or illegal, such invalidity or illegality shall not affect or impair any of the remaining provisions, sections or words.

35.2 Conflict

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

36.0 Repeal

By-law No. 2015-052 is hereby repealed in its entirety, further, any by-law inconsistent with this by-law is hereby repealed.

37.0 Effective Date

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

READ and passed in open Council, signed and sealed this XX day of _____, 2019.

Mayor

Clerk