

The Corporation of the Township of Alnwick/Haldimand

By-law No. 110-2023

Being a By-Law to Repeal By-law No 96-2023 (To Provide for the Rules of Order of the Council and its Committees), and Enact a By-law to Provide for the Rules of Order of the Council and its Committees, and Members' Conduct and to Outline Standards for Adequate Notice "The Procedure By-law"

Whereas Section 238(2) of the *Municipal Act, 2001* requires that every Council and local board adopt a procedure by-law for governing the calling, place and proceedings of meetings; and

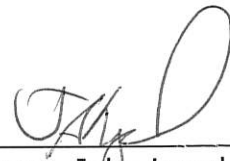
Whereas Section 238(2.1) of the *Municipal Act, 2001*, requires that the procedural by-law provide for public notice of meetings; and

Whereas the Council of the Corporation of the Township of Alnwick/Haldimand now deems it advisable to enact a new By-Law to govern the proceedings of Council, the conduct of its members and the calling of meetings and to provide for procedures and statutory requirements in accordance with the Act;

Now Therefore Be It Enacted as a By-law of the Council of the Corporation of the Township of Alnwick/Haldimand as follows:

1. THAT Council hereby adopts the Procedure By-law as set forth in Schedule "A" attached hereto and forming part of this by-law;
2. THAT this by-law shall take effect upon its adoption.
3. THAT by-laws Nos. 03-2019; 125-2019; 25-2020; 70-2022; 85-2020; 105-2020; 35-2021; 59-2021, 77-2022, 96-2023 are hereby repealed in their entirety.

That **By-Law No. 110-2023** be read and deemed to be PASSED this 12th day of December, 2023.



Mayor, John Logel



Clerk, Nancy MacDonald

**The Corporation of the
Township of Alnwick/Haldimand**

**Schedule 'A' to
By-law No. 110-2023**

Procedure By-law

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Section 1 - Definitions

1. **Abstain** means a Member who is lawfully entitled to vote but chooses not to exercise their right to vote on a matter, and in such cases an abstention shall be deemed as a negative vote.
2. **Act** means the *Municipal Act, S.O. 2001*, as amended from time to time.
3. **Acting Head of Council** means the Member of Council appointed, under the Act, to act from time to time in the place and stead of the Head of Council.
4. **Ad Hoc Committee** means a special purpose committee of limited duration, appointed by Council, that has a Terms of Reference. It considers a specific matter, and is dissolved automatically upon submitting its final report to Council, unless otherwise directed by Council.
5. **Advisory Committee** means a committee appointed by Council that has a Terms of Reference, and which advises Council on specific matters, but does not have decision-making authorities.
5. **Calendar Year** means the period from January 1st of any one year to and including December 31st of the same year.
6. **Chair** means the person presiding over a meeting and who is charged with deciding questions and points of order or practice, preserving order and maintaining decorum in the proceeding. Meeting Chairs shall attend meetings in person, unless all attendees are meeting electronically
7. **Chief Administrative Officer** means the Chief Administrative Officer (CAO) of the Township of Alnwick/Haldimand, designated by By-Law.
8. **Civic or Public Holiday** means those dates listed as holidays in the Interpretation Act, R.S.O. 1990, c.I.11, Section 29; Employment Standards Act and any other days as noted by provincial legislation or municipal by-law.
9. **Clerk** means the Clerk of the Corporation of the Township of Alnwick/Haldimand or their designate, authorized by the *Municipal Act, 2001*, as amended, and this person shall be designated by By-Law.
10. **Closed Session** means a portion of a Council or Committee meeting that is closed to the public in accordance with Section 239 of the *Municipal Act, 2001*, as amended.

11. **Committee** means a Committee of Council, an Advisory Committee or an Ad-Hoc Committee, which has been duly appointed to deal with a specific matter and provides advice and/or recommendations to Council.
12. **Communication** means, but is not limited to: Letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, newspaper/magazine article, etc.
13. **Confirming By-Law** means a By-Law of Council that adopts all resolutions passed at a Council meeting;
14. **Corporation** means the Corporation of the Township of Alnwick/Haldimand.
15. **Council** means the Council of the Corporation of the Township of Alnwick/Haldimand.
16. **Councillor** means a person elected or appointed as a member of Council for the Township of Alnwick/Haldimand.
17. **Defer** means to postpone all discussion on the matter until later in the same meeting or to a future date which is established as part of the motion.
18. **Delegation** means a person/group making a presentation to Council or Committee.
19. **Deputy Head of Council (Deputy Mayor)** means the Township's second representative as elected and shall act in the capacity of Head of Council in his/her absence.
20. **Division of Question** means a request by a Member to have a motion containing separate questions, recommendations or amendments, voted on in parts or in sections.
21. **Ex Officio Member** means a member of a board or committee that holds that position by virtue of his/her office and shall have all of the same rights and privileges, including voting, as the other members.
22. **Head of Council (Mayor)** means the Head of Council of the Corporation of the Township of Alnwick/Haldimand as elected.
23. **Improper Conduct** means conduct that obstructs in any way the deliberations and/or proper action of Council or Committee.
24. **Majority** means more than half of the votes cast by Member entitled to vote.

25. **Meeting** means any regular, special, committee or other meeting of Council, Committee or a local board or of a committee of either of them, where
- a) A quorum of Members is present, or
 - b) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, Committee or local board.
26. **Meeting Types**
- a) Emergency Council Meeting – Notwithstanding any other provision of this by-law, an Emergency Council meeting may be held without written notice to deal with an emergency or an extraordinary situation, provided that an attempt has been made by the Clerk, or their designate, to notify the members about the meeting as soon as possible. The only business to be dealt with at an Emergency Meeting shall be business directly related to the emergency or extraordinary situation.
 - b) Regular Council Meeting – see Item 41.
 - c) Public / "Statutory" Council Meeting – often relates to Planning matters, but these may be called to consider specific items where there is a legislated need to hold a public meeting.
 - d) Special Council Meeting – see Item 45.
27. **Member** means a member of Council or a Committee, a person duly elected or appointed to serve on Council or a Committee.
28. **Minutes** mean a record of the proceedings of Council or Committee which record the actions taken and decisions made by members at the meeting.
29. **Notice of Motion** means a written notice given by a Member of Council on a matter which Council will be asked to take a position.
30. **Order of Business** means the sequence of activities and/or discussions and decisions to be introduced and considered.
31. **Pecuniary Interest** means a direct or indirect Pecuniary Interest within the means of the *Municipal Conflict of Interest Act, 1990, chapter M. 50*, as amended.
32. **Point of Order** means a matter that a Member considers to be a departure from or contravention of the rules, procedures and/or generally accepted practices of Council.
33. **Point of Personal Privilege** means a matter that a Member considers to question their integrity and/or the integrity of Council.

34. **Prevailing Member** means any Member who voted with the majority on an issue or question that was dealt with by a resolution.
35. **Proclamation** means the public or official announcement of an important matter.
36. **Quorum** means the majority of the whole number of Members required to constitute Council or a Committee. For example, if there are five members of a Committee or Council, three (3) Members shall constitute a quorum.
37. **Receive for Information** means to receive the information with no further action to be taken.
38. **Recess** means a short break taken during a meeting and is of a duration established by the Head of Council or Chair.
39. **Recorded Vote** means recording in the Council minutes the names of each Member present and the manner of their respective votes on a matter or question before Council. In the case of a Member who has declared a conflict/pecuniary interest on the matter or question, the minutes shall so reflect that action.
40. **Refer** means to direct a matter under discussion by Council or Committee to a Staff member for further examination.
41. **Regular Meeting** means a scheduled Council meeting held in accordance with the approved schedule of meetings.
42. **Reports** means written documents by municipal employees, consultants, solicitors or other individuals appointed at the pleasure of Council for the purpose of providing advice, alternatives/recommendations on various matters.
43. **Resolution** means a motion that is carried or defeated and therefore represents the vote and will of Council.
44. **Rules of Procedure** means the applicable procedural rules of conduct contained in this By-law.
45. **Special Meeting** means a meeting not scheduled in accordance with the approved schedule of meetings.
46. **Township** means the Corporation of the Township of Alnwick/Haldimand.

Section 2 – General

2.1 Protocol

The rules and procedures contained in this By-Law shall apply to all meetings of Council and Committee unless otherwise prescribed:

- (1) Notwithstanding Section 2.1, these rules and procedures may be relaxed in a Committee meeting, if the subject matter so permits.
- (2) Unless a contrary intention appears in this By-law, words in the singular include the plural and references to gender are intended as gender neutral.
- (3) All Members, except the Mayor, are to be addressed as "**Councillor** (surname inserted)".
- (4) The Deputy Mayor shall be addressed as "**Deputy Mayor** (surname inserted)".
- (5) The Mayor shall be addressed as "**Mayor** (surname inserted)" or as "**Your Worship**".

2.2 Headings and Subheadings

The headings and subheadings used in this By-Law shall be deemed to be inserted for convenience of reference.

2.3 Robert's Rules of Order

For purposes of interpreting this By-law or determining a proper course of action for matters that may arise that are not specifically contemplated by the By-law, the most recent edition or Robert's Rules of Order in existence at the time shall be used as a reference.

Section 3 – Meetings – General

3.1 Inaugural Meeting

The first meeting in a new term of Council shall take place on the second Tuesday in November following November 15th in an Election year, at a time and place chosen by the Clerk.

3.2 Regular Council Meetings – Time, Date, Location

Regular meetings of Council shall generally be held at the Grafton Municipal Office, 10836 County Road 2, Grafton, ON, in the Council Chambers on the second Tuesday of each month at 9:30 a.m. Council may, at its discretion, hold Council meetings at the Alwicks Civic Centre located at 9059 County Road 45, Roseneath ON

Council meeting dates may not fall on the prescribed days due to statutory holidays or when municipal conferences conflict with the prescribed dates. Proper notice shall be given, per the meeting schedule that is posted on the Township's website.

3.3 Council/Planning Meetings – Time, Date, Location

Council/Planning meetings shall be held at the Grafton Municipal Office, 10836 County Road 2, Grafton, ON, in the Council Chambers, on the fourth Tuesday of each month at 9:30 a.m.

Council may, upon consultation with staff, hold meetings in the evening.

Council meeting dates may not fall on the prescribed days due to statutory holidays or when municipal conferences conflict with the prescribed dates. Proper notice shall be given, per the meeting schedule that is posted on the Township's website.

3.4 Meeting - Time, Date, Location – Altered by Council

Council may by Resolution, passed by a majority of the Members present, dispense with or alter the date, time or place of a meeting, provided that adequate notice of the change is posted at least 48 hours in advance on the Township website.

3.5 Cancellation of Meeting

The Clerk, with the approval of the Head of Council, may cancel a meeting of Council when there is sufficient cause to do so.

3.6 Summer Meetings

Staff will make a recommendation to Council at the first meeting in July, regarding the need for an August meeting.

3.7 Cancellation of Meeting – Inclement Weather

The Head of Council may cancel any meeting of Council or Committee if they are of the opinion that weather conditions or an emergency warrants cancellation. The Clerk shall inform the members, and anyone they know who plan to attend.

3.8 Schedule of Meetings

The Clerk will prepare a draft Annual Meeting Schedule for Council's consideration and approval in November of each year, for the following calendar year. The schedule will be posted on the Township website, in the Township office, and at the Library Branches.

3.9 Notice of Meetings – In Form of Agenda

A meeting notice shall be in the form of an Agenda, which shall set out the date, time, and place for the meeting. The Agenda shall be published on the Township website for the public six (6) days in advance of the meeting, excluding the publication day, and excluding the meeting day.

3.10 Constituted Meeting

No meeting of Council is a constituted meeting unless the Clerk or their designate is present.

3.11 Absent from Meeting/Leaves of Absence

- a) The office of a Member of a Council or Committee will become vacant if the Member is absent from the meetings of Council or Committee for three (3) consecutive months, unless the leave of absence is authorized by a resolution of Council. If a committee meets bi-monthly, the seat will become vacant after 6 consecutive months.
- b) Section (a) does not apply to a Member of Council who is absent for twenty (20) consecutive weeks or less if the absence is a result of the Members' pregnancy, the birth of the Member's child or the adoption of a child by the Member in accordance with sub-section 259 of the *Municipal Act, 2001*. A resolution of Council is not required to authorize such a leave of absence. The Member shall provide the Clerk with written notice of the leave of absence for twenty (20) consecutive weeks or less.

3.12 Recess

Council may call a recess for a period deemed appropriate by the Chair.

3.13 Adjournment Hour – All Meetings

All regular meetings shall be adjourned when the Council has completed all items as listed on the Agenda, or, when Council has been in session for 4 hours. However, it is at the discretion of the Chair to extend the meeting beyond four (4) hours to complete the items on the agenda. A resolution passed by the majority to extend the meeting is required.

3.14 Public Sign-In Sheets – Regular, Special, Planning, Statutory, and Emergency Council Meetings

Members of the public attending a Council Meeting in person, are asked to provide their contact information on a "sign-in sheet".

3.15 Meeting Chair

A Chair of a meeting shall be present in person at the meeting location.

Section 4 – Special Meeting of Council

4.1 Special Meeting of Council – Summoned by Mayor

The Mayor may summon a special meeting of Council by providing written direction to the Clerk stating the date, time and purpose of the special meeting.

4.2 Special Meeting of Council - Summoned by Majority

Upon receipt of a written request of the majority of Members of Council, the Clerk shall summon a special meeting of Council stating the date, time and purpose for the special meeting. Once received by the Clerk, no Member shall remove his/her name from the written document filed under this Section.

4.3 Special Meeting of Council - Timing

The special meeting shall be held not sooner than 24 hours following the Mayor's summons or receipt of the document, as the case may be. A special/emergency meeting may be held as soon as practical following receipt of the written documents upon a two-thirds vote of the Members present to suspend the timing requirement.

4.4 Special Meeting of Council - Notice

The Clerk shall give notice to the Members of the Council, of all special meetings of Council, whenever required, and such notice shall specify the date, time, place, and the purpose of the meeting. Such notice shall be delivered to each Member by phone call or electronic mail at least 24 hours before the start time of the special meeting.

4.5 Special Meeting of Council - Public Notice

Public Notices of special meetings of Council shall include a notice of the meeting to be posted at the Township office and on the Township website. Due to the nature of the special meeting, a 24-hour notice period shall apply, but will not restrict the conducting of Township operations under an emergency.

4.6 Special Meeting of Council - Agenda

The Clerk, when reasonably possible, shall prepare an agenda in the following order, for the use of members at Special Meetings of Council:

1. Notice of Time, Place and Purpose of the meeting
2. Call to Order
3. Declaration of Pecuniary Interest
4. Consideration of Business for Which Notice is Given
5. Confirming By-Law
6. Adjournment

4.7 Special Meeting of Council – Any Other Matter

At special meetings, the Council shall not consider or decide upon any matter not set forth in the notice calling the meeting.

4.8 Special Meeting of Council – Urgent & Extraordinary Occasions

Notwithstanding this section, on urgent and extraordinary occasions, with the consent of two-thirds of all the Members of Council recorded in the minutes, an emergency special meeting of the Council may be called by the Chair and held to consider and deal with such urgent and extraordinary matters.

4.9 Public Meetings, Hearings or Information Sessions

Council from time to time may conduct Public Meetings, Hearings or other Information Sessions for any purpose giving such notice as may be deemed necessary or required by legislation or the Township's Notice By-Law currently in effect. Council shall give appropriate notice of such meetings by publication on the Township website.

4.10 Special Meeting of Council – Electronic Participation, Emergencies

During any period where an emergency has been declared to exist in all or part of the Township, a Special Meeting of Council may be held remotely via telecommunications. A member of Council who participates electronically in a meeting shall be counted in determining whether or not a quorum of members is present at any point in time; and a member of council can participate electronically in a meeting that is closed to the public.

Section 5 – Closed Meetings of Council

5.1 Meetings Open to the Public

Except as provided in this Section, all meetings shall be open to the public.

5.2 When Closed Meeting Authorized

- (1) Council or a Committee may, by resolution, close a portion of a meeting to the public in accordance with s. 239 of the *Municipal Act, 2001*, as amended, if the subject matter relates to:
 - a) The security of the property of the municipality or local board;
 - b) Personal matters about an identifiable individual, including municipal or local board employees;
 - c) A proposed or pending acquisition or disposition of land by the municipality or local board;
 - d) Labour relations or employee negotiations;
 - e) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - h) Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory, or a Crown agency of any of them;
 - i) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - j) A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or

- k) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
- (2) Council or a Committee may, by resolution, close a portion of a meeting to the public in accordance with s. 239 of the *Municipal Act, 2001*, if the subject matter to be considered is:
 - a) A request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
 - b) An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman and/or Closed Meeting Investigator.
- (3) A portion of a meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
 - a) The meeting is held for the purpose of educating or training the Members.
 - b) At the meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision making of the council, local board or committee.

5.3 Moving into Closed Session

Before holding a portion of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution:

- a) The fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
- b) In the case of a meeting under Section 5.2(3), the fact of the holding of the closed meeting, the general nature of its subject matter and that it is to be closed.

5.4 Chair

A Closed Session of Council shall be chaired by the Mayor. If the Mayor is absent, the Deputy Mayor shall assume the Chair.

5.5 Voting

Voting shall take place in open session; however, Council may vote during a closed meeting pursuant to s. 239(6) of the *Municipal Act, 2001* if:

- (1) The meeting was permitted or required by s. 239(2) or (3) of the *Municipal Act, 2001*
and
- (2) The vote relates to:
 - (a) a procedural matter; or

- (b) directions or instructions to officers, employees or agents of the municipality, a local board, committee, or to persons retained by the municipality or local board.

5.6 Agenda and Reports

- 1) The Clerk shall be responsible for maintaining a confidential copy of all original documentation distributed, relating to closed sessions, and for keeping confidential notes of all closed sessions.
- 2) The Clerk will distribute all closed session agendas and reports via email. If a member of Council determines that they have a potential Pecuniary or Conflict of Interest, they shall delete the email and advise the Clerk.
- 3) Members shall ensure that confidential matters disclosed to them and materials provided to them during closed sessions are kept strictly confidential. Members are encouraged to return confidential materials to the Clerk.
- 4) The Clerk shall advise the Chair if, in their opinion, the issue being discussed at a Closed Session is not procedurally appropriate in accordance with the terms of the *Municipal Act*.

5.6 Delegations in Closed Session

Subject to the provisions of this Section, Council may hear delegations and presentations in Closed Session.

5.8 Completion – Reconvene to Open Meeting and Report

Upon completion of the Closed Session:

- a) the Members shall immediately reconvene in open session; and
- b) if applicable, the Members shall vote on any resolutions arising from the closed meeting.

5.9 Disclosure

No Member or staff shall disclose the content or deliberations of a closed meeting, unless:

- a) expressly authorized to do so by a majority vote of the meeting Members;
- b) such disclosure is required to execute the specific direction(s) provided in the closed meeting, and then only to the extent that is necessary in the circumstances; or
- c) as required by law.

5.10 Complaints About the Appropriateness of a Closed Meeting

- (1) Any complaints made in relation to closed meetings made under Section 239(1) of the *Municipal Act* must be directed to the Clerk who will forward them to the Closed Meeting Investigator appointed by Council to undertake those duties. All complaints will be treated as confidential and will be forwarded to the Closed Meeting Investigator.

- (2) Complaints must be submitted on the approved complaint form. The complaint form is available on the Township's website, or may be obtained from the Clerk. All complaints must be submitted in a sealed envelope marked 'private and confidential' and shall contain the following information:
 - a) Name of municipality;
 - b) Complainant's name, mailing address, telephone number and email address (if applicable);
 - c) Date of closed meeting;
 - d) Nature and background of the particular occurrence;
 - e) Any activities undertaken (if any) to resolve the concern;
 - f) Any other relevant information;
 - g) Original signature.
- (3) Complaints may be submitted by mail, email, or delivered directly to: the Township of Alnwick/Haldimand, 10836 County Road 2, P.O. Box 70, Grafton, ON K0K 2G0
Attention: Clerk
- (4) Where Council is in receipt of a report from the Ombudsman or an Investigator reporting their opinion that a meeting or part of a meeting appears to have been closed to the public contrary to the provisions of Section 239 of the *Municipal Act*, as amended, or the Council Procedure By-law, Council shall pass a resolution stating how it intends to address the report and the recommendations contained within.

Section 6 - Recording Equipment

6.1 Use of Mechanical and Electronic Devices

The use of any audio or video recording equipment by the general public during any meeting is not permitted.

The use of auditory or visual recording equipment by accredited and other representatives of any news media may be permitted with the approval of Council as long as it is not disruptive to the conduct of the meeting. Any and all audio recordings recorded other than by the municipality shall not, under any circumstances, be deemed to be official records.

6.2 Use of Mechanical and Electronic Devices

Council reserves the right to enter into agreements for the audio and/or video recording of open Council and Council/Planning meetings which will be used for distribution to the public. The recordings shall be kept for one year and are not considered an official record.

Section 7 – Quorum and Electronic Participation

7.1 Quorum - Call to Order

The Chair shall call the meeting to order after the time set for the start of the meeting as soon as quorum is present, and in consultation with the Clerk or their designate.

7.2 Quorum Required

A quorum for the Township of Alnwick/Haldimand Council shall be three (3) Members.

7.3 No Quorum - Automatic Adjournment

In the event that a quorum is not present within 15 minutes after the designated start time of the meeting, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the next regular meeting.

If the Chair has been advised that one or more Members will arrive late, Council may vote on whether to delay the start of the meeting to accommodate them.

7.4 Loss of Quorum

- (a) If during the meeting there is loss of quorum, the meeting shall automatically be deemed to stand recessed until a quorum is in attendance. Should a lack of a quorum continue for 30 minutes, the meeting shall automatically stand adjourned until the next regular meeting, or until a special meeting is called to deal with the matters remaining on the agenda of the adjourned meeting.
- (b) If during the meeting the number of Members who are unable to participate as outlined in the *Municipal Conflict of Interest Act, R.S.O. 1990*, are insufficient to constitute a quorum, the remaining members shall be deemed to constitute a quorum, providing such number is not less than two (2).

In accordance with section (3.1) of the *Municipal Act, 2001*, as amended, the Procedure By-law may provide that a member of council, or a local board or a committee of either of them, can participate electronically in a meeting to the extent and in the manner set out in the by-law.

- (a) a member of council, a local board or a committee of either who participates electronically in a meeting shall be counted in determining whether a quorum of members is present; and
- (b) a member of council, a local board or a committee of either can participate electronically in a meeting that is open or closed to the public.
- (c) a municipality or local board may hold a special meeting to amend an applicable procedure by-law for the above.

(d) a member participating electronically in a special meeting described in Section (c) may be counted in determining whether a quorum of members is present at any time during the meeting.

7.5 Electronic Participation

Members may participate by means of audio/visual or audio electronic communication devices, under the following circumstances:

- a. The Clerk shall determine the means of electronic communication for use by members.
- b. Members shall provide advance notice to the Clerk or Deputy Clerk of their intent to participate electronically, preferably no later than 12 hours prior to the scheduled meeting time (if possible).
- c. Council members participating electronically shall be counted for the purpose of determining quorum.
- d. A Member participating electronically shall always have their camera on when using conference meeting technology, unless they are participating using only audio means (telephone).
- e. A Member participating electronically shall verbally advise the Chair when they leave the meeting, either on a temporary or permanent basis. If returning to the meeting, the Member shall verbally notify the Chair when they arrive.
- f. Members participating electronically shall be able to vote. All Members participating electronically shall vote by a show of hands, or by verbal consent (yes or no).
- g. A Member participating electronically will be considered to have left the meeting when they are no longer connected to the meeting.
- h. Electronic participation shall be permitted in open and closed sessions of the meetings.
- i. Members participating electronically in a closed session must be alone in a private room so that no other individual is privy to the meeting discussion and information. During Roll Call, Members must confirm they are alone. Reasonable measures should be taken to ensure that the internet connection is secure and not publicly accessible. Members are advised to wear a headset if possible.
- j. In the case of an interruption in the virtual link to the member(s) participating electronically, Council will recess to a maximum of 15 minutes until it is determined whether the link can be re-established. If communications are not re-established, the meeting will resume without the electronic participant(s), provided there is quorum.
- k. The Mayor, or the Chair, shall attend in person.

7.6 Electronic Participation at Regular and Special Council Meetings

The Mayor or Chair shall attend in person. If the Mayor or Chair cannot participate in person, or is absent, the meeting shall be chaired by the Deputy Mayor who shall attend in person.

The Mayor or Chair may postpone/reschedule the meeting if a majority of Members are not physically present at the meeting location.

Members shall attend Council meetings in person, but may participate electronically under the following circumstances:

- a declared emergency,
- a severe weather event,
- personal illness or injury,
- quarantine or capacity restrictions (per Public Health guidelines),
- while away on vacation, if previously approved by Council.

7.7. Electronic Participation – Emergency Meetings

The Mayor or Chair shall attend in person, if possible. Members may participate by electronic means.

7.8 Electronic Participation – Staff and Public

Township staff may participate electronically when deemed appropriate by the Chief Administrative Officer, Clerk or designate.

Members of the public shall have the option to make a delegation or presentation to Council electronically or in person.

For public notice purposes, the location of the meeting published on the agenda shall note the physical location of the Clerk (or designate) during the meeting. Meeting conference details will be provided on agendas.

Council meetings that are open to the public will be recorded and posted on the Township's website.

A recording of an open Council meeting shall be retained for one year.

7.8 Member Absent or Late

If Members will be absent or will be late for a meeting, they shall notify the Clerk, or their designate, in advance of the meeting.

7.9 Roll Call

Once the Chair has called the meeting to order, the Clerk shall record in the minutes those Members who are present, and those who are absent. If a Member arrives after the roll call, the Clerk shall note the time of arrival in the minutes.

Section 8 – Agenda

8.1 Agenda Preparation

The Clerk shall prepare an Agenda that allows for the most efficient conduct of business. Agendas shall generally follow the following formats, but modifications may be made without requiring amendment to this by-law.

- a) Regular Council Meeting Agenda
 - 1. Call to Order/Roll Call
 - 2. Territorial Land Acknowledgement
 - 3. Moment of Silence
 - 4. Disclosures of Pecuniary Interest & General Nature Thereof
 - 5. Approval of Agenda
 - 7. Approval of Minutes
 - 8. Business Arising from Previous Minutes
 - 9. Delegations
 - 10. Staff Reports - Building
 - 11. Staff Reports - By-law Enforcement
 - 12. Staff Reports - Planning
 - 13. Staff Reports - Fire
 - 14. Staff Reports - Public Works
 - 15. Staff Reports - Parks and Recreation
 - 16. Staff Reports - Treasury
 - 17. Staff Reports - Administration
 - 18. Committee Minutes and Reports
 - 19. By-laws
 - 20. Communications
 - 21. Announcements
 - 22. Notice of Motions
 - 23. Closed Session Items
 - 24. Motion to Reconvene and Report
 - 25. Confirming By-law
 - 25. Adjournment

- b) Planning/Council Meeting Agenda
 - 1. Call to Order
 - 2. Territorial Land Acknowledgement
 - 3. Disclosures of Pecuniary Interest & General Nature Thereof
 - 4. Approval of Agenda
 - 5. Approval of Minutes
 - 6. Business Arising from Previous Minutes
 - 7. Motion to Adjourn to a Public Meeting

8. Motion to Reconvene to Municipal Planning Meeting
9. Formal Consents
10. Delegations
11. Updates on Provincial Plans
12. Communications
13. Reports/Updates
14. By-laws
15. Announcements
16. Notices of Motion
16. Confirming By-law
17. Adjournment

8.2 Items for Agenda

The Clerk, in consultation with the CAO or Mayor, may accept items from Staff, the Mayor or Chair, and from Members of Council or Committee up to the agenda deadline.

8.3 Communications Submitted for Agenda from Public

Communications received from the public, prior to the agenda being published, may be placed on the agenda, if deemed to warrant the consideration of Council or Committee. If the Clerk or the CAO deem that the communication should be first dealt with at the staff level, it shall be directed to the appropriate department to investigate, and if necessary, information may be provided to Council at a future meeting.

8.4 Alteration of Agenda at a Meeting

The items on the agenda of each meeting shall be taken in the order in which they stand on the agenda unless otherwise decided verbally by a majority of the Members present.

8.5 Items Not Considered - Next Meeting

All items on the agenda not dealt with at a meeting shall be placed on the agenda for the next meeting unless otherwise decided by Resolution passed by a majority of the Members present.

8.6 Addendum Permitted After Deadline if Urgent

An addendum may only be presented when one or more items arise after the closing of the deadline for the agenda and prior to the meeting. The Clerk or CAO will determine which items are of urgent nature and require the consideration of Council at the meeting.

8.7 Addendum – Resolution Required

Before any addendum may be dealt with, a resolution must be passed by majority of the Members present authorizing the Council or Committee to waive notice provisions and deal with all or any of the items on the addendum.

8.8 Suspension of Rules

Except as specifically noted to the contrary, any procedure required by this By-Law may be temporarily suspended with the consent by a majority vote of the Members present.

8.9 Publication of Agenda

The Agenda for the Council or Council/Planning meeting will be published on the Township website six (6) days prior to the scheduled meeting.

Section 9 – Disclosure of Pecuniary Interest

9.1 Disclosure of Pecuniary Interest

- a) It is the responsibility of each Member to identify and disclose any pecuniary interests (as defined by the *Municipal Conflict of Interest Act, R.S.O. 1990, C. M.50*) in any item or matter in question.
- b) When a Member, either on his/her own behalf or while acting, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council at which the matter is the subject of consideration, the Member shall:
 1. Prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 2. File a written statement of the interest and its general nature with the Clerk, or, as soon as possible afterwards, and these statements shall be available for public viewing;
 3. Not take part in the discussion of, or vote on, any question in respect of the matter;
 4. Not attempt in any way, whether before, during, or after the meeting, to influence the voting on any such question.

9.2 Disclosure of Pecuniary Interest - Minutes to Reflect

The minutes will reflect at what point the Member disclosed a pecuniary interest and for what reason.

9.3 Disclosure of Pecuniary Interest - Closed Session

Where a meeting is closed to the public, in addition to complying with the requirements, the Member shall forthwith leave the meeting for the portion of the meeting during which the matter is under consideration. The Member's disclosure of pecuniary interest shall occur during the open portion of the meeting, in advance of the closed session and will be recorded in the minutes. The Member is prohibited from discussing or voting on the minutes related to the matter.

9.4 Disclosure of Pecuniary Interest - Absent from Meeting

Where the interest of a Member has not been disclosed, by reason of absence from the particular meeting, the Member shall disclose the interest and otherwise comply at the first meeting of Council, as the case may be, attended by the Member after the particular meeting.

9.5 Disclosure of Pecuniary Interest – Chair

If the Chair discloses a pecuniary interest on any matter before Council or Committee, the Chair shall step down during deliberations on that matter. The Deputy Mayor or Acting Chair will assume the seat of Chair until conclusion of the discussion, after which the Chair will resume their duties.

Section 10 – Communications

10.1 Communications

The Clerk shall include Communications for Members of Council on meeting agendas. Items to be included in the file shall include, but not be limited to: correspondence from other levels of government, crown corporations, agencies, boards or provincial/federal associations engaged in municipal matters, petitions, etc.

10.2 Communications to Mayor and Council

All communications addressed to Mayor and Council:

- a) shall be legible,
- b) shall not contain defamatory allegations (to be determined by the Clerk and CAO),
- c) shall be signed by the author(s),
- d) shall include the author(s) mailing address(es) and/or email address(es). (This personal information will not be included on the agenda per *MFIPPA*, unless express permission is granted.)
- e) shall be available for public viewing.

The Clerk shall not include any communications that do not meet the above requirements.

10.3 Communications - Protocol

Members of Council will be governed by the following rules respecting questions relative to communications:

- (1) Council Members are strongly encouraged to contact the CAO or the appropriate Department Head prior to the meeting to ask questions or clarify issues relevant to the matter, and obtain background information.
- (2) A motion directing Township staff to undertake action with respect to a Communications item shall be in order, when it is moved, seconded and carried by Council.
- (3) A motion to receive Communications will be in the order when all Council Members have concluded their questions.

- (4) Any issues of jurisdiction on any matter of Communication before the Council shall be determined by the Chair, in consultation with the Clerk. The decision of the Chair shall be final, without recourse to a challenge.
- (5) Any paper documents marked as "Confidential" distributed to Members of Council shall be returned to the Clerk immediately following a meeting.

10.4 Distribution of Communications at Council Meeting

No person, except a member of Council or authorized staff person, shall distribute any materials to Council or to the public, unless they have approval from the Clerk.

Section 11 - Delegations

11.1 Delegation - Request

Any person who wishes to appear before Council shall submit a "Request for Delegation" form at least twelve (12) days preceding the Meeting. The form, together with all written material, shall be submitted with the Delegation Request form. The CAO and the Clerk may make a determination to defer a delegation to a subsequent meeting, or, refer the matter to the appropriate Department Head.

11.2 Delegation - Reply from Staff

The Clerk (or their designate) shall reply to delegation requests in writing or by telephone, as time permits, indicating approval, refusal, deferral or referral of the delegation and the reasons.

11.3 Delegation Time Limits

- (1) A maximum of ten (10) minutes shall be allotted for each delegation. A five (5) minute extension to speak may be decided, without debate, by a majority of Council/Committee Members present. A maximum of two (2) persons are permitted to address the Members for each delegation. Delegations are not to repeat information presented by an earlier delegation. The time limits shall be strictly enforced.
- (2) Presentations such as consultant's reports or deputations which are made at the request of Council (i.e., County employees, Boards, Agencies, etc.) are not considered to be the same as Delegations, and are not subject to the time limit referenced in 11.3(1).
- (3) Upon the completion of a delegation, any discourse between Members and the delegation shall be limited to Members asking questions for clarification and obtaining additional, relevant information. Members shall not enter into debate with the delegation regarding the presentation.

11.4 Delegations - Limit per Meeting

A maximum of three (3) delegations shall be allowed at any meeting. The Clerk, in consultation with the CAO, may reduce the number of delegations based on the nature of the delegations and Council meeting time restrictions.

11.5 Delegation - Conduct

Delegations shall abide by the Conduct at Meetings set out in Section 15 and shall:

- (1) Only speak on the subject for which they have received approval;
- (2) Refrain from cross debate with other delegations, staff, Members, or the Chair;
- (3) Refrain from public outbursts, shouting, or behaviour intended to disrupt the discussion and/or general proceedings of the meeting;
- (4) Not appear for the purpose of publicly announcing a local event; and

11.6 Delegation - Restrictions

The Chair may restrict any delegation, any questions of a delegation, or debate during a delegation, for disorder or any other breach of this By-law and, if the Chair rules that the delegation is not in compliance with this By-law, the person or persons appearing shall withdraw from the delegation table, and the decision of the Chair shall not be subject to challenge.

11.7 Delegation - Refusal

The Clerk may refuse delegations that are not permitted under the following circumstances:

- (1) The request is not submitted within the time required (Section 11.1);
- (2) Written handouts or materials for use were not provided with the delegation request;
- (3) The subject matter has already been discussed within the past twelve (12) months;
- (4) The subject matter is deemed to be beyond the jurisdiction of Council;
- (5) The issue is specific to a labour/managerial dispute, or other matter properly held in Closed Session;
- (6) Council has previously made a decision on the issue, within the previous twelve (12) months.

11.8 Delegation – Reason for Refusal

In the event a delegation request is refused, the Clerk, in consultation with the CAO, shall provide to the person(s) in writing, with a copy to Council, the reasons for the refusal.

Section 12 – Rules of Debate in Council

12.1 No Member Seniority

No Member shall be deemed to have precedence or seniority over any other Member.

12.2 Chair - Speaking Before and/or Closure of Debate

The Chair may speak on any matter before the debate on any matter, or without entering into further debate, may speak to close the debate on any matter after all Members wishing to speak have spoken.

12.3 Chair - Participation in Debate

If the Chair wishes to take part in the debate, the Chair must leave the chair and call on another Member to act in the Chair's place until the debate is closed and in such case the Chair waives his/her privilege to close the debate. The Member acting in the Chair's place may close the debate.

12.4 Motions

- 1) Except as otherwise provided in this By-law, all Motions require a mover and seconder before the Chair can put the question or motion on the floor for consideration.
- 2)
- 3) When a motion is presented in Council or Committee, it shall be read before debate.
- 4) A motion for the previous question shall not be put forward until all speakers listed by the Head of Council have spoken and the mover has replied.
- 5) After a motion is read or stated by the Chair it shall be deemed to be in possession of Council or Committee, but it may, with the consent of the mover, be withdrawn at any time before decision or amendment.

12.5 Mover of Motion - First Right to Speak

After the Chair, the Member who moves a main motion has the first right of speaking on that motion, and the seconder has the right of speaking second on the motion.

12.6 Recognition by Chair - Acknowledgement of Speaker

No Member shall speak to a question or motion until the Member has been recognized by the Chair. After being recognized by the Chair, all remarks shall be respectfully made through the Chair. No Member shall speak to a motion more than once, without permission from the Chair.

12.7 Length of Debate

Every Member shall have an opportunity to speak once on a question or motion for up to five (5) minutes. After which the Chair or a Member may call for the vote, and every member shall immediately:

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

Section 13 – Voting

13.1 All Members to Vote - Exception

Regardless of the method of voting:

- (1) Every Member present at a meeting, including the Chair, shall vote on the issue at hand unless prohibited by statute or this by-law.
- (2) If prohibited from voting, the Clerk shall record in the minutes the name of the Member and the reason that they are prohibited from voting.
- (3) If any Member present refuses to vote or fails to vote, the Member shall be deemed to vote against the question.

13.2 Method - Show of Hands

Except where a recorded vote is requested, voting shall be by a show of hands in favor or against, following which:

- (1) the Chair shall announce the result; and
- (2) the Clerk shall record only the result, and not whether Members voted for or against the question.

13.3 Result of Vote - How Recorded

The Clerk shall record the result of votes as follows:

- (1) if passed, "Carried";
- (2) if not passed, "Defeated";
- (3) if tied, "Defeated ".

13.4 Chair Entitled to Vote

The Chair, except where disqualified to vote, is entitled to vote on all questions and when it could affect the result of the vote, shall vote last.

13.5 Voting Commenced

After the Chair commences to take a vote on a question, no Member shall speak to such question or present any other motion until a vote has been taken on such question.

13.6 Member Not at Council Table at Time of Vote

When the Chair calls for a vote on a question, each Member shall occupy his or her seat and shall remain in his or her seat until the result of the vote has been declared by the Chair. A Member who is not at the Council table when the Chair calls for a vote shall not be entitled to vote.

13.7 Recorded Vote

Any Member may request a recorded vote immediately before or after the taking of a vote, following which:

- (1) the Clerk shall call by name the Members present in starting with the Member requesting the recorded vote and alphabetical thereafter each Member present who is not disqualified from voting by statute or this By-law shall announce their vote openly, in the order set out above; and the Clerk shall record each Member's vote in favour or against the question; and
- (2) after completion of the recorded vote the Clerk shall announce the results.

13.8 Motions

- (1) Motions shall be debated in the order of their presentation on the Agenda.
- (2) Members of Council, the Clerk and other officers may introduce matters to be dealt with by motion, subject to the notice provisions in this By-law.
- (3) A motion for introducing a new matter shall not be presented without notice unless Council, without debate, dispenses with such notice by a two-thirds vote of the Members present.
- (4) Every motion, amendment to a main motion, or amendment to an amendment must be formally moved and seconded before the Chair can put the question to Council for a vote, and prior to any discussion on the question.
- (5) A motion properly before the Council for consideration must receive disposition before any other motions can be received, unless it is a motion to amend, to refer to staff for report, to defer indefinitely or to a specified time, to adjourn the meeting, or that the vote be taken.

13.9 Motion - Request for Reading

Prior to the taking of a vote, a 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 who is speaking.

13.10 Motions Introduced Orally

The following matters may be introduced orally, without written notice and without leave:

- a) a point of order
- b) a motion to amend
- c) a motion to refer, including to Closed Session
- d) a motion to table the question
- e) a motion to vote on the question
- f) a motion to suspend the rules of procedure
- g) a motion to recess
- h) a motion to adjourn

13.11 Notice of Motion

- (1) Notice of all new motions, except motions listed in Section 13.8, shall be given in writing and delivered to the Clerk prior to the seven (7) working days preceding the date of the Council meeting at which the matter is to be considered. Such

notices shall be included in the Agenda for that meeting under the item "Notice of Motion".

- (2) A notice of motion, in writing, may also be received by the Clerk prior to the closing of the meeting and in this event, the Chair or Clerk shall read the notice of motion and it shall be duly recorded in the minutes without debate, and shall form Section of the Agenda for the subsequent meeting under the item "Notice of Motion".
- (3) The presentation of a notice of motion does not require a mover or seconder until it comes before a meeting for debate.
- (4) A motion for which notice was given in accordance to this By-law must be moved or seconded at the meeting on which it appears on the Agenda for debate.
- (5) A notice of motion must be presented in the appropriate motion format on a "Notice of Motion Form". Forms are available at the municipal office or may be emailed upon request.

13.12 Motion to Suspend Notice Requirements

A motion may be introduced without notice, if Council, without debate, dispenses with notice, on the affirmative vote of a two-thirds of the Members present and voting.

13.13 Motion to Withdraw

Once the motion is proposed and seconded, but before the Chair states the motion, it belongs to the proposer; the motion may be withdrawn or modified without the permission of Council.

Once a motion has been stated, it shall be deemed to be in possession of Council, but at any time, the Member who moved it may request to withdraw the motion before a decision or an amendment. If there is no objection, the motion is withdrawn with general consent. If there is an objection, anyone may second the motion to withdraw and the Chair takes a vote.

13.14 Motion to Amend

Only one amendment at a time can be presented to a main motion, and only one amendment to an amendment can be presented. A motion to amend shall:

- (1) be made only to a previous question or to amend an amendment to the question;
- (2) be relevant to the motion;
- (3) be moved and seconded;
- (4) be put to a vote in the reverse order to that which it is moved;
- (5) not be in order if, in essence, it constitutes a rejection of the main question.

13.15 Motion to Refer

- (1) A motion to refer the question should include:
 - a) the name of the body or official to whom the question is to be referred;
 - b) instructions respecting the terms upon which the question is to be referred;
 - c) a timeframe by which it shall be considered by Council, if a staff report is requested.

- (2) A motion to refer the question shall not be debatable except where instructions are included, in which case, only the instructions shall be debatable.
- (3) A motion to refer a question may be amended in accordance with the provisions of Section 13.14.

13.16 Motion to Postpone

A motion to postpone shall:

- (1) include a fixed date for the question to come back before Council for consideration;
- (2) be made while the main motion or an amendment is on the floor, and takes precedence over that motion or amendment;
- (3) be debated; however, the debate must be limited to the advisability of the proposed postponement;
- (4) only be amended to change the length of the postponement;

13.17 Motion to Adjourn or Motion to End Debate

A motion to adjourn the Council or to end the debate (Call the Question) shall always be in order, except:

- (1) when a Member is speaking;
- (2) during the taking of a vote;
- (3) immediately following the affirmative resolution of a motion that a vote on the question now be taken;
- (4) when a Member has already indicated to the Mayor or Chair, that he or she desires to speak on the question;
- (5) when resolved in the negative, cannot be made again until Council has conducted further proceedings.

13.18 Motion to Reconsider

- (1) Council may not reconsider a decision for a period of one (1) year following the decision.
- (2) A motion to reconsider a decided matter shall only be moved by a Member who voted with the majority on the original motion.
- (3) No motion to reconsider a decided matter shall be in order when the motion has been implemented resulting in a legally binding commitment that is in place on the date that a motion to reconsider is to be debated.
- (4) A motion to reconsider a decided matter at the same meeting shall require the approval of two-thirds support of the whole Council that is present.
- (5) A motion to reconsider a decided matter at the next scheduled meeting shall require the approval of a majority of Council that is present.
- (6) A motion to reconsider is not amendable and debate must be confined to reasons for or against reconsideration. However, the mover of a motion to reconsider may provide a brief and concise statement outlining the reasons for proposing such reconsideration.
- (7) If the action approved in the motion cannot be reversed, the motion cannot be reconsidered.

- (8) Each Member of Council shall be responsible for making a determination on how the Member voted on a specific matter. The Clerk shall not record or note in the minutes how a Member votes unless a request for a recorded vote has been made.
- (9) In the event of a resolution that is defeated due to a tie vote, the resolution shall be considered defeated.
- (10) When a motion to reconsider is brought before a succeeding Council, it shall be deemed to be new business, and not a matter of reconsideration.

13.19 Order of Precedence

Where a motion is under consideration, no motion shall be received except a motion having precedence, in the following order:

- (1) to adjourn
- (2) to recess
- (3) to request information
- (4) to request that the vote be taken (call the question)
- (5) to limit or extend the debate
- (6) to postpone (to another meeting, date, indefinitely)
- (7) to refer (to another committee, administration)
- (8) to amend

13.20 Non-Debatable Motions

- (1) To adjourn
- (2) To close, limit or extend debate
- (3) To lay on the table (to table)
- (4) Questions of privilege
- (5) To suspend the rules

13.21 Motions Proposing Actions Beyond Jurisdiction of Council (ultra vires)

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

Section 14 – Points of Order

14.1 Points of Order

The Chair shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting. The minutes will reflect the Point of Order, and the Chair's ruling.

14.2 Violation of Rules of Procedure

When a Member wishes to call attention to what the Member believes to be a violation of the rules of procedure, the Member shall, when once recognized by the Chair, raise the point of order.

14.3 Member Speaking to Yield the Floor

When a Point of Order is acknowledged by the Chair, any Member speaking at the time shall cease doing so until the point has been dealt with.

14.4 Brief Explanation - Ruling

On raising the point of order, a Member shall state the point of order with concise explanation and the Chair shall rule upon the point of order.

14.5 Appeal of Ruling

The Chair's ruling shall be final, unless a Member immediately appeals the ruling of the Chair (challenges the Chair) as follows:

- a) the Member appealing shall state the reasons for the appeal;
- b) the Chair may offer reasons in favour of upholding his or her ruling; and
- c) the Members shall vote on the appeal without debate.

14.6 Results of Appeal

If the appeal is upheld, then the Chair shall change his/her ruling accordingly or if the appeal is rejected, then the Chair's ruling stands and no further avenues of appeal are allowed.

Section 15 – Conduct at Meetings

15.1 Council Code of Conduct

All members of Council shall comply with the Council Code of Conduct.

15.2 Conduct of Members

As standard meeting decorum all Members shall:

- (1) refrain from speaking aloud, or address Members without first receiving permission of the Chair;
- (2) not use indecent, offensive, or insulting expressions, at any time, toward other Members, Members of the administration, delegations or Members of the public;
- (3) not use any electronic devices (cell phone, computer, etc.) to communicate to other Members or the Public during the course of the meeting;
- (4) not speak in a manner that is discriminatory in nature based upon an individual's race, ancestry, place of origin, ethnic origin, creed, gender, sexual orientation, age, colour, marital status or disability;
- (5) speak only to the subject under debate;
- (6) not criticize any decision of the Council except for the purpose of moving in accordance with the provisions of Section 13.17, that the question be reconsidered; and

- (7) not leave their seat, or make any noise or disturbance while a matter is being considered or discussed by Council; while a vote is being taken or until the results are declared;
- (8) not enter a meeting while a vote is being taken;
- (9) not disturb another Member, staff or guest, or conduct themselves in a disorderly manner disturbing the speaker or the assembly;
- (10) not interrupt any Member while speaking by speaking out, making noise or creating a disturbance except to raise a point of order;
- (11) not leave a meeting without first obtaining permission from the Chair;
- (12) obey the rules of the Council or a decision of the Chair, or Council, on a Question of order, or upon the interpretation of the Rules of Council.

15.3 Consequence of Breach of Conduct - Members

A Member who is called to order shall immediately cease to speak. Any Member persisting in a breach of this by-law may be ordered to leave the meeting by the Chair.

In the event that a Member persists in a break of the Procedure By-law after having been called to order by the Mayor or Chair:

- a) The Chair shall, without debate, call the question "Shall the member be ordered to leave the meeting for the duration?"
- b) If Council decides by a majority vote in the affirmative, the Chair shall order the member to leave the meeting, for the duration.
- c) If the member apologizes, the Chair, with the approval of Council, may permit the individual to return to the meeting.
- d) If a member does not leave the meeting after being ordered to do so by the Mayor or Chair, and if they do not apologize, then the Chair shall for a second time, without debate, call the questions "Shall the member be ordered to leave their seat/the chambers for the duration of the meeting?"
- e) If Council decides by a majority vote in the affirmative, and the individual does not leave, the Mayor shall direct the Clerk to seek appropriate assistance from the local Police Service. Alternatively, if the Member is participating electronically, the Mayor shall direct the Clerk to eject the individual from the meeting.

15.4 Apology

The Member will be permitted to retake his/her seat provided the Member has apologized to Council.

15.5 Conduct of Members of the Public

No person at a meeting shall:

- (1) speak aloud at a meeting or address Members without first receiving permission of the Chair to do so;

- (2) speak disrespectfully of any persons;
- (3) use profane or offensive words or insulting expressions against the Council or Committee or against any Member, staff or guest;
- (4) resist the rules of Council or disobey the decisions of the Chair or of Council or Committee on questions of order or practice or upon the interpretation of the rules of Council;
- (5) leave their seat or make any noise or disturbance while a matter is being considered or discussed by Council while a vote is being taken, and until the results of such vote are declared;
- (6) disturb the Council, staff, delegations, or the public by any disorderly conduct disconcerting to the speaker or the assembly;
- (7) interrupt any Member who is speaking, by speaking out, noise or disturbance;
- (8) attend another meeting of Council after being ordered to vacate, if they committed a breach of any rule of conduct until such time as they satisfy the Mayor, Chair or CAO that their conduct at future meetings will be in conformity to the rules of this By-law.

The Mayor or Chair may expel any member of the public from a meeting for improper conduct. The Mayor or Chair may adjourn a meeting if they deem there is a need to do so, for safety reasons. All members of the public, staff and Council shall vacate the Chambers.

Section 16 – By-Laws

16.1 By-laws - Agenda

The proposed by-law title and reference shall be listed on the Council Agenda, and a copy of the By-law may be included in the Agenda.

16.2 Enactment of By-laws

Every By-law:

- (1) When introduced, shall be in printed format and shall contain no blanks except such as may be required to conform to accepted procedures or to comply with the provision of any Act. Each By-law shall be complete with the exception of the signatures of the Mayor and Clerk.
- (2) Shall deemed to have three readings prior to being passed.
- (3) The Clerk shall set out on all By-laws enacted by Council, the date of the reading thereof.
- (4) Which has been enacted by the Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Chair and the Clerk and shall be deposited by the Clerk for safe-keeping.
- (5) A draft By-law may be presented in writing to Council for discussion and amendments if required prior to its passing at a Council meeting.

16.3 Enactment of By-laws – Date

The Clerk shall set out on all By-laws enacted by Council, the date of the reading thereof.

16.4 Request to be Read

A majority of Council present may request that the Chair read a By-law or By-laws for clarification or benefit of the public. If reading is not required, all By-laws will be considered to have been read.

16.5 Amendments to By-laws

All amendments to a By-law shall be presented in the form of a resolution and shall be voted on before the By-law is ordered for the third reading. The Clerk shall be authorized to prepare the By-law, as amended, for execution.

16.6 Adoption of By-laws

Once a By-law has been adopted, it shall be signed by the Mayor/Deputy Mayor and the Clerk/Deputy Clerk, and the corporate seal shall be affixed to every By-law duly passed.

16.7 Notification of Enactment of a By-law

Notwithstanding the foregoing, when the requirements of any Provincial legislation requires that notification be given of Council's intention to enact a By-law, the Chair shall notify persons who are present at the meeting that they may make representation on the proposed by-law during Council's hearing of Delegations.

16.8 Amendment to a Zoning Bylaw

When the Council amends a proposed zoning By-Law after the holding of a Public Meeting as required by the Planning Act, the Council shall immediately vote on the question of whether or not any further notice is to be given in respect of the proposed By-Law, as amended.

The question of whether or not any further notice is to be given shall be amendable and debatable.

The proposed Zoning By-Law, as amended, shall not be introduced and enacted until the question of whether or not any further notice is to be given has been resolved.

16.9 Confirmation By-law

The proceedings shall be confirmed by By-law at every Regular and Special Meeting so that every decision of the Council at that meeting, and every Resolution passed at that meeting, shall have the same force and effect as if each and every one of them had been the subject matter of a separate By-law duly enacted.

Section 17 – Committees of Council [this section will be reviewed in late 2023, in conjunction with the comprehensive review of Committees]

17.1 Establishment of Committees of Council

Council may, from time to time, establish a Committee of Council or Advisory Committee or Ad-Hoc Committee, in response to specific issues requiring short-term or long-term attention.

17.2 Appointment and Operation of Committees of Council

All policies and procedures for appointment and operation of any Committees of Council or Advisory Committees shall be at the discretion of Council.

17.4 Composition of Committee

May be comprised of Council Members, ratepayers, staff, professionals, etc. The Mayor shall be an ex officio Member of each Committee. All Members shall be appointed by resolution of Council.

17.5 Vacancy on Committee

Should there be any vacancy on a Committee during the Term; Council may fill that vacancy for the period remaining of the Term of Council.

17.6 Member of Council Liaison

The Member of Council appointed as a liaison for each Board, authority and/or Committee is required to attend meetings, take part in Committee and Sub-Committee meetings, and report to Council.

17.7 Meeting Attendance by Members of Council

Any Members of Council may attend the meetings of any Committee, but shall not be allowed to vote; nor may they take part in any discussion or debate except by permission of the majority of the Members of the Committee. Only Council members appointed to the Committee can vote.

17.8 Discontinuation of Committee

Council may, at any time, discontinue any Committee referred to in this Section or replace any Committee Member by resolution.

17.9 Committee Minutes

The Minutes of a Committee of Council shall be received by each respective Committee and shall be forwarded by the Recording Secretary in a timely manner to the Clerk for the Council agenda to be received as information.

17.10 Appointment to Boards, Authorities and Committees

Council may from time to time appoint Members of Council, staff, ratepayers, professionals, etc. to represent the Township on such external boards, authorities and committees to deal with specific issues, and report to Council.

17.11 Appointments to Various Boards, Committees, Special Purpose Bodies and other Statutory Positions

All Council appointments to various Boards, Committees, Special Bodies and other statutory positions shall be made at the required time by resolution of Council except where specifically required by By-Law.

Section 18 – Role of Council

18.1 Role of Council (S 224, *Municipal Act, 2001, c 25* as amended)

- (1) 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.
- (2) Members of Council shall 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.
- (3) No Member of Council shall have the authority to direct or interfere with the performance of any work for or by the Township.

Section 19 – Role of the Head of Council (Mayor)

19.1 Chair - Council Meetings

The Mayor shall be the Chair at Council meetings.

19.2 Role of the Head of Council (Mayor) (S 225, *Municipal Act, 2001, c 25* as amended)

- (1) 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.

19.3 Head of Council Substitution (S 226, *Municipal Act, 2001, c 25 as amended*)

A municipality may, with the consent of the Head of Council, appoint a member of Council to act in the place of the Head of Council on any body, other than on the Council of another municipality, of which the Head of Council is a member by virtue of being Head of Council.

19.4 Head of Council as Chief Executive Officer (S 226.1, *Municipal Act, 2001, c 25 as amended*)

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.

19.5 Ex- Officio - Committees

The Mayor shall be an ex-officio Member of all Committees of Council, Advisory Committees and Ad-Hoc Committees and shall be entitled to vote as a Member of such Committees.

19.6 Absence of Mayor - Appointment of Deputy Mayor

In the absence of the Mayor for an extended period of time or if the office is vacant, the Deputy Mayor shall be appointed for the term of Council, by By-law, to act as the Head of Council and while so acting such Member has all the powers and duties of the Head of Council.

19.7 Temporary Vacancy - Member of Upper-Tier Council

- (1) If a person who is a member of the councils of a local municipality and its upper-tier municipality is unable to act as a member of those councils for a period exceeding one month, the local council may appoint one of its members as an alternate member of the upper-tier council to act in place of the member until the member is able to resume acting as a member of those councils.

- (2) If the offices of a person who is a member of council of both a local municipality and its upper-tier municipality become vacant and the vacancies will not be filled for a period exceeding one month, the local council may appoint one of its members as an alternate member of the upper-tier council until the vacancies are filled permanently.

19.8 Absence of Mayor - Deputy Mayor to Chair

In the case where a quorum is present and the Mayor has not attended within fifteen minutes after the time appointed, the Clerk shall call the Members to order, and the Deputy Mayor shall assume the Chair during the meeting for as long as the Mayor is absent.

19.9 Absence of Deputy Mayor - Appointment of Chair

In the event the Deputy Mayor is also absent, the Members shall nominate and elect a Chair among the Members present who shall preside during the meeting for as long as the Deputy Mayor is absent.

Section 20 – Duties of the Chair

20.1 Duties of the Chair

It is the duties of the Chair:

- (1) To open the meeting by taking the Chair and calling the Members to order;
- (2) To announce the business before the Council or Committee in the order in which it is to be acted upon;
- (3) To receive and submit, in the proper manner all motions presented by the Members;
- (4) To put to a vote all questions which are moved and seconded or which necessarily arise in the course of the proceedings, and to announce the results of such vote;
- (5) To decline to put to a vote motions which infringe upon the rules of procedure;
- (6) To enforce on all occasions the observance of order and decorum among the Members and guests;
- (7) To call by name any person persisting in breach of the rules of order of the Council or Committee thereby ordering the person to vacate the Council Chamber or other place of meeting, as the case may be;
- (8) To authenticate by signature all By-laws, resolutions and minutes of the Council;
- (9) To inform the Council or Committee when necessary, or when referred to for the purpose, on a point of order;
- (10) To represent and support the Council, declaring its will and implicitly obeying its decisions in all things;
- (11) To ensure that the decisions of Council are in conformity with the laws and By-laws governing the activities of the Municipal Corporation and Committees;

- (12) To order any person or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting;
- (13) To expel from a meeting any person or group who continues to disrupt the meeting after being so warned and who engages in improper conduct;
- (14) To call a 5 minutes rest period when deemed appropriate;
- (15) To adjourn the meeting without question in the case of grave disorder arising in the Council Chamber or other place of meeting, as the case may be;
- (16) To adjourn the meeting without question in the case of any person or group who refused to vacate the place of meeting after being ordered to do so by the Chair.

Section 21 – Duties of the Chief Administrative Officer

21.1 Appointment of Chief Administrative Officer (S 229, *Municipal Act, 2001, c 25* as amended)

The Chief Administrative Officer is appointed by By-law and is 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.

21.2 Reports Coordinated through Chief Administrative Officer

All reports and recommendations of Department Heads shall be coordinated through the Chief Administrative Officer, in consultation with the Clerk.

21.3 Duties of the Chief Administrative Officer

- (1) Assist the Council to discharge its responsibilities and, in a non-partisan manner, to aid Council Members to carry out their duties;
- (2) Attend Council and Closed Session meetings, to speak but not to vote; and to attend meetings of any other Committees as they see fit;
- (3) Exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality.

Section 22 – Duties of the Clerk

22.1 Duties of the Clerk (S 228, *Municipal Act, 2001, c 25* as amended)

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;

- (e) To perform such other duties as are assigned by the municipality.

22.2 Other Duties of the Clerk

The other Duties of the Clerk include:

- (1) Attend all meetings of Council/Closed Session and to record the proceedings of all such meetings, in addition to any required clerical support staff;
- (2) Provide notice of each regular and special meeting of Council or Committee, together with the agenda and all matters so far as are known to be sent to each Member of Council;
- (3) Keep in the office of the Clerk or in a place appointed for that purpose for the time period referenced in the Township's Records Retention By-law any recording made of Council and or Public Meeting proceedings;
- (4) Forward a copy of all resolutions, enactments and orders of the Council and Committees to those concerned in order to provide notice;
- (5) Make such minor clerical, typographical or grammatical deletions, additions or other changes in form to any By-law, motion, resolution and/or minutes as may be required for the purpose of ensuring correct and complete implementation of the actions of Council;
- (6) Forward, by way of delegated authority, housekeeping or consolidations By-laws directly to Council for consideration;
- (7) Be a Municipal Officer for the Corporation of the Township of Alnwick/Haldimand.

Section 23 – Proclamations

23.1 Proclamations

- (1) Council recognizes the symbolic gesture of endorsing special days, weeks, or a month in support of various community groups and their causes.
- (2) The Township shall not subsidize any costs related to proclamation advertising. The sponsoring organization requesting a proclamation shall be responsible for all publicizing and shall bear the entire cost of same. The Township may include the proclamation on the Township bulletin board under "Proclamations for the Month of..."
- (3)
- (4) Council, having delegated the administration of proclamations, shall not hear delegations related to proclamation requests.
- (5) Each organization shall be responsible for making arrangements for the attendance of the Head of Council or Councillors at a specific function or event.

Section 24 – Amendments and Enactments

24.1 Severability

If a court of competent jurisdiction should declare any Section or Section of a Section of this By-Law to be invalid, such Section or Section of a Section shall be construed as

having persuaded or influenced Council to pass the remainder of this By-Law and it is hereby declared that the remainder of this By-Law shall be valid and shall remain in force.

24.2 Repeals

By-Law Numbers 03-2019; 125-2019; 25-2020; 70-2020; 85-2020; 105-2020; 59-2021; and 77-2022, 96-2023 are hereby repealed.

24.3 Enactment

That By-Law No. 110-2023 shall come into full force and effect on the 12th day of December, 2023.

Appendix "A" - Request for Delegation Form

.....
Person(s) to Appear:

Preferred Date: _____

Alternate Date: _____

Name:

Title/Organization:

Telephone (Bus.)

(Res.)

Email:

General Outline of Subject Matter (10 Minutes allotted for Delegation):

Written submission together with handouts or material submitted with request:

Person requesting appearance (if different from those appearing):

Name

Title/Organization

Telephone

(Bus.)

(Res.)

Email:

I require a

projector

laptop

** Anyone who submits a Microsoft PowerPoint presentation with their request will be required to provide an electronic version 48 hours in advance of the meeting, to the Clerk's Department.

Date Submitted

Signature of Person Requesting Appearance

.....

Reminder: A written/signed letter, handouts or materials must be provided to the Clerk's Department with this form. Additional material may be circulated / presented at the time of the delegation, if authorized by the Clerk. Scheduling will be at the discretion of the Clerk, and will be confirmed.



Disclaimer: Please note that submission of this form does not guarantee the approval of your request for a delegation. In addition, all information submitted will be considered to be public information and therefore subject to full disclosure, under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

Section 11 - Delegations (Excerpt from Procedure By-law)

11.1 Delegation - Request

Any person who wishes to appear before Council shall submit a "Request for Delegation" form at least twelve (12) days preceding the Meeting. The form, together with all written material, shall be submitted with the Delegation Request form. The CAO and the Clerk may make a determination to defer a delegation to a subsequent meeting, or, refer the matter to the appropriate Department Head.

11.2 Delegation - Reply from Staff

The Clerk (or their designate) shall reply to delegation requests in writing or by telephone, as time permits, indicating approval, refusal, deferral or referral of the delegation and the reasons.

11.3 Delegation Time Limits

- (1) A maximum of ten (10) minutes shall be allotted for each delegation. A five (5) minute extension to speak may be decided, without debate, by a majority of Council/Committee Members present. A maximum of two (2) persons are permitted to address the Members for each delegation. Delegations are not to repeat information presented by an earlier delegation. The time limits shall be strictly enforced.
- (2) Presentations such as consultant's reports or deputations which are made at the request of Council (i.e., County employees, Boards, Agencies, etc.) are not considered to be the same as Delegations, and are not subject to the time limit referenced in 11.3(1).
- (3) Upon the completion of a delegation, any discourse between Members and the delegation shall be limited to Members asking questions for clarification and obtaining additional, relevant information. Members shall not enter into debate with the delegation regarding the presentation.

11.4 Delegations - Limit per Meeting

A maximum of three (3) delegations shall be allowed at any meeting. The Clerk, in consultation with the CAO, may reduce the number of delegations based on the nature of the delegations and Council meeting time restrictions.

11.5 Delegation - Conduct

Delegations shall abide by the Conduct at Meetings set out in Section 15 and shall:

- (5) Only speak on the subject for which they have received approval;
- (6) Refrain from cross debate with other delegations, staff, Members, or the Chair;
- (7) Refrain from public outbursts, shouting, or behaviour intended to disrupt the discussion and/or general proceedings of the meeting;

- (8) Not appear for the purpose of publicly announcing a local event; and

11.6 Delegation - Restrictions

The Chair may restrict any delegation, any questions of a delegation, or debate during a delegation, for disorder or any other breach of this By-law and, if the Chair rules that the delegation is not in compliance with this By-law, the person or persons appearing shall withdraw from the delegation table, and the decision of the Chair shall not be subject to challenge.

11.7 Delegation - Refusal

The Clerk may refuse delegations that are not permitted under the following circumstances:

- (7) The request is not submitted within the time required (Section 11.1);
- (8) Written handouts or materials for use were not provided with the delegation request;
- (9) The subject matter has already been discussed within the past twelve (12) months;
- (10) The subject matter is deemed to be beyond the jurisdiction of Council;
- (11) The issue is specific to a labour/managerial dispute, or other matter properly held in Closed Session;
- (12) Council has previously made a decision on the issue, within the previous twelve (12) months.

11.8 Delegation – Reason for Refusal

In the event a delegation request is refused, the Clerk, in consultation with the CAO, shall provide to the person(s) in writing, with a copy to Council, the reasons for the refusal.

Appendix "B" - Notice of Motion Form

In accordance with Section 13.11 – Notice of Motion of the Township of Alnwick/Haldimand Procedure By-law,

Member of Council _____ (print name)

Hereby files a Notice of Motion to be included on the Agenda for the next meeting of Council, which is scheduled to be held on:

_____ 20_____

Subject: _____

And which Notice of Motion reads as follows:

COUNCIL MEMBER: _____

(Signature)

CLERK'S USE ONLY

Date received: _____, 20_____

Time received: _____

Notice of Motion Given, _____, 20_____

Appendix "C" – Complaint Intake Form

COMPLAINT INTAKE FORM
MUNICIPAL CLOSED MEETING INVESTIGATION

IN ACCORDANCE WITH
Section 239 of the *Municipal Act, 2001* (as amended)

PLEASE FORWARD COMPLETED FORM IN A SEALED ENVELOPE MARKED

"PRIVATE AND CONFIDENTIAL" TO:

Township of Alnwick/Haldimand
10836 County Road 2, PO Box 70
Grafton ON K0K 2G0
Attention: Clerk

Action	Note any actions you have taken to try to resolve the matter.

Summary/Additional Comments	

Signature of Complainant

Date of Signature

Appendix "D" – Declaration of Interest Form
Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50

Agenda: Council Committee Other

Date: _____

Details:

Subject Matter: _____

Item Title: _____

Item No. _____

Applicant signature/certification:

I, Member _____, declare a potential
deemed/ direct indirect pecuniary interest on the above noted
Council/Committee agenda item _____ for the
following reason:

Councillor Name: _____

Councillor Signature: _____

Date: _____

- For an "indirect pecuniary interest" see Section 2 of the *Municipal Conflict of Interest Act*.
- For a "deemed" direct or indirect pecuniary interest see Section 3 of the *Municipal Conflict of Interest Act*.
- This document shall be available for public review.

**The Corporation of the
Township of Alnwick/Haldimand**

**Schedule 'A' to
By-law No. 110-2023**

Procedure By-law

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Section 1 - Definitions

1. **Abstain** means a Member who is lawfully entitled to vote but chooses not to exercise their right to vote on a matter, and in such cases an abstention shall be deemed as a negative vote.
2. **Act** means the *Municipal Act, S.O. 2001*, as amended from time to time.
3. **Acting Head of Council** means the Member of Council appointed, under the Act, to act from time to time in the place and stead of the Head of Council.
4. **Ad Hoc Committee** means a special purpose committee of limited duration, appointed by Council, that has a Terms of Reference. It considers a specific matter, and is dissolved automatically upon submitting its final report to Council, unless otherwise directed by Council.
5. **Advisory Committee** means a committee appointed by Council that has a Terms of Reference, and which advises Council on specific matters, but does not have decision-making authorities.
5. **Calendar Year** means the period from January 1st of any one year to and including December 31st of the same year.
6. **Chair** means the person presiding over a meeting and who is charged with deciding questions and points of order or practice, preserving order and maintaining decorum in the proceeding. Meeting Chairs shall attend meetings in person, unless all attendees are meeting electronically
7. **Chief Administrative Officer** means the Chief Administrative Officer (CAO) of the Township of Alnwick/Haldimand, designated by By-Law.
8. **Civic or Public Holiday** means those dates listed as holidays in the Interpretation Act, R.S.O. 1990, c.I.11, Section 29; Employment Standards Act and any other days as noted by provincial legislation or municipal by-law.
9. **Clerk** means the Clerk of the Corporation of the Township of Alnwick/Haldimand or their designate, authorized by the *Municipal Act, 2001*, as amended, and this person shall be designated by By-Law.
10. **Closed Session** means a portion of a Council or Committee meeting that is closed to the public in accordance with Section 239 of the *Municipal Act, 2001*, as amended.

11. **Committee** means Committee of the Whole, a Committee of Council, an Advisory Committee or an Ad-Hoc Committee, which has been duly appointed to deal with a specific matter and provides advice and/or recommendations to Council.
12. **Communication** means, but is not limited to: Letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, newspaper/magazine article, etc.
13. **Confirming By-Law** means a By-Law of Council that adopts all resolutions passed at a Council meeting;
14. **Corporation** means the Corporation of the Township of Alnwick/Haldimand.
15. **Council** means the Council of the Corporation of the Township of Alnwick/Haldimand.
16. **Councillor** means a person elected or appointed as a member of Council for the Township of Alnwick/Haldimand.
17. **Defer** means to postpone all discussion on the matter until later in the same meeting or to a future date which is established as part of the motion.
18. **Delegation** means a person/group making a presentation to Council or Committee.
19. **Deputy Head of Council (Deputy Mayor)** means the Township's second representative as elected and shall act in the capacity of Head of Council in his/her absence.
20. **Division of Question** means a request by a Member to have a motion containing separate questions, recommendations or amendments, voted on in parts or in sections.
21. **Ex Officio Member** means a member of a board or committee that holds that position by virtue of his/her office and shall have all of the same rights and privileges, including voting, as the other members.
22. **Head of Council (Mayor)** means the Head of Council of the Corporation of the Township of Alnwick/Haldimand as elected.
23. **Improper Conduct** means conduct that obstructs in any way the deliberations and/or proper action of Council or Committee.
24. **Majority** means more than half of the votes cast by Member entitled to vote.

25. **Meeting** means any regular, special, committee or other meeting of Council, Committee or a local board or of a committee of either of them, where
- a) A quorum of Members is present, or
 - b) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, Committee or local board.

26. **Meeting Types**

- a) Emergency Council Meeting – Notwithstanding any other provision of this by-law, an Emergency Council meeting may be held without written notice to deal with an emergency or an extraordinary situation, provided that an attempt has been made by the Clerk, or their designate, to notify the members about the meeting as soon as possible. The only business to be dealt with at an Emergency Meeting shall be business directly related to the emergency or extraordinary situation.
 - b) Regular Council Meeting – see Item 41.
 - c) Public / "Statutory" Council Meeting – often relates to Planning matters, but these may be called to consider specific items where there is a legislated need to hold a public meeting.
 - d) Special Council Meeting – see Item 45.
 - e) Committee of the Whole – a less formal meeting of all members of Council where recommendations are forwarded to Council for final decision.
27. **Member** means a member of Council or a Committee, a person duly elected or appointed to serve on Council or a Committee.
28. **Minutes** mean a record of the proceedings of Council or Committee which record the actions taken and decisions made by members at the meeting.
29. **Notice of Motion** means a written notice given by a Member of Council on a matter which Council will be asked to take a position.
30. **Order of Business** means the sequence of activities and/or discussions and decisions to be introduced and considered.
31. **Pecuniary Interest** means a direct or indirect Pecuniary Interest within the means of the *Municipal Conflict of Interest Act, 1990, chapter M. 50*, as amended.
32. **Point of Order** means a matter that a Member considers to be a departure from or contravention of the rules, procedures and/or generally accepted practices of Council.

33. **Point of Personal Privilege** means a matter that a Member considers to question their integrity and/or the integrity of Council.
34. **Prevailing Member** means any Member who voted with the majority on an issue or question that was dealt with by a resolution.
35. **Proclamation** means the public or official announcement of an important matter.
36. **Quorum** means the majority of the whole number of Members required to constitute Council or a Committee. For example, if there are five members of a Committee or Council, three (3) Members shall constitute a quorum.
37. **Receive for Information** means to receive the information with no further action to be taken.
38. **Recess** means a short break taken during a meeting and is of a duration established by the Head of Council or Chair.
39. **Recorded Vote** means recording in the Council minutes the names of each Member present and the manner of their respective votes on a matter or question before Council. In the case of a Member who has declared a conflict/pecuniary interest on the matter or question, the minutes shall so reflect that action.
40. **Refer** means to direct a matter under discussion by Council or Committee to a Staff member for further examination.
41. **Regular Meeting** means a scheduled Council meeting held in accordance with the approved schedule of meetings.
42. **Reports** means written documents by municipal employees, consultants, solicitors or other individuals appointed at the pleasure of Council for the purpose of providing advice, alternatives/recommendations on various matters.
43. **Resolution** means a motion that is carried or defeated and therefore represents the vote and will of Council.
44. **Rules of Procedure** means the applicable procedural rules of conduct contained in this By-law.
45. **Special Meeting** means a meeting not scheduled in accordance with the approved schedule of meetings.
46. **Township** means the Corporation of the Township of Alnwick/Haldimand.

Section 2 – General

2.1 Protocol

The rules and procedures contained in this By-Law shall apply to all meetings of Council and Committee unless otherwise prescribed:

- (1) Notwithstanding Section 2.1, these rules and procedures may be relaxed in a Committee meeting, if the subject matter so permits.
- (2) Unless a contrary intention appears in this By-law, words in the singular include the plural and references to gender are intended as gender neutral.
- (3) All Members, except the Mayor, are to be addressed as "**Councillor** (surname inserted)".
- (4) The Deputy Mayor shall be addressed as "**Deputy Mayor** (surname inserted)".
- (5) The Mayor shall be addressed as "**Mayor** (surname inserted)" or as "**Your Worship**".

2.2 Headings and Subheadings

The headings and subheadings used in this By-Law shall be deemed to be inserted for convenience of reference.

2.3 Robert's Rules of Order

For purposes of interpreting this By-law or determining a proper course of action for matters that may arise that are not specifically contemplated by the By-law, the most recent edition or Robert's Rules of Order in existence at the time shall be used as a reference.

Section 3 – Meetings – General

3.1 Inaugural Meeting

The first meeting in a new term of Council shall take place on the second Tuesday in November following November 15th in an Election year, at a time and place chosen by the Clerk.

3.2 Regular Council Meetings – Time, Date, Location

Regular meetings of Council shall generally be held at the Grafton Municipal Office, 10836 County Road 2, Grafton, ON, in the Council Chambers on the second Tuesday of each month at 9:30 a.m. Council may, at its discretion, hold Council meetings at the Alnwick Civic Centre located at 9059 County Road 45, Roseneath ON

Council meeting dates may not fall on the prescribed days due to statutory holidays or when municipal conferences conflict with the prescribed dates. Proper notice shall be given, per the meeting schedule that is posted on the Township's website.

3.3 Council/Planning/Committee of the Whole Meetings – Time, Date, Location

Council/Planning/Committee of the Whole meetings shall be held at the Grafton Municipal Office, 10836 County Road 2, Grafton, ON, in the Council Chambers, on the fourth Tuesday of each month at 9:30 a.m. Council may, upon consultation with staff, hold meetings in the evening. Council meeting dates may not fall on the prescribed days due to statutory holidays or when municipal conferences conflict with the prescribed dates. Proper notice shall be given, per the meeting schedule that is posted on the Township's website.

3.4 Meeting - Time, Date, Location – Altered by Council

Council may by Resolution, passed by a majority of the Members present, dispense with or alter the date, time or place of a meeting, provided that adequate notice of the change is posted at least 48 hours in advance on the Township website.

3.5 Cancellation of Meeting

The Clerk, with the approval of the Head of Council, may cancel a meeting of Council when there is sufficient cause to do so.

3.6 Summer Meetings

Staff will make a recommendation to Council at the first meeting in July, regarding the need for an August meeting.

3.7 Cancellation of Meeting – Inclement Weather

The Head of Council may cancel any meeting of Council or Committee if they are of the opinion that weather conditions or an emergency warrants cancellation. The Clerk shall inform the members, and anyone they know who plan to attend.

3.8 Schedule of Meetings

The Clerk will prepare a draft Annual Meeting Schedule for Council's consideration and approval in November of each year, for the following calendar year. The schedule will be posted on the Township website, in the Township office, and at the Library Branches.

3.9 Notice of Meetings – In Form of Agenda

A meeting notice shall be in the form of an Agenda, which shall set out the date, time, and place for the meeting. The Agenda shall be published on the Township website for the public six (6) days in advance of the meeting, excluding the publication day, and excluding the meeting day.

3.10 Constituted Meeting

No meeting of Council is a constituted meeting unless the Clerk or their designate is present.

3.11 Absent from Meeting/Leaves of Absence

- a) The office of a Member of a Council or Committee will become vacant if the Member is absent from the meetings of Council or Committee for three (3) consecutive months, unless the leave of absence is authorized by a resolution of Council. If a committee meets bi-monthly, the seat will become vacant after 6 consecutive months.
- b) Section (a) does not apply to a Member of Council who is absent for twenty (20) consecutive weeks or less if the absence is a result of the Members' pregnancy, the birth of the Member's child or the adoption of a child by the Member in accordance with sub-section 259 of the *Municipal Act, 2001*. A resolution of Council is not required to authorize such a leave of absence. The Member shall provide the Clerk with written notice of the leave of absence for twenty (20) consecutive weeks or less.

3.12 Recess

Council may call a recess for a period deemed appropriate by the Chair.

3.13 Adjournment Hour – All Meetings

All regular meetings shall be adjourned when the Council has completed all items as listed on the Agenda, or, when Council has been in session for 4 hours. However, it is at the discretion of the Chair to extend the meeting beyond four (4) hours to complete the items on the agenda. A resolution passed by the majority to extend the meeting is required.

3.14 Public Sign-In Sheets – Regular, Special, Planning, Statutory, and Emergency Council Meetings

Members of the public attending a Council Meeting in person, are asked to provide their contact information on a "sign-in sheet".

3.15 Meeting Chair

A Chair of a meeting shall be present in person at the meeting location.

Section 4 – Special Meeting of Council

4.1 Special Meeting of Council – Summoned by Mayor

The Mayor may summon a special meeting of Council by providing written direction to the Clerk stating the date, time and purpose of the special meeting.

4.2 Special Meeting of Council - Summoned by Majority

Upon receipt of a written request of the majority of Members of Council, the Clerk shall summon a special meeting of Council stating the date, time and purpose for the special

meeting. Once received by the Clerk, no Member shall remove his/her name from the written document filed under this Section.

4.3 Special Meeting of Council - Timing

The special meeting shall be held not sooner than 24 hours following the Mayor's summons or receipt of the document, as the case may be. A special/emergency meeting may be held as soon as practical following receipt of the written documents upon a two-thirds vote of the Members present to suspend the timing requirement.

4.4 Special Meeting of Council - Notice

The Clerk shall give notice to the Members of the Council, of all special meetings of Council, whenever required, and such notice shall specify the date, time, place, and the purpose of the meeting. Such notice shall be delivered to each Member by phone call or electronic mail at least 24 hours before the start time of the special meeting.

4.5 Special Meeting of Council - Public Notice

Public Notices of special meetings of Council shall include a notice of the meeting to be posted at the Township office and on the Township website. Due to the nature of the special meeting, a 24-hour notice period shall apply, but will not restrict the conducting of Township operations under an emergency.

4.6 Special Meeting of Council - Agenda

The Clerk, when reasonably possible, shall prepare an agenda in the following order, for the use of members at Special Meetings of Council:

1. Notice of Time, Place and Purpose of the meeting
2. Call to Order
3. Declaration of Pecuniary Interest
4. Consideration of Business for Which Notice is Given
5. Confirming By-Law
6. Adjournment

4.7 Special Meeting of Council – Any Other Matter

At special meetings, the Council shall not consider or decide upon any matter not set forth in the notice calling the meeting.

4.8 Special Meeting of Council – Urgent & Extraordinary Occasions

Notwithstanding this section, on urgent and extraordinary occasions, with the consent of two-thirds of all the Members of Council recorded in the minutes, an emergency special meeting of the Council may be called by the Chair and held to consider and deal with such urgent and extraordinary matters.

4.9 Public Meetings, Hearings or Information Sessions

Council from time to time may conduct Public Meetings, Hearings or other Information Sessions for any purpose giving such notice as may be deemed necessary or required

by legislation or the Township's Notice By-Law currently in effect. Council shall give appropriate notice of such meetings by publication on the Township website.

4.10 Special Meeting of Council – Electronic Participation, Emergencies

During any period where an emergency has been declared to exist in all or part of the Township, a Special Meeting of Council may be held remotely via telecommunications. A member of Council who participates electronically in a meeting shall be counted in determining whether or not a quorum of members is present at any point in time; and a member of council can participate electronically in a meeting that is closed to the public.

Section 5 – Closed Meetings of Council

5.1 Meetings Open to the Public

Except as provided in this Section, all meetings shall be open to the public.

5.2 When Closed Meeting Authorized

- (1) Council or a Committee may, by resolution, close a portion of a meeting to the public in accordance with s. 239 of the *Municipal Act, 2001*, as amended, if the subject matter relates to:
 - a) The security of the property of the municipality or local board;
 - b) Personal matters about an identifiable individual, including municipal or local board employees;
 - c) A proposed or pending acquisition or disposition of land by the municipality or local board;
 - d) Labour relations or employee negotiations;
 - e) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - h) Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory, or a Crown agency of any of them;
 - i) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - j) A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or

- k) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
- (2) Council or a Committee may, by resolution, close a portion of a meeting to the public in accordance with s. 239 of the *Municipal Act, 2001*, if the subject matter to be considered is:
 - a) A request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
 - b) An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman and/or Closed Meeting Investigator.
- (3) A portion of a meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
 - a) The meeting is held for the purpose of educating or training the Members.
 - b) At the meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision making of the council, local board or committee.

5.3 Moving into Closed Session

Before holding a portion of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution:

- a) The fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
- b) In the case of a meeting under Section 5.2(3), the fact of the holding of the closed meeting, the general nature of its subject matter and that it is to be closed.

5.4 Chair

A Closed Session of Council shall be chaired by the Mayor. If the Mayor is absent, the Deputy Mayor shall assume the Chair.

5.5 Voting

Voting shall take place in open session; however, Council may vote during a closed meeting pursuant to s. 239(6) of the *Municipal Act, 2001* if:

- (1) The meeting was permitted or required by s. 239(2) or (3) of the *Municipal Act, 2001*
and
- (2) The vote relates to:
 - (a) a procedural matter; or

- (b) directions or instructions to officers, employees or agents of the municipality, a local board, committee, or to persons retained by the municipality or local board.

5.6 Agenda and Reports

- 1) The Clerk shall be responsible for maintaining a confidential copy of all original documentation distributed, relating to closed sessions, and for keeping confidential notes of all closed sessions.
- 2) The Clerk will distribute all closed session agendas and reports via email. If a member of Council determines that they have a potential Pecuniary or Conflict of Interest, they shall delete the email and advise the Clerk.
- 3) Members shall ensure that confidential matters disclosed to them and materials provided to them during closed sessions are kept strictly confidential. Members are encouraged to return confidential materials to the Clerk.
- 4) The Clerk shall advise the Chair if, in their opinion, the issue being discussed at a Closed Session is not procedurally appropriate in accordance with the terms of the *Municipal Act*.

5.6 Delegations in Closed Session

Subject to the provisions of this Section, Council may hear delegations and presentations in Closed Session.

5.8 Completion – Reconvene to Open Meeting and Report

Upon completion of the Closed Session:

- a) the Members shall immediately reconvene in open session; and
- b) if applicable, the Members shall vote on any resolutions arising from the closed meeting.

5.9 Disclosure

No Member or staff shall disclose the content or deliberations of a closed meeting, unless:

- a) expressly authorized to do so by a majority vote of the meeting Members;
- b) such disclosure is required to execute the specific direction(s) provided in the closed meeting, and then only to the extent that is necessary in the circumstances; or
- c) as required by law.

5.10 Complaints About the Appropriateness of a Closed Meeting

- (1) Any complaints made in relation to closed meetings made under Section 239(1) of the *Municipal Act* must be directed to the Clerk who will forward them to the Closed Meeting Investigator appointed by Council to undertake those duties. All complaints will be treated as confidential and will be forwarded to the Closed Meeting Investigator.

- (2) Complaints must be submitted on the approved complaint form. The complaint form is available on the Township's website, or may be obtained from the Clerk. All complaints must be submitted in a sealed envelope marked 'private and confidential' and shall contain the following information:
 - a) Name of municipality;
 - b) Complainant's name, mailing address, telephone number and email address (if applicable);
 - c) Date of closed meeting;
 - d) Nature and background of the particular occurrence;
 - e) Any activities undertaken (if any) to resolve the concern;
 - f) Any other relevant information;
 - g) Original signature.
- (3) Complaints may be submitted by mail, email, or delivered directly to: the Township of Alnwick/Haldimand, 10836 County Road 2, P.O. Box 70, Grafton, ON K0K 2G0
Attention: Clerk
- (4) Where Council is in receipt of a report from the Ombudsman or an Investigator reporting their opinion that a meeting or part of a meeting appears to have been closed to the public contrary to the provisions of Section 239 of the *Municipal Act*, as amended, or the Council Procedure By-law, Council shall pass a resolution stating how it intends to address the report and the recommendations contained within.

Section 6 - Recording Equipment

6.1 Use of Mechanical and Electronic Devices

The use of any audio or video recording equipment by the general public during any meeting is not permitted.

The use of auditory or visual recording equipment by accredited and other representatives of any news media may be permitted with the approval of Council as long as it is not disruptive to the conduct of the meeting. Any and all audio recordings recorded other than by the municipality shall not, under any circumstances, be deemed to be official records.

6.2 Use of Mechanical and Electronic Devices

Council reserves the right to enter into agreements for the audio and/or video recording of open Council and Council/Planning meetings which will be used for distribution to the public. The recordings shall be kept for one year and are not considered an official record.

Section 7 – Quorum and Electronic Participation

7.1 Quorum - Call to Order

The Chair shall call the meeting to order after the time set for the start of the meeting as soon as quorum is present, and in consultation with the Clerk or their designate.

7.2 Quorum Required

A quorum for the Township of Alnwick/Haldimand Council shall be three (3) Members.

7.3 No Quorum - Automatic Adjournment

In the event that a quorum is not present within 15 minutes after the designated start time of the meeting, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the next regular meeting.

If the Chair has been advised that one or more Members will arrive late, Council may vote on whether to delay the start of the meeting to accommodate them.

7.4 Loss of Quorum

- (a) If during the meeting there is loss of quorum, the meeting shall automatically be deemed to stand recessed until a quorum is in attendance. Should a lack of a quorum continue for 30 minutes, the meeting shall automatically stand adjourned until the next regular meeting, or until a special meeting is called to deal with the matters remaining on the agenda of the adjourned meeting.
- (b) If during the meeting the number of Members who are unable to participate as outlined in the *Municipal Conflict of Interest Act, R.S.O. 1990*, are insufficient to constitute a quorum, the remaining members shall be deemed to constitute a quorum, providing such number is not less than two (2).

In accordance with section (3.1) of the *Municipal Act, 2001*, as amended, the Procedure By-law may provide that a member of council, or a local board or a committee of either of them, can participate electronically in a meeting to the extent and in the manner set out in the by-law.

- (a) a member of council, a local board or a committee of either who participates electronically in a meeting shall be counted in determining whether a quorum of members is present; and
- (b) a member of council, a local board or a committee of either can participate electronically in a meeting that is open or closed to the public.
- (c) a municipality or local board may hold a special meeting to amend an applicable procedure by-law for the above.

(d) a member participating electronically in a special meeting described in Section (c) may be counted in determining whether a quorum of members is present at any time during the meeting.

7.5 Electronic Participation

Members may participate by means of audio/visual or audio electronic communication devices, under the following circumstances:

- a. The Clerk shall determine the means of electronic communication for use by members.
- b. Members shall provide advance notice to the Clerk or Deputy Clerk of their intent to participate electronically, preferably no later than 12 hours prior to the scheduled meeting time (if possible).
- c. Council members participating electronically shall be counted for the purpose of determining quorum.
- d. A Member participating electronically shall always have their camera on when using conference meeting technology, unless they are participating using only audio means (telephone).
- e. A Member participating electronically shall verbally advise the Chair when they leave the meeting, either on a temporary or permanent basis. If returning to the meeting, the Member shall verbally notify the Chair when they arrive.
- f. Members participating electronically shall be able to vote. All Members participating electronically shall vote by a show of hands, or by verbal consent (yes or no).
- g. A Member participating electronically will be considered to have left the meeting when they are no longer connected to the meeting.
- h. Electronic participation shall be permitted in open and closed sessions of the meetings.
- i. Members participating electronically in a closed session must be alone in a private room so that no other individual is privy to the meeting discussion and information. During Roll Call, Members must confirm they are alone. Reasonable measures should be taken to ensure that the internet connection is secure and not publicly accessible. Members are advised to wear a headset if possible.
- j. In the case of an interruption in the virtual link to the member(s) participating electronically, Council will recess to a maximum of 15 minutes until it is determined whether the link can be re-established. If communications are not re-established, the meeting will resume without the electronic participant(s), provided there is quorum.
- k. The Mayor, or the Chair, shall attend in person.

7.6 Electronic Participation at Regular and Special Council Meetings

The Mayor or Chair shall attend in person. If the Mayor or Chair cannot participate in person, or is absent, the meeting shall be chaired by the Deputy Mayor who shall attend in person.

The Mayor or Chair may postpone/reschedule the meeting if a majority of Members are not physically present at the meeting location.

Members shall attend Council meetings in person, but may participate electronically under the following circumstances:

- a declared emergency,
- a severe weather event,
- personal illness or injury,
- quarantine or capacity restrictions (per Public Health guidelines),
- while away on vacation, if previously approved by Council.

7.7. Electronic Participation – Emergency Meetings

The Mayor or Chair shall attend in person, if possible. Members may participate by electronic means.

7.8 Electronic Participation – Staff and Public

Township staff may participate electronically when deemed appropriate by the Chief Administrative Officer, Clerk or designate.

Members of the public shall have the option to make a delegation or presentation to Council electronically or in person.

For public notice purposes, the location of the meeting published on the agenda shall note the physical location of the Clerk (or designate) during the meeting. Meeting conference details will be provided on agendas.

Council meetings that are open to the public will be recorded and posted on the Township's website.

A recording of an open Council meeting shall be retained for one year.

7.8 Member Absent or Late

If Members will be absent or will be late for a meeting, they shall notify the Clerk, or their designate, in advance of the meeting.

7.9 Roll Call

Once the Chair has called the meeting to order, the Clerk shall record in the minutes those Members who are present, and those who are absent. If a Member arrives after the roll call, the Clerk shall note the time of arrival in the minutes.

Section 8 – Agenda

8.1 Agenda Preparation

The Clerk shall prepare an Agenda that allows for the most efficient conduct of business. Agendas shall generally follow the following formats, but modifications may be made without requiring amendment to this by-law.

- a) Regular Council Meeting Agenda
 - 1. Call to Order/Roll Call
 - 2. Territorial Land Acknowledgement
 - 3. Moment of Silence
 - 4. Disclosures of Pecuniary Interest & General Nature Thereof
 - 5. Approval of Agenda
 - 7. Approval of Minutes
 - 8. Business Arising from Previous Minutes
 - 9. Delegations
 - 10. Staff Reports - Building
 - 11. Staff Reports - By-law Enforcement
 - 12. Staff Reports - Planning
 - 13 Staff Reports - Fire
 - 14. Staff Reports - Public Works
 - 15. Staff Reports - Parks and Recreation
 - 16. Staff Reports - Treasury
 - 17. Staff Reports - Administration
 - 18. Committee Minutes and Reports
 - 19. By-laws
 - 20. Communications
 - 21. Announcements
 - 22. Notice of Motions
 - 23. Closed Session Items
 - 24. Motion to Reconvene and Report
 - 25. Confirming By-law
 - 25. Adjournment

- b) Planning/Council Meeting Agenda
 - 1. Call to Order
 - 2. Territorial Land Acknowledgement
 - 3. Disclosures of Pecuniary Interest & General Nature Thereof
 - 4. Approval of Agenda
 - 5. Approval of Minutes
 - 6. Business Arising from Previous Minutes
 - 7. Motion to Adjourn to a Public Meeting

8. Motion to Reconvene to Municipal Planning Meeting
9. Formal Consents
10. Delegations
11. Updates on Provincial Plans
12. Communications
13. Reports/Updates
14. By-laws
15. Announcements
16. Notices of Motion
16. Confirming By-law
17. Adjournment

c) Committee of the Whole

1. Call to Order
2. Territorial Land Acknowledgement
3. Disclosures of Pecuniary Interest & General Nature Thereof
4. Approval of Agenda
5. Delegations/Presentations
6. Development Services Reports
7. Protective Services Reports
8. Parks, Recreation & Facilities Reports
9. Public Works and Infrastructure Reports
10. Administration Reports
11. Adjournment

8.2 Items for Agenda

The Clerk, in consultation with the CAO or Mayor, may accept items from Staff, the Mayor or Chair, and from Members of Council or Committee up to the agenda deadline.

8.3 Communications Submitted for Agenda from Public

Communications received from the public, prior to the agenda being published, may be placed on the agenda, if deemed to warrant the consideration of Council or Committee. If the Clerk or the CAO deem that the communication should be first dealt with at the staff level, it shall be directed to the appropriate department to investigate, and if necessary, information may be provided to Council at a future meeting.

8.4 Alteration of Agenda at a Meeting

The items on the agenda of each meeting shall be taken in the order in which they stand on the agenda unless otherwise decided verbally by a majority of the Members present.

8.5 Items Not Considered - Next Meeting

All items on the agenda not dealt with at a meeting shall be placed on the agenda for the next meeting unless otherwise decided by Resolution passed by a majority of the Members present.

8.6 Addendum Permitted After Deadline if Urgent

An addendum may only be presented when one or more items arise after the closing of the deadline for the agenda and prior to the meeting. The Clerk or CAO will determine which items are of urgent nature and require the consideration of Council at the meeting.

8.7 Addendum – Resolution Required

Before any addendum may be dealt with, a resolution must be passed by majority of the Members present authorizing the Council or Committee to waive notice provisions and deal with all or any of the items on the addendum.

8.8 Suspension of Rules

Except as specifically noted to the contrary, any procedure required by this By-Law may be temporarily suspended with the consent by a majority vote of the Members present.

8.9 Publication of Agenda

The Agenda for the Council or Council/Planning meeting will be published on the Township website six (6) days prior to the scheduled meeting.

Section 9 – Disclosure of Pecuniary Interest

9.1 Disclosure of Pecuniary Interest

- a) It is the responsibility of each Member to identify and disclose any pecuniary interests (as defined by the *Municipal Conflict of Interest Act, R.S.O. 1990, C. M.50*) in any item or matter in question.
- b) When a Member, either on his/her own behalf or while acting, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council at which the matter is the subject of consideration, the Member shall:
 1. Prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 2. File a written statement of the interest and its general nature with the Clerk, or, as soon as possible afterwards, and these statements shall be available for public viewing;
 3. Not take part in the discussion of, or vote on, any question in respect of the matter;
 4. Not attempt in any way, whether before, during, or after the meeting, to influence the voting on any such question.

9.2 Disclosure of Pecuniary Interest - Minutes to Reflect

The minutes will reflect at what point the Member disclosed a pecuniary interest and for what reason.

9.3 Disclosure of Pecuniary Interest - Closed Session

Where a meeting is closed to the public, in addition to complying with the requirements, the Member shall forthwith leave the meeting for the portion of the meeting during which the matter is under consideration. The Member's disclosure of pecuniary interest shall occur during the open portion of the meeting, in advance of the closed session and will be recorded in the minutes. The Member is prohibited from discussing or voting on the minutes related to the matter.

9.4 Disclosure of Pecuniary Interest - Absent from Meeting

Where the interest of a Member has not been disclosed, by reason of absence from the particular meeting, the Member shall disclose the interest and otherwise comply at the first meeting of Council, as the case may be, attended by the Member after the particular meeting.

9.5 Disclosure of Pecuniary Interest – Chair

If the Chair discloses a pecuniary interest on any matter before Council or Committee, the Chair shall step down during deliberations on that matter. The Deputy Mayor or Acting Chair will assume the seat of Chair until conclusion of the discussion, after which the Chair will resume their duties.

Section 10 – Communications

10.1 Communications

The Clerk shall include Communications for Members of Council on meeting agendas. Items to be included in the file shall include, but not be limited to: correspondence from other levels of government, crown corporations, agencies, boards or provincial/federal associations engaged in municipal matters, petitions, etc.

10.2 Communications to Mayor and Council

All communications addressed to Mayor and Council:

- a) shall be legible,
- b) shall not contain defamatory allegations (to be determined by the Clerk and CAO),
- c) shall be signed by the author(s),
- d) shall include the author(s) mailing address(es) and/or email address(es). (This personal information will not be included on the agenda per *MFIPPA*, unless express permission is granted.)
- e) shall be available for public viewing.

The Clerk shall not include any communications that do not meet the above requirements.

10.3 Communications - Protocol

Members of Council will be governed by the following rules respecting questions relative to communications:

- (1) Council Members are strongly encouraged to contact the CAO or the appropriate Department Head prior to the meeting to ask questions or clarify issues relevant to the matter, and obtain background information.
- (2) A motion directing Township staff to undertake action with respect to a Communications item shall be in order, when it is moved, seconded and carried by Council.
- (3) A motion to receive Communications will be in the order when all Council Members have concluded their questions.
- (4) Any issues of jurisdiction on any matter of Communication before the Council shall be determined by the Chair, in consultation with the Clerk. The decision of the Chair shall be final, without recourse to a challenge.
- (5) Any paper documents marked as "Confidential" distributed to Members of Council shall be returned to the Clerk immediately following a meeting.

10.4 Distribution of Communications at Council Meeting

No person, except a member of Council or authorized staff person, shall distribute any materials to Council or to the public, unless they have approval from the Clerk.

Section 11 - Delegations

11.1 Delegation - Request

Any person who wishes to appear before Council shall submit a "Request for Delegation" form at least twelve (12) days preceding the Meeting. The form, together with all written material, shall be submitted with the Delegation Request form. The CAO and the Clerk may make a determination to defer a delegation to a subsequent meeting, or, refer the matter to the appropriate Department Head.

11.2 Delegation - Reply from Staff

The Clerk (or their designate) shall reply to delegation requests in writing or by telephone, as time permits, indicating approval, refusal, deferral or referral of the delegation and the reasons.

11.3 Delegation Time Limits

- (1) A maximum of ten (10) minutes shall be allotted for each delegation. A five (5) minute extension to speak may be decided, without debate, by a majority of Council/Committee Members present. A maximum of two (2) persons are permitted to address the Members for each delegation. Delegations are not to repeat information presented by an earlier delegation. The time limits shall be strictly enforced.

- (2) Presentations such as consultant's reports or deputations which are made at the request of Council (i.e., County employees, Boards, Agencies, etc.) are not considered to be the same as Delegations, and are not subject to the time limit referenced in 11.3(1).
- (3) Upon the completion of a delegation, any discourse between Members and the delegation shall be limited to Members asking questions for clarification and obtaining additional, relevant information. Members shall not enter into debate with the delegation regarding the presentation.

11.4 Delegations - Limit per Meeting

A maximum of three (3) delegations shall be allowed at any meeting. The Clerk, in consultation with the CAO, may reduce the number of delegations based on the nature of the delegations and Council meeting time restrictions.

11.5 Delegation - Conduct

Delegations shall abide by the Conduct at Meetings set out in Section 15 and shall:

- (1) Only speak on the subject for which they have received approval;
- (2) Refrain from cross debate with other delegations, staff, Members, or the Chair;
- (3) Refrain from public outbursts, shouting, or behaviour intended to disrupt the discussion and/or general proceedings of the meeting;
- (4) Not appear for the purpose of publicly announcing a local event; and

11.6 Delegation - Restrictions

The Chair may restrict any delegation, any questions of a delegation, or debate during a delegation, for disorder or any other breach of this By-law and, if the Chair rules that the delegation is not in compliance with this By-law, the person or persons appearing shall withdraw from the delegation table, and the decision of the Chair shall not be subject to challenge.

11.7 Delegation - Refusal

The Clerk may refuse delegations that are not permitted under the following circumstances:

- (1) The request is not submitted within the time required (Section 11.1);
- (2) Written handouts or materials for use were not provided with the delegation request;
- (3) The subject matter has already been discussed within the past twelve (12) months;
- (4) The subject matter is deemed to be beyond the jurisdiction of Council;
- (5) The issue is specific to a labour/managerial dispute, or other matter properly held in Closed Session;
- (6) Council has previously made a decision on the issue, within the previous twelve (12) months.

11.8 Delegation – Reason for Refusal

In the event a delegation request is refused, the Clerk, in consultation with the CAO, shall provide to the person(s) in writing, with a copy to Council, the reasons for the refusal.

Section 12 – Rules of Debate in Council

12.1 No Member Seniority

No Member shall be deemed to have precedence or seniority over any other Member.

12.2 Chair - Speaking Before and/or Closure of Debate

The Chair may speak on any matter before the debate on any matter, or without entering into further debate, may speak to close the debate on any matter after all Members wishing to speak have spoken.

12.3 Chair - Participation in Debate

If the Chair wishes to take part in the debate, the Chair must leave the chair and call on another Member to act in the Chair's place until the debate is closed and in such case the Chair waives his/her privilege to close the debate. The Member acting in the Chair's place may close the debate.

12.4 Motions

- 1) Except as otherwise provided in this By-law, all Motions require a mover and seconder before the Chair can put the question or motion on the floor for consideration.
- 2)
- 3) When a motion is presented in Council or Committee, it shall be read before debate.
- 4) A motion for the previous question shall not be put forward until all speakers listed by the Head of Council have spoken and the mover has replied.
- 5) After a motion is read or stated by the Chair it shall be deemed to be in possession of Council or Committee, but it may, with the consent of the mover, be withdrawn at any time before decision or amendment.

12.5 Mover of Motion - First Right to Speak

After the Chair, the Member who moves a main motion has the first right of speaking on that motion, and the seconder has the right of speaking second on the motion.

12.6 Recognition by Chair - Acknowledgement of Speaker

No Member shall speak to a question or motion until the Member has been recognized by the Chair. After being recognized by the Chair, all remarks shall be respectfully made

through the Chair. No Member shall speak to a motion more than once, without permission from the Chair.

12.7 Length of Debate

Every Member shall have an opportunity to speak once on a question or motion for up to five (5) minutes. After which the Chair or a Member may call for the vote, and every member shall immediately:

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

Section 13 – Voting

13.1 All Members to Vote - Exception

Regardless of the method of voting:

- (1) Every Member present at a meeting, including the Chair, shall vote on the issue at hand unless prohibited by statute or this by-law.
- (2) If prohibited from voting, the Clerk shall record in the minutes the name of the Member and the reason that they are prohibited from voting.
- (3) If any Member present refuses to vote or fails to vote, the Member shall be deemed to vote against the question.

13.2 Method - Show of Hands

Except where a recorded vote is requested, voting shall be by a show of hands in favor or against, following which:

- (1) the Chair shall announce the result; and
- (2) the Clerk shall record only the result, and not whether Members voted for or against the question.

13.3 Result of Vote - How Recorded

The Clerk shall record the result of votes as follows:

- (1) if passed, "Carried";
- (2) if not passed, "Defeated";
- (3) if tied, "Defeated".

13.4 Chair Entitled to Vote

The Chair, except where disqualified to vote, is entitled to vote on all questions and when it could affect the result of the vote, shall vote last.

13.5 Voting Commenced

After the Chair commences to take a vote on a question, no Member shall speak to such question or present any other motion until a vote has been taken on such question.

13.6 Member Not at Council Table at Time of Vote

When the Chair calls for a vote on a question, each Member shall occupy his or her seat and shall remain in his or her seat until the result of the vote has been declared by the Chair. A Member who is not at the Council table when the Chair calls for a vote shall not be entitled to vote.

13.7 Recorded Vote

Any Member may request a recorded vote immediately before or after the taking of a vote, following which:

- (1) the Clerk shall call by name the Members present in starting with the Member requesting the recorded vote and alphabetical thereafter each Member present who is not disqualified from voting by statute or this By-law shall announce their vote openly, in the order set out above; and the Clerk shall record each Member's vote in favour or against the question; and
- (2) after completion of the recorded vote the Clerk shall announce the results.

13.8 Motions

- (1) Motions shall be debated in the order of their presentation on the Agenda.
- (2) Members of Council, the Clerk and other officers may introduce matters to be dealt with by motion, subject to the notice provisions in this By-law.
- (3) A motion for introducing a new matter shall not be presented without notice unless Council, without debate, dispenses with such notice by a two-thirds vote of the Members present.
- (4) Every motion, amendment to a main motion, or amendment to an amendment must be formally moved and seconded before the Chair can put the question to Council for a vote, and prior to any discussion on the question.
- (5) A motion properly before the Council for consideration must receive disposition before any other motions can be received, unless it is a motion to amend, to refer to staff for report, to defer indefinitely or to a specified time, to adjourn the meeting, or that the vote be taken.

13.9 Motion - Request for Reading

Prior to the taking of a vote, a 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 who is speaking.

13.10 Motions Introduced Orally

The following matters may be introduced orally, without written notice and without leave:

- a) a point of order
- b) a motion to amend
- c) a motion to refer, including to Closed Session
- d) a motion to table the question
- e) a motion to vote on the question
- f) a motion to suspend the rules of procedure
- g) a motion to recess
- h) a motion to adjourn

13.11 Notice of Motion

- (1) Notice of all new motions, except motions listed in Section 13.8, shall be given in writing and delivered to the Clerk prior to the seven (7) working days preceding the date of the Council meeting at which the matter is to be considered. Such notices shall be included in the Agenda for that meeting under the item "Notice of Motion".
- (2) A notice of motion, in writing, may also be received by the Clerk prior to the closing of the meeting and in this event, the Chair or Clerk shall read the notice of motion and it shall be duly recorded in the minutes without debate, and shall form Section of the Agenda for the subsequent meeting under the item "Notice of Motion".
- (3) The presentation of a notice of motion does not require a mover or seconder until it comes before a meeting for debate.
- (4) A motion for which notice was given in accordance to this By-law must be moved or seconded at the meeting on which it appears on the Agenda for debate.
- (5) A notice of motion must be presented in the appropriate motion format on a "Notice of Motion Form". Forms are available at the municipal office or may be emailed upon request.

13.12 Motion to Suspend Notice Requirements

A motion may be introduced without notice, if Council, without debate, dispenses with notice, on the affirmative vote of a two-thirds of the Members present and voting.

13.13 Motion to Withdraw

Once the motion is proposed and seconded, but before the Chair states the motion, it belongs to the proposer; the motion may be withdrawn or modified without the permission of Council.

Once a motion has been stated, it shall be deemed to be in possession of Council, but at any time, the Member who moved it may request to withdraw the motion before a decision or an amendment. If there is no objection, the motion is withdrawn with general consent. If there is an objection, anyone may second the motion to withdraw and the Chair takes a vote.

13.14 Motion to Amend

Only one amendment at a time can be presented to a main motion, and only one amendment to an amendment can be presented. A motion to amend shall:

- (1) be made only to a previous question or to amend an amendment to the question;
- (2) be relevant to the motion;
- (3) be moved and seconded;
- (4) be put to a vote in the reverse order to that which it is moved;
- (5) not be in order if, in essence, it constitutes a rejection of the main question.

13.15 Motion to Refer

- (1) A motion to refer the question should include:
 - a) the name of the body or official to whom the question is to be referred;
 - b) instructions respecting the terms upon which the question is to be referred;
 - c) a timeframe by which it shall be considered by Council, if a staff report is requested.
- (2) A motion to refer the question shall not be debatable except where instructions are included, in which case, only the instructions shall be debatable.
- (3) A motion to refer a question may be amended in accordance with the provisions of Section 13.14.

13.16 Motion to Postpone

A motion to postpone shall:

- (1) include a fixed date for the question to come back before Council for consideration;
- (2) be made while the main motion or an amendment is on the floor, and takes precedence over that motion or amendment;
- (3) be debated; however, the debate must be limited to the advisability of the proposed postponement;
- (4) only be amended to change the length of the postponement;

13.17 Motion to Adjourn or Motion to End Debate

A motion to adjourn the Council or to end the debate (Call the Question) shall always be in order, except:

- (1) when a Member is speaking;
- (2) during the taking of a vote;
- (3) immediately following the affirmative resolution of a motion that a vote on the question now be taken;
- (4) when a Member has already indicated to the Mayor or Chair, that he or she desires to speak on the question;
- (5) when resolved in the negative, cannot be made again until Council has conducted further proceedings.

13.18 Motion to Reconsider

- (1) Council may not reconsider a decision for a period of one (1) year following the decision.

- (2) A motion to reconsider a decided matter shall only be moved by a Member who voted with the majority on the original motion.
- (3) No motion to reconsider a decided matter shall be in order when the motion has been implemented resulting in a legally binding commitment that is in place on the date that a motion to reconsider is to be debated.
- (4) A motion to reconsider a decided matter at the same meeting shall require the approval of two-thirds support of the whole Council that is present.
- (5) A motion to reconsider a decided matter at the next scheduled meeting shall require the approval of a majority of Council that is present.
- (6) A motion to reconsider is not amendable and debate must be confined to reasons for or against reconsideration. However, the mover of a motion to reconsider may provide a brief and concise statement outlining the reasons for proposing such reconsideration.
- (7) If the action approved in the motion cannot be reversed, the motion cannot be reconsidered
- (8) Each Member of Council shall be responsible for making a determination on how the Member voted on a specific matter. The Clerk shall not record or note in the minutes how a Member votes unless a request for a recorded vote has been made.
- (9) In the event of a resolution that is defeated due to a tie vote, the resolution shall be considered defeated.
- (10) When a motion to reconsider is brought before a succeeding Council, it shall be deemed to be new business, and not a matter of reconsideration.

13.19 Order of Precedence

Where a motion is under consideration, no motion shall be received except a motion having precedence, in the following order:

- (1) to adjourn
- (2) to recess
- (3) to request information
- (4) to request that the vote be taken (call the question)
- (5) to limit or extend the debate
- (6) to postpone (to another meeting, date, indefinitely)
- (7) to refer (to another committee, administration)
- (8) to amend

13.20 Non-Debatable Motions

- (1) To adjourn
- (2) To close, limit or extend debate
- (3) To lay on the table (to table)
- (4) Questions of privilege
- (5) To suspend the rules

13.21 Motions Proposing Actions Beyond Jurisdiction of Council (ultra vires)

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

Section 14 – Points of Order

14.1 Points of Order

The Chair shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting. The minutes will reflect the Point of Order, and the Chair's ruling.

14.2 Violation of Rules of Procedure

When a Member wishes to call attention to what the Member believes to be a violation of the rules of procedure, the Member shall, when once recognized by the Chair, raise the point of order.

14.3 Member Speaking to Yield the Floor

When a Point of Order is acknowledged by the Chair, any Member speaking at the time shall cease doing so until the point has been dealt with.

14.4 Brief Explanation - Ruling

On raising the point of order, a Member shall state the point of order with concise explanation and the Chair shall rule upon the point of order.

14.5 Appeal of Ruling

The Chair's ruling shall be final, unless a Member immediately appeals the ruling of the Chair (challenges the Chair) as follows:

- a) the Member appealing shall state the reasons for the appeal;
- b) the Chair may offer reasons in favour of upholding his or her ruling; and
- c) the Members shall vote on the appeal without debate.

14.6 Results of Appeal

If the appeal is upheld, then the Chair shall change his/her ruling accordingly or if the appeal is rejected, then the Chair's ruling stands and no further avenues of appeal are allowed.

Section 15 – Conduct at Meetings

15.1 Council Code of Conduct

All members of Council shall comply with the Council Code of Conduct.

15.2 Conduct of Members

As standard meeting decorum all Members shall:

- (1) refrain from speaking aloud, or address Members without first receiving permission of the Chair;
- (2) not use indecent, offensive, or insulting expressions, at any time, toward other Members, Members of the administration, delegations or Members of the public;
- (3) not use any electronic devices (cell phone, computer, etc.) to communicate to other Members or the Public during the course of the meeting;
- (4) not speak in a manner that is discriminatory in nature based upon an individual's race, ancestry, place of origin, ethnic origin, creed, gender, sexual orientation, age, colour, marital status or disability;
- (5) speak only to the subject under debate;
- (6) not criticize any decision of the Council except for the purpose of moving in accordance with the provisions of Section 13.17, that the question be reconsidered; and
- (7) not leave their seat, or make any noise or disturbance while a matter is being considered or discussed by Council; while a vote is being taken or until the results are declared;
- (8) not enter a meeting while a vote is being taken;
- (9) not disturb another Member, staff or guest, or conduct themselves in a disorderly manner disturbing the speaker or the assembly;
- (10) not interrupt any Member while speaking by speaking out, making noise or creating a disturbance except to raise a point of order;
- (11) not leave a meeting without first obtaining permission from the Chair;
- (12) obey the rules of the Council or a decision of the Chair, or Council, on a Question of order, or upon the interpretation of the Rules of Council.

15.3 Consequence of Breach of Conduct - Members

A Member who is called to order shall immediately cease to speak. Any Member persisting in a breach of this by-law may be ordered to leave the meeting by the Chair.

In the event that a Member persists in a break of the Procedure By-law after having been called to order by the Mayor or Chair:

- a) The Chair shall, without debate, call the question "Shall the member be ordered to leave the meeting for the duration?"
- b) If Council decides by a majority vote in the affirmative, the Chair shall order the member to leave the meeting, for the duration.
- c) If the member apologizes, the Chair, with the approval of Council, may permit the individual to return to the meeting.
- d) If a member does not leave the meeting after being ordered to do so by the Mayor or Chair, and if they do not apologize, then the Chair shall for a second

time, without debate, call the questions "Shall the member be ordered to leave their seat/the chambers for the duration of the meeting?"

- e) If Council decides by a majority vote in the affirmative, and the individual does not leave, the Mayor shall direct the Clerk to seek appropriate assistance from the local Police Service. Alternatively, if the Member is participating electronically, the Mayor shall direct the Clerk to eject the individual from the meeting.

15.4 Apology

The Member will be permitted to retake his/her seat provided the Member has apologized to Council.

15.5 Conduct of Members of the Public

No person at a meeting shall:

- (1) speak aloud at a meeting or address Members without first receiving permission of the Chair to do so;
- (2) speak disrespectfully of any persons;
- (3) use profane or offensive words or insulting expressions against the Council or Committee or against any Member, staff or guest;
- (4) resist the rules of Council or disobey the decisions of the Chair or of Council or Committee on questions of order or practice or upon the interpretation of the rules of Council;
- (5) leave their seat or make any noise or disturbance while a matter is being considered or discussed by Council while a vote is being taken, and until the results of such vote are declared;
- (6) disturb the Council, staff, delegations, or the public by any disorderly conduct disconcerting to the speaker or the assembly;
- (7) interrupt any Member who is speaking, by speaking out, noise or disturbance;
- (8) attend another meeting of Council after being ordered to vacate, if they committed a breach of any rule of conduct until such time as they satisfy the Mayor, Chair or CAO that their conduct at future meetings will be in conformity to the rules of this By-law.

The Mayor or Chair may expel any member of the public from a meeting for improper conduct. The Mayor or Chair may adjourn a meeting if they deem there is a need to do so, for safety reasons. All members of the public, staff and Council shall vacate the Chambers.

Section 16 – By-Laws

16.1 By-laws - Agenda

The proposed by-law title and reference shall be listed on the Council Agenda, and a copy of the By-law may be included in the Agenda.

16.2 Enactment of By-laws

Every By-law:

- (1) When introduced, shall be in printed format and shall contain no blanks except such as may be required to conform to accepted procedures or to comply with the provision of any Act. Each By-law shall be complete with the exception of the signatures of the Mayor and Clerk.
- (2) Shall deemed to have three readings prior to being passed.
- (3) The Clerk shall set out on all By-laws enacted by Council, the date of the reading thereof.
- (4) Which has been enacted by the Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Chair and the Clerk and shall be deposited by the Clerk for safe-keeping.
- (5) A draft By-law may be presented in writing to Council for discussion and amendments if required prior to its passing at a Council meeting.

16.3 Enactment of By-laws – Date

The Clerk shall set out on all By-laws enacted by Council, the date of the reading thereof.

16.4 Request to be Read

A majority of Council present may request that the Chair read a By-law or By-laws for clarification or benefit of the public. If reading is not required, all By-laws will be considered to have been read.

16.5 Amendments to By-laws

All amendments to a By-law shall be presented in the form of a resolution and shall be voted on before the By-law is ordered for the third reading. The Clerk shall be authorized to prepare the By-law, as amended, for execution.

16.6 Adoption of By-laws

Once a By-law has been adopted, it shall be signed by the Mayor/Deputy Mayor and the Clerk/Deputy Clerk, and the corporate seal shall be affixed to every By-law duly passed.

16.7 Notification of Enactment of a By-law

Notwithstanding the foregoing, when the requirements of any Provincial legislation requires that notification be given of Council's intention to enact a By-law, the Chair shall notify persons who are present at the meeting that they may make representation on the proposed by-law during Council's hearing of Delegations.

16.8 Amendment to a Zoning Bylaw

When the Council amends a proposed zoning By-Law after the holding of a Public Meeting as required by the Planning Act, the Council shall immediately vote on the question of whether or not any further notice is to be given in respect of the proposed By-Law, as amended.

The question of whether or not any further notice is to be given shall be amendable and debatable.

The proposed Zoning By-Law, as amended, shall not be introduced and enacted until the question of whether or not any further notice is to be given has been resolved.

16.9 Confirmation By-law

The proceedings shall be confirmed by By-law at every Regular and Special Meeting so that every decision of the Council at that meeting, and every Resolution passed at that meeting, shall have the same force and effect as if each and every one of them had been the subject matter of a separate By-law duly enacted.

Section 17 – Committees of Council

17.1 Establishment of Committees of Council

Council may, from time to time, establish a Committee of Council or Advisory Committee or Ad-Hoc Committee, in response to specific issues requiring short-term or long-term attention.

17.2 Appointment and Operation of Committees of Council

All policies and procedures for appointment and operation of any Committees of Council or Advisory Committees shall be at the discretion of Council.

17.4 Composition of Committee

May be comprised of Council Members, ratepayers, staff, professionals, etc. The Mayor shall be an ex officio Member of each Committee. All Members shall be appointed by resolution of Council.

17.5 Vacancy on Committee

Should there be any vacancy on a Committee during the Term; Council may fill that vacancy for the period remaining of the Term of Council.

17.6 Member of Council Liaison

The Member of Council appointed as a liaison for each Board, authority and/or Committee is required to attend meetings, take part in Committee and Sub-Committee meetings, and report to Council.

17.7 Meeting Attendance by Members of Council

Any Members of Council may attend the meetings of any Committee, but shall not be allowed to vote; nor may they take part in any discussion or debate except by permission of the majority of the Members of the Committee. Only Council members appointed to the Committee can vote.

17.8 Discontinuation of Committee

Council may, at any time, discontinue any Committee referred to in this Section or replace any Committee Member by resolution.

17.9 Committee Minutes

The Minutes of a Committee of Council shall be received by each respective Committee and shall be forwarded by the Recording Secretary in a timely manner to the Clerk for the Council agenda to be received as information.

17.10 Appointment to Boards, Authorities and Committees

Council may from time to time appoint Members of Council, staff, ratepayers, professionals, etc. to represent the Township on such external boards, authorities and committees to deal with specific issues, and report to Council.

17.11 Appointments to Various Boards, Committees, Special Purpose Bodies and other Statutory Positions

All Council appointments to various Boards, Committees, Special Bodies and other statutory positions shall be made at the required time by resolution of Council except where specifically required by By-Law.

Section 18 – Role of Council

18.1 Role of Council (S 224, *Municipal Act, 2001, c 25 as amended*)

- (1) 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.
- (2) Members of Council shall 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.
- (3) No Member of Council shall have the authority to direct or interfere with the performance of any work for or by the Township.

Section 19 – Role of the Head of Council (Mayor)

19.1 Chair - Council Meetings

The Mayor shall be the Chair at Council meetings.

19.2 Role of the Head of Council (Mayor) (S 225, *Municipal Act, 2001, c 25 as amended*)

- (1) 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.

19.3 Head of Council Substitution (S 226, *Municipal Act, 2001, c 25 as amended*)

A municipality may, with the consent of the Head of Council, appoint a member of Council to act in the place of the Head of Council on any body, other than on the Council of another municipality, of which the Head of Council is a member by virtue of being Head of Council.

19.4 Head of Council as Chief Executive Officer (S 226.1, *Municipal Act, 2001, c 25 as amended*)

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.

19.5 Ex- Officio - Committees

The Mayor shall be an ex-officio Member of all Committees of Council, Advisory Committees and Ad-Hoc Committees and shall be entitled to vote as a Member of such Committees.

19.6 Absence of Mayor - Appointment of Deputy Mayor

In the absence of the Mayor for an extended period of time or if the office is vacant, the Deputy Mayor shall be appointed for the term of Council, by By-law, to act as the Head of Council and while so acting such Member has all the powers and duties of the Head of Council.

19.7 Temporary Vacancy - Member of Upper-Tier Council

- (1) If a person who is a member of the councils of a local municipality and its upper-tier municipality is unable to act as a member of those councils for a period exceeding one month, the local council may appoint one of its members as an alternate member of the upper-tier council to act in place of the member until the member is able to resume acting as a member of those councils.
- (2) If the offices of a person who is a member of council of both a local municipality and its upper-tier municipality become vacant and the vacancies will not be filled for a period exceeding one month, the local council may appoint one of its members as an alternate member of the upper-tier council until the vacancies are filled permanently.

19.8 Absence of Mayor - Deputy Mayor to Chair

In the case where a quorum is present and the Mayor has not attended within fifteen minutes after the time appointed, the Clerk shall call the Members to order, and the Deputy Mayor shall assume the Chair during the meeting for as long as the Mayor is absent.

19.9 Absence of Deputy Mayor - Appointment of Chair

In the event the Deputy Mayor is also absent, the Members shall nominate and elect a Chair among the Members present who shall preside during the meeting for as long as the Deputy Mayor is absent.

Section 20 – Duties of the Chair

20.1 Duties of the Chair

It is the duties of the Chair:

- (1) To open the meeting by taking the Chair and calling the Members to order;
- (2) To announce the business before the Council or Committee in the order in which it is to be acted upon;
- (3) To receive and submit, in the proper manner all motions presented by the Members;
- (4) To put to a vote all questions which are moved and seconded or which necessarily arise in the course of the proceedings, and to announce the results of such vote;
- (5) To decline to put to a vote motions which infringe upon the rules of procedure;
- (6) To enforce on all occasions the observance of order and decorum among the Members and guests;
- (7) To call by name any person persisting in breach of the rules of order of the Council or Committee thereby ordering the person to vacate the Council Chamber or other place of meeting, as the case may be;
- (8) To authenticate by signature all By-laws, resolutions and minutes of the Council;
- (9) To inform the Council or Committee when necessary, or when referred to for the purpose, on a point of order;
- (10) To represent and support the Council, declaring its will and implicitly obeying its decisions in all things;
- (11) To ensure that the decisions of Council are in conformity with the laws and By-laws governing the activities of the Municipal Corporation and Committees;
- (12) To order any person or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting;
- (13) To expel from a meeting any person or group who continues to disrupt the meeting after being so warned and who engages in improper conduct;
- (14) To call a 5 minutes rest period when deemed appropriate;
- (15) To adjourn the meeting without question in the case of grave disorder arising in the Council Chamber or other place of meeting, as the case may be;
- (16) To adjourn the meeting without question in the case of any person or group who refused to vacate the place of meeting after being ordered to do so by the Chair.

Section 21 – Duties of the Chief Administrative Officer

21.1 Appointment of Chief Administrative Officer (S 229, *Municipal Act, 2001, c 25 as amended*)

The Chief Administrative Officer is appointed by By-law and is 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.

21.2 Reports Coordinated through Chief Administrative Officer

All reports and recommendations of Department Heads shall be coordinated through the Chief Administrative Officer, in consultation with the Clerk.

21.3 Duties of the Chief Administrative Officer

- (1) Assist the Council to discharge its responsibilities and, in a non-partisan manner, to aid Council Members to carry out their duties;
- (2) Attend Council and Closed Session meetings, to speak but not to vote; and to attend meetings of any other Committees as they see fit;
- (3) Exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality.

Section 22 – Duties of the Clerk

22.1 Duties of the Clerk (S 228, *Municipal Act, 2001, c 25 as amended*)

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;
- (e) To perform such other duties as are assigned by the municipality.

22.2 Other Duties of the Clerk

The other Duties of the Clerk include:

- (1) Attend all meetings of Council/Closed Session and to record the proceedings of all such meetings, in addition to any required clerical support staff;
- (2) Provide notice of each regular and special meeting of Council or Committee, together with the agenda and all matters so far as are known to be sent to each Member of Council;
- (3) Keep in the office of the Clerk or in a place appointed for that purpose for the time period referenced in the Township's Records Retention By-law any recording made of Council and or Public Meeting proceedings;
- (4) Forward a copy of all resolutions, enactments and orders of the Council and Committees to those concerned in order to provide notice;
- (5) Make such minor clerical, typographical or grammatical deletions, additions or other changes in form to any By-law, motion, resolution and/or minutes as may be required for the purpose of ensuring correct and complete implementation of the actions of Council;

- (6) Forward, by way of delegated authority, housekeeping or consolidations By-laws directly to Council for consideration;
- (7) Be a Municipal Officer for the Corporation of the Township of Alnwick/Haldimand.

Section 23 – Proclamations

23.1 Proclamations

- (1) Council recognizes the symbolic gesture of endorsing special days, weeks, or a month in support of various community groups and their causes.
- (2) The Township shall not subsidize any costs related to proclamation advertising. The sponsoring organization requesting a proclamation shall be responsible for all publicizing and shall bear the entire cost of same. The Township may include the proclamation on the Township bulletin board under "Proclamations for the Month of..."
- (3)
- (4) Council, having delegated the administration of proclamations, shall not hear delegations related to proclamation requests.
- (5) Each organization shall be responsible for making arrangements for the attendance of the Head of Council or Councillors at a specific function or event.

Section 24 – Amendments and Enactments

24.1 Severability

If a court of competent jurisdiction should declare any Section or Section of a Section of this By-Law to be invalid, such Section or Section of a Section shall be construed as having persuaded or influenced Council to pass the remainder of this By-Law and it is hereby declared that the remainder of this By-Law shall be valid and shall remain in force.

24.2 Repeals

By-Law Numbers 03-2019; 125-2019; 25-2020; 70-2020; 85-2020; 105-2020; 59-2021; and 77-2022, 96-2023 are hereby repealed.

24.3 Enactment

That By-Law No. 110-2023 shall come into full force and effect on the 12th day of December, 2023.

Appendix "A" - Request for Delegation Form

.....
Person(s) to Appear:

Preferred Date: _____

Alternate Date: _____

Name:

Title/Organization:

Telephone (Bus.)

(Res.)

Email:

General Outline of Subject Matter (10 Minutes allotted for Delegation):

Written submission together with handouts or material submitted with request:

Person requesting appearance (if different from those appearing):

Name

Title/Organization

Telephone (Bus.)

(Res.)

Email:

I require a projector laptop

** Anyone who submits a Microsoft PowerPoint presentation with their request will be required to provide an electronic version 48 hours in advance of the meeting, to the Clerk's Department.

.....

Reminder: A written/signed letter, handouts or materials must be provided to the Clerk's Department with this form. Additional material may be circulated / presented at the time of the delegation, if authorized by the Clerk. Scheduling will be at the discretion of the Clerk, and will be confirmed.



Disclaimer: Please note that submission of this form does not guarantee the approval of your request for a delegation. In addition, all information submitted will be considered to be public information and therefore subject to full disclosure, under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

Section 11 - Delegations (Excerpt from Procedure By-law)

11.1 Delegation - Request

Any person who wishes to appear before Council shall submit a "Request for Delegation" form at least twelve (12) days preceding the Meeting. The form, together with all written material, shall be submitted with the Delegation Request form. The CAO and the Clerk may make a determination to defer a delegation to a subsequent meeting, or, refer the matter to the appropriate Department Head.

11.2 Delegation - Reply from Staff

The Clerk (or their designate) shall reply to delegation requests in writing or by telephone, as time permits, indicating approval, refusal, deferral or referral of the delegation and the reasons.

11.3 Delegation Time Limits

- (1) A maximum of ten (10) minutes shall be allotted for each delegation. A five (5) minute extension to speak may be decided, without debate, by a majority of Council/Committee Members present. A maximum of two (2) persons are permitted to address the Members for each delegation. Delegations are not to repeat information presented by an earlier delegation. The time limits shall be strictly enforced.
- (2) Presentations such as consultant's reports or deputations which are made at the request of Council (i.e., County employees, Boards, Agencies, etc.) are not considered to be the same as Delegations, and are not subject to the time limit referenced in 11.3(1).
- (3) Upon the completion of a delegation, any discourse between Members and the delegation shall be limited to Members asking questions for clarification and obtaining additional, relevant information. Members shall not enter into debate with the delegation regarding the presentation.

11.4 Delegations - Limit per Meeting

A maximum of three (3) delegations shall be allowed at any meeting. The Clerk, in consultation with the CAO, may reduce the number of delegations based on the nature of the delegations and Council meeting time restrictions.

11.5 Delegation - Conduct

Delegations shall abide by the Conduct at Meetings set out in Section 15 and shall:

- (5) Only speak on the subject for which they have received approval;
- (6) Refrain from cross debate with other delegations, staff, Members, or the Chair;
- (7) Refrain from public outbursts, shouting, or behaviour intended to disrupt the discussion and/or general proceedings of the meeting;

- (8) Not appear for the purpose of publicly announcing a local event; and

11.6 Delegation - Restrictions

The Chair may restrict any delegation, any questions of a delegation, or debate during a delegation, for disorder or any other breach of this By-law and, if the Chair rules that the delegation is not in compliance with this By-law, the person or persons appearing shall withdraw from the delegation table, and the decision of the Chair shall not be subject to challenge.

11.7 Delegation - Refusal

The Clerk may refuse delegations that are not permitted under the following circumstances:

- (7) The request is not submitted within the time required (Section 11.1);
- (8) Written handouts or materials for use were not provided with the delegation request;
- (9) The subject matter has already been discussed within the past twelve (12) months;
- (10) The subject matter is deemed to be beyond the jurisdiction of Council;
- (11) The issue is specific to a labour/managerial dispute, or other matter properly held in Closed Session;
- (12) Council has previously made a decision on the issue, within the previous twelve (12) months.

11.8 Delegation – Reason for Refusal

In the event a delegation request is refused, the Clerk, in consultation with the CAO, shall provide to the person(s) in writing, with a copy to Council, the reasons for the refusal.

Appendix "B" - Notice of Motion Form

In accordance with Section 13.11 – Notice of Motion of the Township of Alnwick/Haldimand Procedure By-law,

Member of Council _____(print name)

Hereby files a Notice of Motion to be included on the Agenda for the next meeting of Council, which is scheduled to be held on:

_____ 20 _____

Subject: _____

And which Notice of Motion reads as follows:

COUNCIL MEMBER: _____

(Signature)

<p><u>CLERK'S USE ONLY</u></p> <p>Date received: _____, 20 _____</p> <p>Time received: _____</p> <p>Notice of Motion Given, _____, 20 _____</p>

Appendix "C" – Complaint Intake Form

COMPLAINT INTAKE FORM
MUNICIPAL CLOSED MEETING INVESTIGATION

IN ACCORDANCE WITH
Section 239 of the *Municipal Act, 2001* (as amended)

PLEASE FORWARD COMPLETED FORM IN A SEALED ENVELOPE MARKED

"PRIVATE AND CONFIDENTIAL" TO:

Township of Alwick/Haldimand
10836 County Road 2, PO Box 70
Grafton ON K0K 2G0
Attention: Clerk

Action	Note any actions you have taken to try to resolve the matter.

Summary/Additional Comments	

Signature of Complainant

Date of Signature

Appendix "D" – Declaration of Interest Form
Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50

Agenda: [] Council [] Committee [] Other

Date: _____

Details:

Subject Matter: _____

Item Title: _____

Item No. _____

Applicant signature/certification:

I, Member _____, declare a potential
deemed/ [] direct [] indirect [] pecuniary interest on the above noted
Council/Committee agenda item _____ for the
following reason:

Councillor Name: _____

Councillor Signature: _____

Date: _____

- For an "indirect pecuniary interest" see Section 2 of the Municipal Conflict of Interest Act.
• For a "deemed" direct or indirect pecuniary interest see Section 3 of the Municipal Conflict of Interest Act.
• This document shall be available for public review.

The Corporation of the Township of Alnwick/Haldimand

By-law No. 87-2024

Being a By-Law to Amend By-law No 110-2023 – Procedure By-law

Whereas Section 238(2) of the *Municipal Act, 2001* requires that every Council and local board adopt a procedure by-law for governing the calling, place and proceedings of meetings; and

Whereas Section 238(2.1) of the *Municipal Act, 2001*, requires that the procedural by-law provide for public notice of meetings; and

Whereas the Council of the Corporation of the Township of Alnwick/Haldimand directed staff at the November 12, 2024 Regular Council Meeting to incorporate Committee of the Whole meetings into the Township's governance structure; and

Whereas the Council of the Corporation of the Township of Alnwick/Haldimand now deems it advisable to amend By-law 110-2023, The Procedure By-law, to provide for the authorisation and inclusion of Committee of the Whole Meetings; and

Whereas Public notice of intent to pass a by-law respecting the calling, place and proceedings of meetings was posted to the Township's social media on November 20, 2024, as required per By-law 61-2020.

Now Therefore Be It Enacted as a By-law of the Council of the Corporation of the Township of Alnwick/Haldimand as follows:

1. THAT Schedule 'A' of By-law 110-2024 be amended as follows:

i Section 1.11: To be amended to read:

Committee means Committee of the Whole, a Committee of Council, an Advisory Committee or an Ad-Hoc Committee, which has been duly appointed to deal with a specific matter and provides advice and/or recommendations to Council.

ii Section 1.26: To be amended to read:

Meeting Types

- a) Emergency Council Meeting – Notwithstanding any other provision of this by-law, an Emergency Council meeting may be held without written notice to deal with an emergency or an extraordinary situation, provided that an attempt has been made by the Clerk, or their designate, to notify the members about the meeting as soon as possible. The only business to be dealt with at an Emergency Meeting shall be business directly related to the emergency or extraordinary situation.
- b) Regular Council Meeting – see Item 41.
- c) Public / "Statutory" Council Meeting – often relates to Planning matters, but these may be called to consider specific items where there is a legislated need to hold a public meeting.
- d) Special Council Meeting – see Item 45.
- e) Committee of the Whole – a less formal meeting of all members of Council where recommendations are forwarded to Council for final decision.

iii Section 3.3 to be amended to read:

Council/Planning/Committee of the Whole Meetings – Time, Date, Location

Council/Planning/Committee of the Whole meetings shall be held at the Grafton Municipal Office, 10836 County Road 2, Grafton, ON, in the Council Chambers, on the fourth Tuesday of each month at 9:30 a.m. Council may, upon consultation with staff, hold meetings in the evening. Council meeting dates may not fall on the prescribed days due to statutory holidays or when municipal conferences conflict with the prescribed dates. Proper notice shall be given, per the meeting schedule that is posted on the Township’s website.

iv Section 8.1 Agenda Preparation to be amended to include:

c) Committee of the Whole

1. Call to Order
2. Territorial Land Acknowledgement
3. Disclosures of Pecuniary Interest & General Nature Thereof
4. Approval of Agenda
5. Delegations/Presentations
6. Development Services Reports
7. Protective Services Reports
8. Parks, Recreation & Facilities Reports
9. Public Works and Infrastructure Reports
10. Administration Reports
11. Adjournment

2. THAT this by-law shall take effect upon its adoption.

That **By-Law No. 87-2024** be read and deemed to be PASSED this 26th day of November, 2024.

Mayor, John Logel

Clerk, Emily Cartlidge