

## THE CORPORATION OF THE MUNICIPALITY OF CALLANDER

### BY-LAW NO. 2023-1832

#### Being a by-law to govern the meetings and proceedings of Council and its committees and to repeal By-law 2019-1630, as amended

**WHEREAS** Subsections 238 (2) and (2.1) of the Municipal Act, 2001, as amended, (the Act) require every municipality to pass a procedure by-law for governing the calling, place and proceedings of meetings that shall also provide for public notice of meetings;

**AND WHEREAS** pursuant to Subsections 238 (3.1) and (3.3) of the Act, said procedure by-law may provide that a member of council, or of a committee, can participate electronically in a meeting to the extent and in the manner set out in the by-law, including whether they may be counted in determining whether or not a quorum of members is present, and whether or not they may can participate electronically in a meeting that is closed to the public;

**AND WHEREAS** pursuant to Subsection 238 (4) of the Act, said procedure by-law may, with the consent of the head of council, designate a member of council, other than the head of council, to preside at meetings of council;

**AND WHEREAS** on the 25<sup>th</sup> day of April, 2023, the Council of the Corporation of the Municipality of Callander considered Report 2023-045 ADMIN, regarding a new Procedural By-law and on the 9<sup>th</sup> day of May, 2023, passed Resolution 2023/05/xXX to consider a by-law to repeal and replace By-law 2019-1630, as amended;

**NOW THEREFORE** the Council of the Corporation of the Municipality of Callander enacts as follows:

#### 1. DEFINITIONS

In this By-Law:

- 1.1. **“Ad-Hoc Committee”** means a Committee that is formed for a specific purpose and/or for a defined period of time, and then ceases to exist, and that is governed by the Terms of Reference for that committee.
- 1.2. **“Agenda”** means the list of business to be conducted at a Meeting.
- 1.3. **“Chair”** means the person who presides at a Council or Committee meeting.
- 1.4. **“Clerk”** means the Municipal Clerk appointed by the Municipality of Callander pursuant to Section 228 of the Municipal Act, or his or her designate.
- 1.5. **“Committee of the Whole”** means a Committee of all Members of Council, or a section of a regular meeting where the whole of Council works as a committee.
- 1.6. **“Consent Agenda”** means a list of items of a routine nature, or that were on a previous Committee of the Whole Agenda, that do not require substantial discussion or debate at a Council Meeting and are approved by a single Resolution.
- 1.7. **“Council”** means the elected Members of the Council of the Municipality of Callander.
- 1.8. **“Council Package”** means a copy of the Agenda, Reports, Correspondence, and all other information that Members require prior to a Meeting.
- 1.9. **“Closed Meeting”** means a Meeting of Council or Committee that is not open to the public pursuant to Section 239 of the Municipal Act or other legislation.
- 1.10. **“Delegation”** means a member or members of the public who have been granted permission to speak to Council or Committee as an item on the agenda in accordance with the specifications in this by-law.

- 1.11. **“Deputy Mayor”** means a Member of Council, recommended by the Mayor and appointed by Council, to act in the place of the Mayor when the Mayor is absent or refuses to act or the office is vacant.
- 1.12. **“Electronic Meeting”** means a Meeting where any Member is not physically present but participates via electronic means of communication.
- 1.13. **“Emergency Meeting”** means a meeting to deal with an Urgent Matter confronting the Municipality where the usual notice requirements for a Special Meeting cannot be met.
- 1.14. **“Head of Council”** means the person elected to fulfil the duties of the Head of Council specified in the Municipal Act, who in the Municipality of Callander is called by the title of Mayor.
- 1.15. **“Mayor”** means the elected Head of Council for the Municipality of Callander.
- 1.16. **“Meeting”** means any regular, special or other Meeting of Council or a Committee where a Quorum of Members is present, and Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council or Committee as stated in Subsection 238(1) of the Municipal Act.
- 1.17. **“Member”** means a Member of Council or Committee.
- 1.18. **“Motion”** means a written proposition moved by a Member and seconded by another Member at a Meeting, presented for the consideration of Council or a Committee.
- 1.19. **“Motion to Amend”** means a Motion to vary the main Motion before Council or a Committee.
- 1.20. **“Municipal Act”** means the Municipal Act, 2001, S.O. c.25. as amended.
- 1.21. **“Municipality”** means the Corporation of the Municipality of Callander.
- 1.22. **“Notice of Motion”** means a written notice, given by a member, advising Council that the motion described therein will be brought forward at a meeting.
- 1.23. **“Officer”** means a person who holds a position of responsibility with definite rights and duties prescribed by statute or By-Law. Examples include, but are not limited to, the Senior Municipal Director, Clerk, Treasurer, Chief Building Official, Fire Chief and Integrity Commissioner.
- 1.24. **“Point of Procedure”** is a verbal statement made by a Member to the Chair when the Member believes there has been a contravention of the rules laid out in the Procedural By-Law.
- 1.25. **“Presentation”** means information to Council or Committee presented by a person or group (including a Member, Staff or Public) who was invited to do so by Council or Committee, or by the Senior Municipal Director, Clerk, or Committee Secretary.
- 1.26. **“Quorum”** means a majority of Members of Council or Committee, unless otherwise specified by legislation.
- 1.27. **“Recorded Vote”** means a vote in Council or Committee where the names of the Members and the position in favour or against a Motion are recorded in the minutes.
- 1.28. **“Regular Meeting”** means a scheduled Meeting held at regular intervals to address the ordinary business of the Council or Committee.
- 1.29. **“Report”** means a written or other Report from the Senior Municipal Director, Clerk, Department Heads, Staff or Committee which is approved by the Senior Municipal Director or Clerk.
- 1.30. **“Resolution”** means a Motion that has been carried or defeated and therefore represents the vote and will of Council.

- 1.31. **“Senior Municipal Director”** (SMD) means the person appointed by Council as the most senior member of municipal staff, who is responsible for providing direction to staff on implementing the decisions of Council, and who supervises, either directly or indirectly, all other staff.
- 1.32. **“Special Meeting”** means a Meeting that is called for a specific time and for a specific purpose to deal with an important matter that has arisen between Regular Meetings.
- 1.33. **“Secretary”** means the person appointed or staff person designated to perform administrative functions for a Committee including preparing Agendas and taking Minutes of Meetings.
- 1.34. **“Urgent”** means, for the purposes of calling an Emergency Meeting, a matter that is occurring or imminent, and if not brought forward immediately, could result in or cause:
  - a) Danger to the life, health or safety of individuals;
  - b) Damage to property;
  - c) An interruption of the essential services provided by the Municipality;
  - d) Immediate and significant loss of revenue by the Municipality;
  - e) Legal Issue and/or
  - f) Prejudice to the Municipality.

## 2. SHORT TITLE

This By-Law may be cited as the “Procedure By-Law.”

## 3. SCOPE

- 3.1. **Council Meetings:** The rules contained in this By-Law shall be observed in all Meetings of Council.
- 3.2. **Section 238 Committee Meetings:** The rules contained in this By-Law shall be observed in all Meetings of all Committees that meet the definition of Committee in Section 238 of the Municipal Act (i.e. at least 50 per cent of the members are also members of one or more councils or local boards except police services boards or public library boards).
- 3.3. **Other Committees:** The rules contained in this By-law shall be observed by other Committees to the extent set out in their Terms of Reference. The Terms of Reference shall, at the minimum, include membership, roles and responsibilities, mission or aim, and the aspects of this by-law that apply to the Committee. In addition, for Ad Hoc Committees the Terms of Reference shall include the timeframe, or define the end of the assigned project, after which the Committee shall be concluded. Terms of Reference shall be adopted by Council by By-law for ongoing Committees, and by By-law or Resolution for Ad Hoc Committees.
- 3.4. **Open Houses:** Open houses, where there is no formal meeting with a set agenda and are primarily for providing information to the public and answering questions, are not considered “meetings” for the purpose of this By-law. Notice provisions may still apply based on legislation or the Municipality’s Notice By-law.
- 3.5. **Suspending Procedural By-Law:** This By-Law may be suspended, except for those rules or regulations set out by legislation, with the consent of at least two-thirds of the Members of Council and may be suspended before, during or after a Meeting. Committees are not permitted to suspend rules unless authorized to do so by Council.

#### 4. CALLING OF MEETINGS

- 4.1. **All Meetings:** Meetings of Council may be regular, special, or emergency meetings. All meetings are subject to the notice provisions in Section 6 of this By-law. The calling of meetings shall be as follows:
- 4.2. **Regular Meetings:** Regular meetings of Council and Committees shall be held as per the annual schedule of meetings, which may be amended as set out in Section 6 of this By-law.
- 4.3. **Special Meetings:** The Mayor may at any time call a special meeting of Council by directing the Municipal Clerk to provide notice as per the notice provisions of this by-law. The Municipal Clerk may also call a special meeting, upon receipt of a petition of the majority of the Members of Council, for the purpose and at the time mentioned in the petition. The petition may be provided as a single written and signed document, including but not limited to a Resolution of Council, or by separate written confirmation from each of the concurring Members by means of a paper document, email or text. The only business to be dealt with at a Special Meeting is that which is listed in the Notice of the Meeting. Special meetings of Committee may be called in a similar manner by the Committee Chair or the designated staff Secretary.
- 4.4. **Public Input Meetings:** Public meetings for Council to hear representations on Official Plan or Zoning By-law Amendment Applications, budget, or other matters determined by Council, shall be incorporated as part of a Regular Council Meeting whenever feasible. Otherwise, meetings for the public to provide input to Council, as required by applicable legislation or by Council, shall be called as Special Meetings, as needed.
- 4.5. **Emergency Meetings:** An Emergency Meeting may be called by the Mayor and/or the Clerk, without written notice, to deal with an Urgent Matter as defined in this By-law. Only business dealing directly with the Urgent Matter shall be dealt with at the Emergency Meeting. Quorum is still required at an Emergency Meeting.

#### 5. PLACE AND TIME OF MEETINGS

- 5.1. **Place:** Unless otherwise authorized by Council, all Meetings of Council shall be held in the Council Chambers, at the Municipal Office located at 280 Main Street North, Callander Ontario. Meetings of Committees may be held in the Council Chambers, or at another Municipal facility as specified in the notice of the meeting. If, at a minimum, one Member of Council or Committee and the Clerk or designated member of staff are physically present in the Council Chambers or other specified location, with others attending electronically, the meeting shall be deemed to be held in that location.
- 5.2. **Timing of Inaugural Meeting:** The First Meeting of the newly elected or acclaimed Council after a regular election shall be held as soon as practical following the election and on a date determined by the outgoing Council and published in the annual schedule of meetings.
- 5.3. **Timing of Regular Meetings:** Regular Meetings shall be held on the second and fourth Tuesdays of each month at 6:30 P.M., except as noted in the following subsections.
- 5.4. **Summer and December:** During the months of July and August there shall be one Regular Council Meeting per month, with the date to be determined when setting the annual schedule. In December, the meetings shall be held on the second and third Tuesdays of the month unless otherwise directed by the Council.
- 5.5. **Election Year:** Following a regular election, Council shall only meet as is deemed necessary by the Mayor and the Clerk, until the new term of Council takes effect.

- 5.6. **Special and Other Meetings:** Meetings in addition to the Regularly Scheduled meetings of Council and Committees may be called at a time and place appropriate to the Council or Committee, and may be held during the day or evening, subject to the rules for calling and notice of meetings.

## 6. NOTICE OF MEETINGS

- 6.1. **Regular Meetings - Annual Schedule:** The Clerk shall, before the end of a calendar year, submit a schedule of the Regular Council Meetings for the upcoming year to Council for consideration. After a schedule has been adopted by Council and before January 1st of the applicable calendar year, the Clerk shall post the schedule at the Municipal Office and on the municipal website. For Committees that meet on a regular schedule, the same procedure applies to the Secretary of the Committee. The posting of these schedules shall constitute notice to the public of the Meetings on the schedules.
- 6.2. **Changes to the Annual Schedule of Meetings:** The Council or Committee may make changes to the posted schedule during the year, by resolution of Council or the Committee. Changes to the schedule require posting of Notice as per Section 6.1 of this By-law.
- 6.3. **Notice of Special Meetings:** The Clerk shall, by telephone call or email, give each Member of Council notice of a Special Meeting at least 24 hours before the time appointed for such meeting. The Clerk shall give at least twenty-four (24) hours' notice to the public of all Special Council Meetings by posting notice on the municipal website and at the Municipal Office. The notice of the Special Council Meeting shall contain the purpose of the meeting. Notice for Special Committee Meetings shall be given in like manner by the Secretary to the Members and the Public.
- 6.4. **Emergency Meetings:** The Clerk shall attempt to notify all Members, the Senior Municipal Director and the appropriate staff about the Urgent Meeting in the most expedient manner available and as soon as possible. The Clerk shall make a reasonable effort to advertise the Emergency Meeting to the public.
- 6.5. **Other Notice Requirements:** Where a statute or the Municipality's Notice By-Law require additional notice, or notice given in a different manner, notice will be given/published in accordance with the statute/By-Law. The notice will also be posted on the municipal website.
- 6.6. **Date and Time of Posting:** All notices shall contain the date of posting, and where the notice requirement is a minimum of 24 hours shall also contain the time of posting.
- 6.7. **Greater Notice:** Nothing in this Procedural By-Law prevents the Clerk or Secretary from using more comprehensive methods of notice or providing for a longer notice period.
- 6.8. **Lack of Notice Shall Not Invalidate:** Lack of receipt of notice or failure to comply with the notice provisions of this Procedural By-Law shall not invalidate the Meeting or any decision of Council or the Committee made at the Meeting.

## 7. COUNCIL AGENDAS

- 7.1. **Clerk to Prepare:** It shall be the duty of the Clerk to prepare the Agenda of all Meetings in consultation with the Mayor and the Senior Municipal Director. Where there is a dispute about including or excluding an item from the Agenda, the Clerk's decision shall be final.
- 7.2. **Agenda Format:** All Council Agendas shall be prepared in writing. Regular Council Meetings shall include the standard headings listed below. Standard headings shall remain on each Regular Agenda, whether or not there are any items for that

meeting. Special Meetings shall include only the applicable headings. Subheadings may be added as needed.

Agenda Headings:

1. Call to Order and Roll Call
2. Disclosure of Pecuniary Interest and Nature Thereof
3. Approval of Agenda
4. Announcements and Updates from Council Members
5. Statutory Public Meeting
6. Delegations / Presentations
7. Consent Agenda
8. Items to be Considered Separately from Consent Agenda
9. Move to Committee of the Whole
10. Staff Reports
11. New Business
12. Unfinished Business
13. Notices of Motion
14. Return to Regular Session
15. Motions
16. Closed Session
17. Business Arising from Closed Session
18. Confirmatory By-law
19. Adjournment

**7.3. Agenda Items:**

Agenda items may be included in a Council Agenda as follows:

- 7.3.1. Announcements and Updates from Council Members: This section is for Council Members to provide updates re Committee / Board Business that are not provided to Council in a Committee or Staff Report, but that the Member wants to bring to the attention of Council. It may also be used for announcements of a general nature. All matters presented under this agenda item are for **information only** and may be submitted in written form to the Clerk for inclusion in the Agenda package, or given verbally at the meeting.
- 7.3.2. Statutory Public Meeting Section: Information pertaining to legislated public hearings, such as those for planning applications, shall be prepared for the agenda by staff as per legislation and staff policy.
- 7.3.3. Delegations/Presentations:
  - a) **Delegation Requests by the Public:** Individuals or Bodies may request delegation status to address Council in person at a meeting. Only delegation requests that have been approved in accordance with Schedule A of this By-law, shall be placed on the Agenda. Public Delegations shall be limited to a maximum of 10 minutes, regardless of the number of persons in the delegation. The Mayor may notify the delegation of the time limit and monitor the time taken, or may delegate this function to the Clerk.
  - b) **Presentations by Staff:** When approved by the SMD, staff may make presentations to Council instead of, or in addition to, written reports to Council. The presentation will be supported by a PowerPoint Presentation or other written documentation. The time allowed for the presentation shall be determined by the SMD in consultation with the Mayor and Clerk. At the discretion of the Clerk, in consultation with the SMD, the presentation may be made under Presentations or under Staff Reports.
  - c) **Presentations by Invited Bodies:** Persons or organizations may be requested by Council or the SMD to make presentations to Council. These may include, but are not limited to, those with whom the Municipality has a contractual relationship (i.e., auditors, police services, consultants, etc.);

external boards/committees or partners (i.e. NBMCA, MPAC, etc.); or from whom additional information is requested to assist Council in decision making. The specific time limit for each delegation shall be determined in advance relative to the nature of the presentation and the amount of detail needed by Council, and considering the time constraints of the meeting.

- 7.3.4. Consent Agenda: The Consent Agenda includes a list of recommendations that are to be considered in a single motion and do not require separate consideration and shall not be read out separately at the meeting. Items placed on the consent agenda shall include routine items, such as minutes of previous meetings, correspondence or Committee communications for information only. Items from a previous Committee of the Whole shall be placed on the Consent Agenda unless Council has given direction otherwise, or a Member has declared a conflict on the item, or staff have provided an addendum to provide additional information not available at the previous meeting. Members may ask questions or make comments on the items before voting on the Motion, but a request must be made to have an item or items removed from the consent agenda if they are to be voted on separately. This can be done at the meeting, or a Member may make a request to the Clerk's department ahead of the meeting.
- 7.3.5. Items to be Considered Separately from Consent Agenda: Items shall be added to this section if they would otherwise qualify to be on the Consent Agenda except that they require separate Motions for each item. Items may also be included in this section if additional information has been provided, or if a significant time has lapsed since direction on the item was given at a Committee of the Whole.
- 7.3.6. Committee of the Whole: New items for Council consideration shall be included in this section under the appropriate heading:
- a) Staff Reports: Reports shall be in the standard form set out in Schedule B and must be approved by the Senior Municipal Director or designate prior to being added to the agenda.
  - b) New Business: Shall include items that require action on the part of Council that have not been placed on a previous Agenda. These may include items such as new correspondence, as determined by the Senior Municipal Director in accordance with the Communications Policy, and reports and/or recommendations by resolution from Committees, or Boards.
  - c) Unfinished Business: Items that have appeared on a previous Agenda, but were not dealt with at the Meeting, or require further discussion at the Committee of the Whole.
  - d) Notices of Motion: Members may have a matter placed on the Agenda by providing the Clerk with a written Notice of Motion in accordance with the timing set out for Agenda items in subsection 7.4 of this by-law. The written notice shall contain the wording of the proposed motion for Council to consider and may be submitted to the Municipal Clerk in hard copy or by email. When submitting a Notice of Motion, a Member should provide: the background of the matter; an explanation of how the proposed motion fits into the current approved plans and goals of the Municipality; the anticipated financial and staffing impacts on the Municipality; and what, if any, impact the proposed action will have on the current priorities of the Municipality. Alternately, the Notice of Motion may request that Council direct staff to prepare a report to provide the above information, keeping in mind the research and resources required to produce such a report, and consequently its impact on other priorities.
- 7.3.7. Closed Session: In the event the Clerk receives items that meet the criteria in Section 239 of the Municipal Act and, in consultation with the Mayor and SMD, determines that they must or should be considered in a Closed Session

of the Meeting, they shall be placed on the Closed Meeting Agenda. A motion to move to Closed Session shall be included on the regular agenda. The motion shall cite the legislative authority to consider the matter(s) in closed session as well as the general nature of the matter to be considered without compromising the reason for going into closed.

- 7.4. **Timing for Items to be Submitted:** For a Regular Council Meeting, all Agenda items are to be provided to the Clerk by Members or the Public no later than seven (7) calendar days before the Meeting. Staff Reports are to be submitted to the SMD no later than ten (10) days prior to the Meeting. Reports will be finalized and filed with the Clerk no later than noon five (5) calendar days before the Meeting. For Special or Emergency Council Meetings, the timing of items to be submitted shall be suitable to the nature of the meeting.
- 7.5. **Declining to add items to the Agenda:** The Clerk, Mayor and Senior Municipal Director may decline to add items and/or Reports to an Agenda. Reasons to decline include, but are not limited to the following:
- A Delegation Request does not meet the required criteria.
  - The subject matter of an item is outside of the jurisdiction of Council;
  - More detail is needed in a staff report and the subject can reasonably be deferred to a subsequent meeting;
  - The Meeting Agenda is already too lengthy and the matter is not time sensitive;
  - The issue has been or is to be considered by the Committee of Adjustment;
  - Council has previously reconsidered the issue and the required time has not transpired for reconsideration.
- 7.6. **Amendments to the Agenda:** After a Council Agenda has been published, the Clerk may amend the Agenda in consultation with the Mayor or SMD. In the case of a Committee Agenda, the Secretary may amend it in consultation with the Committee Chair, except when this would go against a legislated requirement. Amendments may be made up to and including the day of the meeting. The Motion to adopt the agenda shall reference any amendments made after the agenda was published. The agenda shall be re-published as amended before the meeting.
- 7.7. **Agenda Packages Provided to Council:** Agenda Packages will be provided to Council, by means of an emailed link to the electronic package posted on a secure section of the meeting portal. For Regular Meetings and for Special Meetings for which notice of the meeting was given more than six (6) calendar days in advance, the link will be provided no later than four (4) calendar days before the Meeting. For a special meeting for which notice is given six (6) or less calendar days in advance, the link will be provided following the posting of the notice of the meeting, and as soon as the circumstances permit.
- 7.8. **Agenda Packages for Closed Sessions:** The Clerk shall prepare a separate agenda and agenda package for closed session matters and shall distribute them only to Members of Council and required staff. The Clerk shall follow internal processes to safeguard the agenda and materials produced electronically. The timing of providing the Closed Meeting Agenda Package shall be the same as providing that for the open session of the same meeting.
- 7.9. **Agenda Packages Provided to the Public:** Council packages for meetings, or the parts thereof, open to the public will be provided to the public by posting the package to the Municipality's online public portal, no later than three (3) calendar days prior to a Regular Meeting and as soon as practical for a Special Meeting. Inability to access the package or any portion thereof by the public shall not invalidate the proceedings of the meeting.
- 7.10. **Protection of Privacy:** Per municipal policy, correspondence items must include the name and address of the persons submitting them; however, when they are placed in the online agenda package for public viewing, personal information may be redacted.



7.11. **Special Meeting for Closed Session:** In the event that a Special Council meeting is called to address only business to be considered in closed session, the Clerk shall prepare an open meeting Agenda that shall include:

- 1) Call to Order and Roll Call
- 2) Purpose of Special Meeting
- 3) Approval of Agenda
- 4) Declaration of Pecuniary Interest
- 5) Motion to Move to Closed Session:
- 6) Return to Regular Session
- 7) Adjournment

## 8. ROLES AND RESPONSIBILITIES

The Municipal Act sets out the Roles and Responsibilities of Council, the Head of Council and the officers and employees of the Municipality. These are attached for reference as Schedule C to this By-law. In addition to those set out in Schedule C, the following are roles and responsibilities set out by the Municipality of Callander:

8.1. **Mayor as Chair:** The Mayor shall act as the Chair for all Council Meetings, except as follows:

- 8.1.1. Absence of Mayor: In the absence of the Mayor, if he or she refuses to act or if the office is vacant, the Deputy Mayor shall carry out the Mayor's duties and shall have all the rights, powers and authority of the Head of Council.
- 8.1.2. Absence of Both Mayor and Deputy Mayor: If both the Mayor and the Deputy Mayor are unable to Chair a Meeting, the Clerk shall call the Meeting to order. Then Council shall appoint one of the Members present as Chair, who shall have all the rights, powers and authority of the Head of Council for the purposes of that Meeting.
- 8.1.3. Absence for Part of a Meeting: If the Mayor or Deputy Mayor arrives at a meeting after the Clerk has called the meeting to order and a Chair has been appointed for that meeting, the Mayor or Deputy Mayor may take over their responsibility as Chair at the beginning of the next item of business.
- 8.1.4. Absence due to Conflict of Interest: If the Chair must leave the room for the purpose of a declared Conflict of Interest, the Chair may delegate the authority to Chair the meeting, in the case of the Mayor where the Deputy Mayor is present, to the Deputy Mayor, or in any other case to any Member present.

8.2. **Role of the Chair:** It is the role of the Chair to:

- 1) Open Meetings by calling the Meeting to order and calling the roll;
- 2) Announce the business as listed on the Agenda;
- 3) Read, or have read, the Motions prepared in advance or presented by Members at the meeting;
- 4) Decline to put Motions to a vote which breach the Procedural By-Law or other Legislation;
- 5) Put to a vote all Motions which are moved and seconded, and for non-recorded votes, announce the result of a vote;
- 6) Enforce, on all occasions, order, polite conduct and decorum among all present at a Meeting;
- 7) Rule on any points of order raised by Members;
- 8) Maintain order, and, where it is not possible to maintain order, adjourn the Meeting to a time to be named by the Head of Council without any Motion being put forward; and
- 9) Call for the adjournment of the Meeting when business is concluded; and
- 10) Authenticate by signature all Resolutions decided at the meeting, as well as any By-Laws and Minutes adopted at the meeting.

- 8.3. **Members of Council:** Members of Council have the responsibility to serve their constituents by contributing to the decision making on matters related to Municipal policy and services. It is expected that Members endeavor to familiarize themselves with the information presented in the Agenda package; in order to discuss / debate the matters before them on the agenda; and to make informed decisions in the best interest of the Municipality.
- 8.4. **Clerk:** The role of the Clerk at a meeting shall include taking the minutes, producing written motion sheets for any additional Motions moved by Members at the meeting, administering recorded votes in accordance with section 14.8, and providing procedural advice when called upon by the Mayor/Chair. In a closed meeting, the Clerk shall advise the Mayor/Chair if discussion deviates from matters authorized by Section 239 of the Municipal Act or included on the motion to move to closed session.
- 8.5. **Role of Staff at Council Meetings:** In addition to role of the Clerk, as specified in the previous subsection, staff have a statutory duty to undertake research and provide advice to Council on the policies and programs of the Municipality. The Senior Municipal Director (SMD) and Department Heads are expected to attend Council Meetings on a regular basis and be prepared to answer questions regarding reports to Council submitted by their departments, when called upon by the Chair. Questions from Council shall be initially directed to the SMD, who may call upon staff in attendance to provide information. Staff other than Department Heads shall attend Meetings of Council when required by the SMD.

## 9. GENERAL MEETING RULES

- 9.1. **Clerk Must be Present:** A Clerk, or deputy clerk or designate, must be present at all Regular, Special, and Other Council Meetings. The Clerk may delegate in writing, to any person other than a Member of Council, the duties of Acting Clerk for a meeting as authorized by Section 239 of the Municipal Act. For Committee Meetings, the staff member designated as Secretary fulfills the role of the Clerk.
- 9.2. **Notice Must be Given:** Notice of a Meeting must have been given in accordance with section 6 of this By-law.
- 9.3. **Quorum:** Quorum must be present at all Meetings. If Quorum is not present fifteen (15) minutes after the time appointed for the Meeting, the Meeting will be automatically adjourned until the next Regular Meeting or until a Special Meeting is called to deal with matters intended to be dealt with at the adjourned Meeting.  
  
The Clerk shall record the names of the Members present at the fifteen (15) minute time limit, will include those names on the Minutes for the adjourned Meeting and will include those Minutes on the Agenda for the next Meeting.  
  
If at any time during a Meeting a Quorum is no longer present, the Meeting shall automatically be recessed until there is Quorum again or until the Chair adjourns the Meeting.
- 9.4. **Order of Business:** At a Council or Committee Meeting, the Members shall consider the items of business in the order that is set out in the Agenda unless otherwise decided by Resolution of the Members present at the Meeting.
- 9.5. **Declarations of Pecuniary Interest:** It is the responsibility of a Member to determine whether he or she has a Pecuniary Interest. Where a Member determines that he or she has a pecuniary interest, he or she shall disclose that interest in accordance with Section 5 of the Municipal Conflict of Interest (COI) Act and comply with their statutory obligations pursuant to that Act. These include, but are not limited to, ensuring that they do not in any way attempt to influence any decision or recommendation that results from consideration of the matter. As required by Section 5.1 of the COI Act, the Member shall provide a written statement of the

interest and its general nature to the Clerk or Secretary. Whenever possible the Member shall use the form attached as Schedule D to this By-law to do so.

In addition, a Member shall leave the Council or Committee Meeting while the issue is being considered.

- 9.6. **Arriving Late/Leaving Early:** If a Member arrives after a Meeting has started or leaves before the end of the Meeting, the Clerk or Secretary will record in the minutes the time of arrival/departure. If a Member needs to leave before the end of a Meeting, they must inform the Chair and be excused. The best practice is to advise the Chair at the beginning of Meeting that the Member needs to leave before the end of the Meeting.
- 9.7. **Curfew:** Meetings shall be automatically adjourned at (3) hours following the start of the meeting unless otherwise determined by Resolution passed by a majority of the Members present.
- 9.8. **Closed Meetings:**
- 9.8.1. A Meeting or portion thereof may only be closed to the public in accordance with Section 239 of the Municipal Act.
- 9.8.2. A closed portion of a Council meeting shall be treated as a separate meeting with a separate agenda, agenda package, and minutes. .
- 9.8.3. The Clerk shall initially determine whether a matter should be placed on the open or closed agenda, considering the merits of transparency and confidentiality of matters in the best interest of the Municipality in the Clerk's opinion. Council may, however, pass a motion to consider any authorized matter in closed session, or to move to open session any item on a closed agenda that is not mandated by legislation to be considered in closed session.
- 9.8.4. After the Closed Meeting is adjourned, the Chair shall report to the public:
- That the Meeting has resumed open session; and,
  - Any other information deemed by Council as appropriate to report, including the general nature of any direction given in the Closed Meeting.
- 9.8.5. No Member, Officer or employee shall disclose additional information or details of the subject matter (beyond that which is included in the motion or reporting out) or of deliberation of a Closed Meeting, unless expressly authorized to do so by Council or the Committee.
- 9.9. **Committee of the Whole:** During any regular or special meeting, Council may pass a resolution to move into a "Committee of the Whole" session, during which Council discusses business as a "Committee". This format allows for a less formal discussion of the items, and provides an opportunity for Members to discuss and review matters before voting on them, as no formal motions are considered during a Committee of the Whole session. In general, Motions regarding these matters shall be placed on the Consent Agenda at the next Regular Council Meeting; however, Motions for time sensitive matters may be considered in the Motions section of the same agenda.
- 9.10. **Recording of Minutes:** Minutes shall be taken of all Council and Committee Meetings by the Clerk, Secretary, or designate as applicable. They shall record all resolutions, decisions and other proceedings at a meeting, without note or comment. Draft minutes shall be presented at the next regular meeting for approval. Minutes of Closed Sessions of Council Meetings shall only be considered for adoption in a closed session meeting.
- 9.11. **Cancelled Meetings:** A Meeting may be cancelled by the Head of Council, in consultation with the Senior Municipal Director and/or Clerk, in the following instances:
- a) Quorum cannot be achieved;
  - b) By Council Resolution;

- c) In the event of an unforeseen, significant event; or,
- d) The Meeting is no longer required.

For the purposes of this section an unforeseen, significant event includes, but is not limited to, the following:

- a) Safety concern for participants in the Meeting, including Members and Members of the Public (ex. snow storm, closing of the highway);
- b) Loss of heat/electricity or water;
- c) Clerk/deputy clerk's inability to attend;
- d) A state of emergency;
- e) The inability of a required participant to attend; and/or
- f) The Meeting becomes redundant.

The Clerk shall attempt to notify all Members, the Senior Municipal Director and the appropriate staff about the cancelled Meeting in the most expedient manner available and as soon as possible. The Clerk shall make a reasonable effort to advertise to the public that the Meeting has been cancelled.

## 10. CONDUCT AT MEETINGS

- 10.1. **Conduct of Members:** Members are required to follow the Municipality's Code of Conduct during all meetings and shall follow the expected decorum of the Meeting.

Specifically: **No Member shall:**

- 1) Speak disrespectfully of the Mayor, Deputy Mayor, Member, Staff, or any Member of the Public;
- 2) Engage in private conversation while in the Council Chambers in such manner as to interrupt the proceedings of council;
- 3) Speak on any subject other than the subject in debate;
- 4) Speak in open Council about matters discussed in a Closed Meeting until authorized by Council;
- 5) Interrupt a Member who is speaking by speaking out, or making a noise or disturbance, except to raise a procedural question;
- 6) Communicate with any other person(s), whether present at the Meeting or not, via electronic devices, except in the case of an emergency that disrupts or requires the Member to be excused from the Meeting; and/or
- 7) Disobey the procedural rules or the decisions of the Chair or of the Council or Committee.

- 10.2. **Conduct of All Persons at a Meeting:** All persons attending a Meeting shall follow the expected decorum of the Meeting. This includes, but is not limited to, the following:

10.2.1. All remarks shall be addressed to the Chair.

10.2.2. No persons, except Members, the Clerk or the Secretary of a Committee, may approach Members without permission from the Chair.

10.2.3. Electronic devices must be silenced during a Meeting and must not be used to disrupt a Meeting.

10.2.4. No person shall:

- 1) Speak aloud at a Meeting or address Members without first receiving permission from the Chair.
- 2) Speak disrespectfully of the Mayor, Deputy Mayor, a Member, any staff person, or any Member of the Public;
- 3) Use offensive words;
- 4) Disobey the procedural rules or the decisions of the Chair or of the Council or Committee;

- 5) Leave his or her seat while a vote is being taken and until the results of the vote are declared;
- 6) Make any disruptive noise or disturbance;
- 7) Enter the Meeting while a vote is being taken;
- 8) Walk between a Member who is speaking and the Chair; and
- 9) Display signs or placards, applaud, engage in conversation or any other behavior, which may disrupt debate.

10.3. **Conduct of Members of the Public:** Members of the public may attend any Meetings, or parts of Meetings that are open to the public, either in person or electronically as may be provided for. When attending in person, they are expected to follow the rules of order, polite conduct and decorum.

Members of the Public may provide input and information to Council only at Meetings, or portions of Meetings, specifically designed for public engagement and in a manner dictated by Council (e.g. writing, in person, electronic, etc.).

## 11. MISCONDUCT AT MEETINGS

- 11.1. Any person who contravenes any of the rules in this By-Law are guilty of misconduct and shall be given an initial warning that they may be removed from the Meeting by the Chair.
- 11.2. Where a person (including a Member) has been warned about misconduct and has continued the conduct, the Chair may expel the person from the Meeting. If such person refuses to leave, the Chair may recess or adjourn the Meeting without any Motion to do so until such time as the person has left the Meeting room.
- 11.3. If the person engaging in misconduct is a Member and the Member apologizes, he or she may, by vote of the majority Council, be permitted to retake his or her seat.

## 12. ELECTRONIC PARTICIPATION IN MEETINGS

### Extent:

- 12.1. Electronic participation shall be allowed at all Regular, Special, and Committee meetings of Council.
- 12.2. A maximum of four (4) Members of Council may participate electronically at a meeting, provided that at least one Member of Council is present in person at the meeting.
- 12.3. In order to Chair a meeting, a Member of Council shall be present in person at the meeting. When the Mayor is participating in a council meeting electronically, the Deputy Mayor, or another Member, shall chair the meeting. The Chair shall be selected as set out in Section 8.1.2 of this By-law.
- 12.4. Staff members shall be permitted to participate electronically with the permission of the Senior Municipal Director.
- 12.5. Presenters shall be permitted to participate electronically, with prior arrangement through the Municipal Clerk.
- 12.6. Council Members shall be permitted to vote when participating electronically.
- 12.7. Council Members shall be counted for quorum when participating electronically.
- 12.8. A Member or Members participating electronically are permitted to participate in a Closed Session, provided that:
  - a) He or she is participating from a location that is sufficiently private to maintain the confidentiality of the closed session;

- b) He or she confirms to the Chair of the meeting that no unauthorized person is present and/or able to hear or observe him or her participate in the closed session;
- c) He or she shall leave or be electronically suspended from the session of the electronic meeting for the duration of the consideration of any item for which he or she has declared a pecuniary interest.

Manner:

- 12.9. A Member who is participating in a meeting electronically may declare a conflict of interest by emailing the declaration form to the Municipal Clerk in advance of the meeting and shall verbally state their conflict when the Chair calls for declarations. A Member participating through zoom who has declared a conflict may “leave the room” in an OPEN SESSION by turning off their video feed so that the other members cannot see them and by placing themselves on “Mute”, or by being placed in a zoom room by the administrator. During a CLOSED session, they must actually be signed out of the meeting or be electronically suspended by the administrator for the duration of the item of business.
- 12.10. Notwithstanding Section 14.3 of this by-law, when the question is called on a motion, a Member or Members participating electronically may state verbally whether they are for or against the motion, rather than by a show of hands, if video is not being used.
- 12.11. The Chair shall ensure that Members participating electronically are given the same opportunity to speak to each question as they would have been given if participating in person.

Process:

- 12.12. Any Member wishing to participate electronically in a meeting shall inform the Municipal Clerk in advance of the meeting. The ability to participate electronically shall be allocated on a first-come-first-served basis.
- 12.13. If arrangements for technology other than the standard method are required for a Member to participate electronically in a meeting, the request shall be received at least three business hours before the meeting. The Municipal Clerk may, at his or her sole discretion, accept a request submitted later than the prescribed time, if he or she deems that the necessary arrangements to accommodate the electronic participation can be made without disrupting the business of the Municipality or the meeting.
- 12.14. The Municipality may use Zoom, Facetime, telephone calls/conference calling, or other technology to facilitate electronic participation. The electronic participation shall be by a no-cost means whenever possible; however, the Municipality shall pay the cost of the conference calling or technology option if necessary. When there is a cost for direct dialed calls, the Municipality shall initiate the call, so that the cost goes to the Municipality.
- 12.15. The technology shall be set up approximately 10 minutes prior to the scheduled start time to allow for attendees to connect and address any technology issues.
- 12.16. In the event of connection/service interruptions, the Chair may recess the meeting for up to five (5) minutes to allow for attendees to attempt to reconnect. After 5 minutes, if an attendee has not re-connected, the meeting shall resume. The attendee may reconnect if possible, provided that it does not disrupt the meeting.
- 12.17. The Clerk may only attend a meeting remotely when a Deputy Clerk, or duly delegated designate is present in person at a meeting and is able to assume the Clerk’s duties in the event that the Clerk is disconnected from the meeting.
- 12.18. For rare occasions when it is necessary for the Clerk to use an external designate who is attending remotely (for example for the Senior Municipal Director's

Performance Appraisal), if the designate is disconnected from the meeting the meeting will automatically be recessed until the connection is restored.

- 12.19. Live streaming of Council meetings shall be made available for public viewing over the internet during the meeting. A link to the live stream location shall be made available on the Municipality's website, and through any agenda software portal used for the meeting.

### 13. RULES OF DEBATE

- 13.1. **Chair Presides:** The Chair shall preside over the Meeting, ensure good order and decorum, and rule on procedural questions.
- 13.2. **Motions Required:** All Agenda items to be discussed are to proceed by Motion, except for the following:
- When a delegation or presentation is on the agenda for the purpose of providing information to Council and Council will not be making a decision at the meeting;
  - During the Committee of the Whole section of a Regular Meeting, or at special Committee of the Whole meetings and other committee meetings where the purpose of the discussion is to formulate direction or recommendations for decisions of Council at a Regular or Special meeting of Council.
- 13.3. **Motions in Writing:** Motions, including amendments to a Motion, must be made in writing. Each proposed Motion shall be read by the Chair, or by the Clerk or Secretary at the Chair's request.
- 13.4. **Call for Mover/Second:** After each motion is read, the Chair shall call for a mover and seconder. When a Notice of Motion has been given, the mover shall be the Member who gave the Notice of Motion.
- 13.5. **Motions to be Moved and Seconded:** Each Motion must be moved and seconded by a Member in order to be considered by Council or Committee. The Chair shall indicate on the written motion the names of the mover and seconder.
- 13.6. **Order of Speaking:** The Chair shall determine the order of the Members to speak on the Motion, except when a Notice of Motion has been given, the mover shall be given the first opportunity to speak and shall be granted the opportunity to make final representations on the matter prior to the Chair speaking and putting the matter to the vote.
- 13.7. **Before Speaking:** After being recognized by the Chair, every Member shall respectfully acknowledge the Chair before speaking on any matter.
- 13.8. **Speaking a Second Time:** A Member shall not speak a second time on a matter until all Members have had a chance to speak, except:
- With permission of Council,
  - If questioned by another Member;
  - To explain comments which the Member believes have been misunderstood.
- 13.9. **Five Minute Limit:** No Member, without the permission of Council or the Committee, shall speak to a matter or in reply for longer than five (5) minutes.
- 13.10. **Withdrawal of Motions:** After a motion has been moved and seconded, it shall be deemed to be in the possession of Council or committee. Council or committee may consent to the withdrawal of the motion at any time before amendment or decision.
- 13.11. **Other Motions During Debate:** When a matter is being debated, no other Motion shall be entertained other than a Motion:
- a) to refer the matter to a certain body;
  - b) to amend the Motion;

- c) to defer the Motion;
- d) that the vote be taken;
- e) to adjourn the Meeting.

- 13.12. **Motion to Refer or Defer First:** A Motion to refer or defer shall be heard before any Motion or amendment, except a Motion to adjourn.
- 13.13. **Details for Motion to Refer:** A Motion to refer shall require direction as to the body to which it is being referred and a date the body is to Report to Council or Committee. A Motion to refer is not debatable.
- 13.14. **Details for Motion to Defer:** A Motion to defer must include the time to which the matter is deferred, which may be a specific date or following a specific event. Only the specified timing of the deferral is debatable.
- 13.15. **Multiple Deferral Requirements:** If a matter is to be considered for deferral multiple times, the first two (2) times a Motion to defer may be passed by a simple majority vote of Council. To defer the same matter a third time, shall require a 2/3 majority vote of Council, and any subsequent deferrals of the same matter shall require a unanimous vote of Council to defer.
- 13.16. **Opportunity to Speak Before Vote Taken:** A Motion that the vote be taken shall not be entertained by the Chair until each of the Members has had an opportunity to speak on the matter at least once.
- 13.17. **Motion for Vote to be Taken:** Once a Motion that the vote be taken is passed, the original Motion and any amendments shall be voted upon without further debate.
- 13.18. **Questions during Debate:** A Member may, through the Chair, ask a question arising out of, or request an explanation, of the previous speaker's remarks.
- 13.19. **Questions for Staff:** A Member may, through the Chair, during the discussion on any item on the Agenda ask questions of staff on the item. Such questions shall first be addressed to the Senior Municipal Director (or designate if the SMD is not in attendance) who may then direct it to any staff of the Municipality in attendance at the Meeting.
- 13.20. **Request to Read Motion:** Any Member may, at any time during the debate, request that a Motion under discussion be read by the Chair. A Member may only make such a request once and may not interrupt another Member while they are speaking.
- 13.21. **Notice of Motion:**
- 13.21.1. When a Notice of Motion has been given by a Member, the Member must be present at the meeting and the Motion must be seconded for a proposed motion to be considered at that meeting.
  - 13.21.2. A Member may also give a verbal notice at a meeting that he/she intends to provide a Notice of Motion for a subsequent meeting, but that shall not remove the requirement for a written Notice of Motion to be filed with the Municipal Clerk. When a Notice of Motion is given verbally, there shall be no questions or debate regarding the proposed motion at the meeting at which the notice is given.
  - 13.21.3. Before deciding a matter introduced by a Notice of Motion, Council may decide to refer it to staff for a report, or to a committee or other body.
- 13.22. **Points of Procedure:**
- 13.22.1. When a Member believes there is a violation of this By-Law, the Member shall state that they wish to raise a Point of Procedure. Once recognized by the Chair, the Member shall raise the Point of Procedure. A Point of Procedure can only be raised during the Meeting.



- 13.22.2. Upon raising the Point of Procedure, a Member shall explain the violation of the rules and the Chair shall rule upon the Point of Procedure.
- 13.22.3. Once the Point of Procedure has been dealt with, the debate shall resume, unless the ruling has changed this procedure.
- 13.22.4. Any Member may appeal a ruling of the Chair by announcing their appeal to the Members. An appeal must be made immediately following the Chair's ruling. If the appeal is not made immediately, the Chair's ruling shall be final.
- 13.22.5. Upon appeal, the Member shall state the reasons for the appeal. The Chair may then indicate why the appeal should be rejected.
- 13.22.6. Without debate on the appeal, the Members, apart from the Member making the appeal and the Chair, shall vote on the appeal.
- 13.22.7. If the appeal is upheld by the majority of voting Members, the Chair shall change his or her ruling accordingly; if the appeal is rejected then the ruling stands.
- 13.22.8. No Member shall disobey the rules of Council or a decision of the Mayor, Chair or Council on questions of order or procedure or an interpretation of the rules of Council.

#### 14. VOTING - GENERAL

- 14.1. **Splitting a Motion:** When the Motion under consideration contains distinct clauses, a Member may request that the Motion be split without requiring a separate Motion or debate. One or more of the distinct clauses may be voted on separately.
- 14.2. **Calling the Vote:** Once the vote is called by the Chair, no Member shall speak to any issue, ask any question or present any other Motion until the vote has been taken.
- 14.3. **Vote by Show of Hands:** Voting shall be by way of a "show of hands" in favour or against, except when a Recorded Vote is requested.
- 14.4. **Abstaining from Vote:** If a Member present at a Meeting fails to or refuses to vote, their vote will be counted as a vote against the Motion.
- 14.5. **Tie Vote:** If there is a tie vote, the Motion shall be considered to be defeated.
- 14.6. **Announcing Result of Vote:** The Chair shall announce the results of the vote once the vote is completed, unless a recorded vote has been requested.
- 14.7. **Disagreement with Result Called:** If during a non-recorded vote, a Member disagrees with the Chair's results of the vote, the Member may object immediately to the Chair's declaration and require a Recorded Vote be taken.
- 14.8. **Recorded Vote:** A Member may request a Recorded Vote on any Motion. Such request made be made before, during or immediately after the vote. When a Recorded Vote is held, the Clerk shall call each Member's name in alphabetical order and request and record their vote on the Motion. Notwithstanding the alphabetical calling of names, the Chair shall vote last in a Recorded Vote. After completion of a Recorded Vote, the Clerk shall announce the result.
- 14.9. **Corrections:** A Motion containing a minor or typographic error may be corrected before or at the time of reading the Motion by the Chair or Clerk and shall be initialed by Chair or Clerk/Secretary. More substantive changes shall require an amendment.
- 14.10. **Motions for adoption of By-laws:** Every by-law shall be taken as read three times prior to passage. A By-law may be taken as read more than once in a single motion. Motions for all three readings may be considered on the same day.

## **15. VOTING - AMENDMENTS**

- 15.1. One or more amendments may be made to change the details of the main Motion being debated, but shall not be a direct negative to the proposition made in the main Motion;
- 15.2. An amendment to the main motion may only be further amended once. If a motion to amend an amendment fails, a different amendment to that amendment may be proposed before the amendment to the main motion is voted on [i.e. there cannot be an amendment to the amendment to the amendment to the main motion].
- 15.3. An amendment to the main Motion, or an amendment to an amendment, may be made orally, but shall be moved and seconded, produced in written or printed format by the Clerk or Secretary, and read before it is voted upon.
- 15.4. Amendments shall be voted on in the reverse order to that in which they were moved, and all amendments shall be decided or withdrawn before the main motion is put to a vote. (i.e. an amendment to an amendment shall be voted upon before the amendment to the main motion; and all amendments to the main motion shall be voted upon before the main motion).

## **16. VOTING – RECONSIDERATION OF COUNCIL RESOLUTIONS**

- 16.1. Council may reconsider a resolution that was decided during the current or previous term of Council. Revisiting a matter decided prior to the previous term of Council shall be considered New Business.
- 16.2. A resolution that was decided by Council cannot be reconsidered if action has been taken in implementing the resolution resulting in legally binding commitments that are in place on the date the motion to reconsider is considered by Council.
- 16.3. No resolution shall be reconsidered more than once during a twelve (12) month period.
- 16.4. A motion to reconsider shall not be reconsidered.
- 16.5. The entire resolution must be reconsidered; reconsideration of a portion of a resolution shall not be permitted. When reconsidering the original motion, Council can either amend the previous decision or rescind it.
- 16.6. A motion to reconsider is not amendable and debate must be confined to reasons for or against reconsideration.
- 16.7. Only a Member of Council who voted with the majority in respect of a previous decision or who was absent from the vote or was not a Member of Council at the time may move or second a motion for reconsideration. The Chair shall ask the Member to affirm that they meet the criteria to move or second the Motion.
- 16.8. A Motion to Reconsider at the same meeting as the original motion may be introduced following the conclusion of any item on the agenda. It may be made orally, but shall be moved and seconded, produced in written or printed format by the Clerk, and read before it is voted upon. It shall require a simple majority to pass.
- 16.9. A motion to reconsider a decision of Council made at a previous meeting shall be introduced by filing a written Motion for Reconsideration with the Municipal Clerk, in accordance with the timing set out for Agenda items in subsection 7.4 of this Procedure By-law. Said Motion shall be accompanied by a copy of the original motion that Council is being asked to reconsider and may include a brief description of the reason for the request to reconsider. It may be submitted to the Municipal Clerk in hardcopy or by email. The proposed motion shall be placed on the agenda under the heading "Items to be considered separately from the Consent Agenda". The Member requesting the reconsideration must be present at the meeting and the Motion must be seconded for the reconsideration to be considered at that meeting. A

2/3 majority shall be required to pass a motion to reconsider a decision made at a previous meeting.

16.10. If a motion to reconsider is decided in the affirmative the reconsideration effectively returns Council to just prior to the original Council decision. Reconsideration of the original motion shall then be the next order of business unless the motion specifies a future date.

16.11. If Council passed the original resolution and then adopted the same matter by by-law, only the resolution may be reconsidered. If the decision resulting from the reconsideration warrants, the by-law shall be amended or repealed accordingly.

## **17. ADJOURNMENT**

17.1. A Motion to adjourn a Meeting does not need to be seconded.

17.2. A Motion to adjourn a Meeting may be considered at any time except the following:

- When another Member has been recognized by the Chair and is speaking on a matter, or
- During the taking of a vote.

17.3. If a Motion to adjourn is defeated, the moving Member may not bring another Motion to adjourn until the Agenda is completed.

17.4. The Chair may at any time adjourn the meeting if circumstances preclude the continuation of Council business, including but not limited to:

- Loss of quorum
- Disorder / misconduct at the meeting that has not been resolved
- Curfew has been reached and no motion to extend has been passed
- Emergency situation jeopardizing the health or wellbeing of those present

## **18. BROADCASTING / LIVESTREAMING OF MEETINGS**

18.1. Open Council Meetings may be broadcast or live streamed for viewing by members of the public. At such times as members of the public are permitted to attend Council meetings in person, broadcasting or livestreaming shall be considered an enhancement to public attendance, and the inability to provide this enhancement shall not be considered as prohibiting public attendance. The recording of the livestream of each Council meeting will be available on the platform for a period of 60 days. Boards and Committees of Council are not required to livestream nor record their meetings. These meetings are open to the public for in-person attendance.

## **19. AMENDMENT / REVIEW**

19.1. Minor modifications or corrections of a grammatical or typographical nature where such modifications or corrections do not alter the intent of the by-law may be made by resolution of Council.

19.2. Modifications to the Schedules Attached to this By-law may be amended by Resolution of Council.

19.3. The Municipal Clerk is authorized to update any references to the Municipal Act or any other legislation cited or referred to in this By-law upon changes to said legislation. The Clerk shall inform Council of the updates and changes by means of an information report or memo on the next Council Meeting Agenda.

19.4. Any provision contained in this By-Law may be repealed, amended or varied and additions may be made to this By-Law by a majority vote, provided that no Motion for that purpose may be considered unless notice thereof has been given at a previous

council meeting and posted on the Municipality's website and at the Municipal Office at least 48 hours prior to the meeting at which the Motion is considered.

19.5. This By-Law shall have a mandatory review at least once during each term of Council.

**20. REPEAL – ENACTMENT**

20.1. That By-Law 2019-1630 and all amendments thereto are hereby repealed.

20.2. That this By-Law shall come into force and effect on the final passing thereof.

**TAKEN AS READ A FIRST TIME THIS 9<sup>TH</sup> DAY OF MAY, 2023.**

**READ A SECOND TIME THIS 9<sup>TH</sup> DAY OF MAY, 2023.**

**READ A THIRD TIME AND FINALLY PASSED THIS 9<sup>TH</sup> DAY OF MAY, 2023.**

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**Mayor, Robb Noon**

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**Municipal Clerk, Cindy Pigeau**

SCHEDULE A

DELEGATION REQUEST FORM AND REQUIREMENTS



Municipality of Callander

DELEGATION REQUEST FORM AND REQUIREMENTS

This form is to be used to request permission to present as a Delegation at a Council Meeting. It is not to be used for a Statutory Public Meeting under the Planning Act, or the section of a Council Meeting for that purpose. The Notice for a Planning Act meeting explains how to provide comments for that meeting.

REQUESTER INFORMATION:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Group Represented (if applicable) \_\_\_\_\_

MEETING DATE REQUESTED: (1<sup>st</sup> choice) \_\_\_\_\_ (2<sup>nd</sup> choice) \_\_\_\_\_

PURPOSE OF DELEGATION: (Please give complete description or attach full presentation):

DESIRED OUTCOME:  That the delegation is received for information, OR  That the following action is taken:

ACKNOWLEDGEMENT:


- I / we understand that permission may be granted for the date requested, OR the Municipality may grant it for a different date, OR may NOT approve this request, for reasons explained on page 2 of this form .
- I / we have read page 2 of this document and understand the limitations on delegation requests (including the 10 minute time limit) and agree to follow the required procedures and protocol for making a delegation to Council.
- I / we understand that the information provided on this form and any attached or accompanying documents shall become public documents that shall be included in the meeting agenda package posted on the Municipality's website. I / we may request to have personal contact information and signature(s) redacted before posting online.
- I / we understand that the presentation and any supporting documentation must be submitted with this delegation form and typed or legibly written, in order for this request to be approved. Further that the completed form and attachments are to be received by the Clerk no later than 4:30 pm on the TUESDAY of the week prior to the meeting, and may be submitted in paper form, or by e-mail to [clerk@callander.ca](mailto:clerk@callander.ca).
- I / we understand that the Clerk's Department will attempt to contact me / us at the phone or email listed above to advise whether or not this request has been placed on the requested meeting agenda, but if I / we have not received confirmation prior to the meeting, I / we should contact the Clerk's Office for confirmation.

Signature(s) of Applicant(s) \_\_\_\_\_ Date \_\_\_\_\_

**PRIVACY INFORMATION:** Your name, address, comments, and any other personal information is collected and maintained for the purpose of creating a record available to the general public pursuant to Section 27 of the Municipal Freedom of Information & Protection of Privacy Act. Questions about this collection should be directed to the Clerk, Municipality of Callander, 280 Main St. N, Callander, ON P0H 1H0. Phone: (705)752-1410 Ext 222; Fax: (705)752-3116; E-mail [clerk@callander.ca](mailto:clerk@callander.ca).

## SCHEDULE A

### DELEGATION REQUEST FORM AND REQUIREMENTS



**Municipality of Callander**  
**DELEGATION REQUEST FORM AND REQUIREMENTS**

1. Any person(s) wishing to appear as a Delegation before the Council to provide information on a matter, and/or to request that Council consider specific action, must submit a completed "Delegation Request Form" (Request Form) to the Clerk no later than 4:30 p.m. on the Tuesday, 7 days prior to the meeting.
2. The Request Form, as well as any supporting documents, must be legibly written, typed, or printed, and shall not contain any obscene language or defamatory comments.
3. The Clerk shall evaluate the Request Form and determine whether the request is in accordance with the Municipality's Procedural By-Law and complies with the following criteria:
  - a) The request clearly identifies the requester, purpose and desired outcome of the request.
  - b) The request is on a matter that is within the jurisdiction of Council.
  - c) If the Requester has previously appeared before Council to present on the same matter, this request is to provide **only** new information relating to the matter.
  - d) The request is **not** on a matter that has been or is to be considered at a Planning Act statutory public meeting.
  - e) The request is **not** primarily for any improper purpose, including but not limited to generating publicity or making personal attacks.
  - f) Council has **not** already indicated that they shall not hear further delegations on a matter or by the Requester.
4. The Clerk, in consultation with the Mayor and Senior Municipal Director (SMD), shall make the final decision on whether requests received will be accepted and the agenda they will be placed on.
5. A maximum of two (2) delegations shall be scheduled per regular meeting, unless otherwise determined by the Clerk, in consultation with the Mayor and Senior Municipal Director.
6. Once the agenda has been set, if permission has been granted for delegation status, the Clerk shall inform the Requester by telephone or email of the date and time scheduled; or if refused, of the reason for refusal.
7. The Senior Municipal Director may direct that a staff report on the matter be placed on the same or a future agenda as the Delegation, in order to provide municipal background and/or additional information to Council.

Delegations shall be limited to two (2) speakers, who shall limit their address to ten (10) minutes in total, regardless of the number of people in the Delegation. Delegations may be made in person or electronically. If in person, delegates may stand or sit, as appropriate, at a place usually reserved for that purpose or as may be directed by the Chair. All remarks shall be addressed to the Council as a whole, not to any individual Member(s). The Chair, or Clerk if designated by the Chair, indicate when there is approximately two (2) minutes remaining in the allotted time.
8. Delegations shall not:
  - a) Speak disrespectfully of the Mayor, any Member(s) of Council, Staff, or any member of the public;
  - b) Use offensive words or make abusive or defamatory comments;
  - c) Speak on any subject other than that detailed in the Request Form for which permission was granted;
  - d) Disobey a decision of the Chair of the meeting, or of Council;
  - e) Enter into any debate with the Chair, Council Members, Staff, or others present at the meeting.
9. The Mayor or Chair of the Meeting may curtail any Delegation for disorder or any other breach of the Procedural By-law and if he/she rules that the Delegation is concluded, the person(s) appearing shall withdraw. The decision of the Mayor or Chair shall not be subject to challenge.
10. Following the presentation, Members of Council may ask questions of the delegate(s) for clarification and obtaining additional, relevant information, but there shall be no debate of the matter with the delegates or between the Members of Council. If Council wishes to discuss the matter further, it may ~~be done~~ under a later section of the agenda, or at a subsequent meeting.
11. A motion may be considered to simply receive the delegation, or to direct that staff report back to Council at a subsequent meeting to provide further information and/or advice to Council.

Schedule A to Procedural By-law 2023-1822 Page 2 of 2

## SCHEDULE B

### STANDARD FORMAT FOR REPORTS



### MUNICIPALITY OF CALLANDER REPORT TO COUNCIL

**MEETING DATE:**  
**SUBJECT/REPORT NO:**  
**SUBMITTED BY:**  
**APPROVED BY:**

#### **RECOMMENDED COUNCIL MOTION**

All reports shall contain a recommendation in the format of a motion to be considered by Council.

#### **EXECUTIVE SUMMARY**

This is a brief summary of the key points in the report for quick reference. It is supported by detail later in the report. It also summarizes staff's professional opinion on the recommended course of action.

#### **PLAN CONFORMANCE**

This section indicates how the recommendation supports the Key Priorities and / or Key Activities to further the stated direction of Council.

#### **FINANCIAL / STAFFING CONSIDERATIONS**

This section outlines the impact on the current and future years' budgets, providing specifics of projected costs or cost savings and additional or reduced revenues if the recommended action is taken. Once the Asset Management Plan (AMP) has been adopted by Council, it will state how the recommendation implements or affects the AMP.

It also outlines the projected impact on staff time (whether additional or reduced), including the writer's and other departments, and what, if any, impact the recommended action is likely to have on the accomplishment of already adopted projects / objectives.

#### **BACKGROUND**

This provides the reason the report is before Council. It should include reference details, such as the date and number of any relevant by-law, resolution, and /or previous staff report; the date and nature of any incident; the date and nature of any request from a resident or residents (i.e. letter, email).

#### **ANALYSIS / RATIONALE FOR RECOMMENDATION**

Explain the analysis that led to the recommendation. Include pertinent details, such as research undertaken, relevant consultation, best practices for municipalities, past legal precedents and current legal implications if any, potential negative aspects of the

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*We will enrich the community by providing strong leadership and delivering inclusive and fiscally responsible services while maintaining the unique qualities that make Callander such a desirable place to live, work and play.*

## SCHEDULE B

### STANDARD FORMAT FOR REPORTS

- Page 2 of 2

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recommendation and how these will be overcome. Ensure that the information is accurate and provides enough detail for Council to make a well-informed decision.

Sub-headings may be used as appropriate.

#### **ALTERNATIVES FOR CONSIDERATION**

Discuss alternatives to the recommendations presented. State the anticipated pros and cons of the alternatives presented and be specific as to why the alternative is not recommended.

#### **CORRESPONDENCE**

Have you spoken to anyone about this report, have they provided feedback? This can be internal or external stakeholders, or member of the public.

#### **NEXT STEPS**

What, if anything, needs to be done next if the motion is passed, such as issue a tender, draft a by-law, etc. It should also state the Communication Plan, as appropriate, on how to inform staff, residents and/or affected stakeholders. Include the timing of the steps identified.

#### **APPENDICES / SCHEDULES**

List supporting documentation attached to the report.

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*We will enrich the community by providing strong leadership and delivering inclusive and fiscally responsible services while maintaining the unique qualities that make Callander such a desirable place to live, work and play.*



## SCHEDULE C

### ROLES AND RESPONSIBILITIES

from the Municipal Act S.O. 2001, C. 25, as amended

#### **Role of council**

**Section 224** It is the role of council,

- (a) to represent the public and to consider the well-being and interests of the municipality;
- (b) to develop and evaluate the policies and programs of the municipality;
- (c) to determine which services the municipality provides;
- (d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- (d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (e) to maintain the financial integrity of the municipality; and
- (f) to carry out the duties of council under this or any other Act.

#### **Role of head of council<sup>1</sup>**

**Section 225** It is the role of the head of council,

- (a) to act as chief executive officer of the municipality;
- (b) to preside over council meetings so that its business can be carried out efficiently and effectively;
- (c) to provide leadership to the council;
- (c.1) without limiting clause (c), to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1);
- (d) to represent the municipality at official functions; and
- (e) to carry out the duties of the head of council under this or any other Act.

#### **Head of council as chief executive officer**

**Section 226.1** As chief executive officer of a municipality, the head of council shall,

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

#### **Municipal administration**

**Section 227** It is the role of the officers and employees of the municipality,

- (a) to implement council's decisions and establish administrative practices and procedures to carry out council's decisions;
- (b) to undertake research and provide advice to council on the policies and programs of the municipality; and
- (c) to carry out other duties required under this or any Act and other duties assigned by the municipality.

#### **Clerk**

**Section 228** (1) A municipality shall appoint a clerk whose duty it is,

- (a) to record, without note or comment, all resolutions, decisions and other proceedings of the council;
- (b) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
- (c) to keep the originals or copies of all by-laws and of all minutes of the proceedings of the council;
- (d) to perform the other duties required under this Act or under any other Act; and
- (e) to perform such other duties as are assigned by the municipality.

### **Chief administrative officer<sup>2</sup>**

**Section 229** A municipality may appoint a chief administrative officer who shall be responsible for,

- (a) exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
- (b) performing such other duties as are assigned by the municipality.


#### Footnotes:

<sup>1</sup> In the Municipality of Callander, the head of council has the title of Mayor.

<sup>2</sup> In the Municipality of Callander, the chief administrative officer has the title of Senior Municipal Director.

SCHEDULE D

DECLARATIONS OF PECUNIARY INTEREST FORM

 **Municipality of Callander**  
**Declaration of Pecuniary Interest Form**

Date of Declaration: \_\_\_\_\_ Registry # \_\_\_\_\_

Name of Member: \_\_\_\_\_

*[To be verbally declared at the meeting:]*

I hereby declare that I have a pecuniary interest in item # \_\_\_\_\_  
(describe) \_\_\_\_\_  
on the Council Meeting agenda dated \_\_\_\_\_, 20\_\_\_\_.

The general nature of the pecuniary interest declared is: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I make this written declaration pursuant to section 5.1 of the Municipal Conflict of Interest Act and confirm that, as required by the Act, I shall not take part in the discussion of, or vote on any question in respect of the matter, and shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

\_\_\_\_\_  
Signature of Member

*[To be completed by Clerk's Office]* Date form received: \_\_\_\_\_

This declaration is recorded in the minutes of \_\_\_\_\_

If minutes date is different from agenda date the reason is:  
 Member was absent from the meeting at which the item was considered (Section 5(3))  
 The item was considered at a meeting not open to the public (Section 6(2))  
 Other (specify) \_\_\_\_\_

\_\_\_\_\_  
Signature of Municipal Clerk or Designate

Schedule D to Procedural By-law 2023-1832

## Table of Contents

BY-LAW NO. 2023-1832 .....	1
1. DEFINITIONS.....	1
2. SHORT TITLE .....	3
3. SCOPE.....	3
3.1. Council Meetings .....	3
3.2. Section 238 Committee Meetings .....	3
3.3. Other Committees.....	3
3.4. Open Houses.....	3
3.5. Suspending Procedural By-Law.....	3
4. CALLING OF MEETINGS.....	4
4.1. All Meetings .....	4
4.2. Regular Meetings.....	4
4.3. Special Meetings .....	4
4.4. Public Input Meetings.....	4
4.5. Emergency Meetings .....	4
5. PLACE AND TIME OF MEETINGS .....	4
5.1. Place .....	4
5.2. Timing of Inaugural Meeting.....	4
5.3. Timing of Regular Meetings .....	4
5.4. Summer and December .....	4
5.5. Election Year .....	4
5.6. Special and Other Meetings.....	5
6. NOTICE OF MEETINGS .....	5
6.1. Regular Meetings - Annual Schedule.....	5
6.2. Changes to the Annual Schedule of Meetings .....	5
6.3. Notice of Special Meetings .....	5
6.4. Emergency Meetings .....	5
6.5. Other Notice Requirements.....	5
6.6. Date and Time of Posting .....	5
6.7. Greater Notice .....	5
6.8. Lack of Notice Shall Not Invalidate.....	5
7. COUNCIL AGENDAS .....	5
7.1. Clerk to Prepare.....	5

7.2.	Agenda Format .....	5
7.3.	Agenda Items .....	6
7.4.	Timing for Items to be Submitted.....	8
7.5.	Declining to add items to the Agenda .....	8
7.6.	Amendments to the Agenda .....	8
7.7.	Agenda Packages Provided to Council.....	8
7.8.	Agenda Packages for Closed Sessions.....	8
7.9.	Agenda Packages Provided to the Public.....	8
7.10.	Protection of Privacy .....	8
7.11.	Special Meeting for Closed Session .....	9
8.	ROLES AND RESPONSIBILITIES.....	9
8.1.	Mayor as Chair.....	9
8.2.	Role of the Chair .....	9
8.3.	Members of Council .....	10
8.4.	Clerk .....	10
8.5.	Role of Staff at Council Meetings .....	10
9.	GENERAL MEETING RULES.....	10
9.1.	Clerk Must be Present.....	10
9.2.	Notice Must be Given .....	10
9.3.	Quorum.....	10
9.4.	Order of Business .....	10
9.5.	Declarations of Pecuniary Interest.....	10
9.6.	Arriving Late/Leaving Early.....	11
9.7.	Curfew.....	11
9.8.	Closed Meetings .....	11
9.9.	Committee of the Whole.....	11
9.10.	Recording of Minutes .....	11
9.11.	Cancelled Meetings.....	11
10.	CONDUCT AT MEETINGS .....	12
10.1.	Conduct of Members .....	12
10.2.	Conduct of All Persons at a Meeting .....	12
10.3.	Conduct of Members of the Public.....	13
11.	MISCONDUCT AT MEETINGS .....	13
12.	ELECTRONIC PARTICIPATION IN MEETINGS .....	13

Extent.....	13
Manner.....	14
Process.....	14
13.    RULES OF DEBATE.....	15
13.1. Chair Presides .....	15
13.2. Motions Required.....	15
13.3. Motions in Writing .....	15
13.4. Call for Mover/Seconder .....	15
13.5. Motions to be Moved and Seconded.....	15
13.6. Order of Speaking.....	15
13.7. Before Speaking .....	15
13.8. Speaking a Second Time.....	15
13.9. Five Minute Limit.....	15
13.10. Withdrawal of Motions.....	15
13.11. Other Motions During Debate .....	15
13.12. Motion to Refer or Defer First.....	16
13.13. Details for Motion to Refer .....	16
13.14. Details for Motion to Defer .....	16
13.15. Multiple Deferral Requirements.....	16
13.16. Opportunity to Speak Before Vote Taken.....	16
13.17. Motion for Vote to be Taken.....	16
13.18. Questions during Debate .....	16
13.19. Questions for Staff .....	16
13.20. Request to Read Motion .....	16
13.21. Notice of Motion.....	16
13.22. Points of Procedure .....	16
14.    VOTING - GENERAL.....	17
14.1. Splitting a Motion .....	17
14.2. Calling the Vote .....	17
14.3. Vote by Show of Hands .....	17
14.4. Abstaining from Vote .....	17
14.5. Tie Vote .....	17
14.6. Announcing Result of Vote .....	17
14.7. Disagreement with Result Called .....	17

14.8. Recorded Vote .....	17
14.9. Corrections.....	17
14.10. Motions for adoption of By-laws .....	17
15. VOTING - AMENDMENTS .....	18
16. VOTING – RECONSIDERATION OF COUNCIL RESOLUTIONS .....	18
17. ADJOURNMENT.....	19
18. BROADCASTING / LIVESTREAMING OF MEETINGS.....	19
19. AMENDMENT / REVIEW .....	19
20. REPEAL – ENACTMENT .....	20
SCHEDULE A.....	21
DELEGATION REQUEST FORM AND REQUIREMENTS .....	21
SCHEDULE B.....	23
STANDARD FORMAT FOR REPORTS.....	23
SCHEDULE C.....	25
ROLES AND RESPONSIBILITIES.....	25
SCHEDULE D.....	27
DECLARATIONS OF PECUNIARY INTEREST FORM.....	27