



**A BY-LAW TO ESTABLISH THE RULES OF ORDER AND PROCEDURES FOR MUNICIPAL COUNCIL AND COMMITTEE MEETING S OF THE CORPORATION OF THE TOWN OF COBOURG AND TO REPEAL BY-LAW 009-2019.**

**WHEREAS** parliamentary procedures are rooted in principles designed to ensure the fair and efficient disposition of business before a deliberative body;

**AND WHEREAS** Section 238(2) of the *Municipal Act, 2001*, provides that every Municipality shall pass a procedural by-law to govern the calling, place and proceedings of Meetings;

**AND WHEREAS** Council and its Committees shall also follow the regulations as set out within the Municipal Conflict of Interest Act, and the parliamentary authority of Robert’s Rules of Order;

**NOW THEREFORE BE IT RESOLVED THAT** the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

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## 1.0 Short Title

This by-law may be referred to as the “Procedural By-law”.

## 2.0 Definitions

In this Procedural By-law,

“**Act**” means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

“**Advisory Committee**” means a Committee established by Council, to address on-going administrative matters within the scope and responsibility of Council and will provide periodic reports to Council presenting advice and recommendations on matters under consideration.

“**Agenda**” means the list of business items and order of proceedings for a Meeting.

“**CAO**” means the Chief Administrative Officer of the Town or their designate.

“**Chair**” means the Presiding Officer at a Meeting, or such other person as may be authorized to preside in their absence.

“**Clerk**” means the Municipal Clerk of the Town of Cobourg or their designate appointed by Council.

“**Closed Session**” means a Meeting as defined in section 5.8.

“**Code of Conduct**” means the “Code of Conduct” for Members of Council, Local Board and Committee Members.

“**Communications**” means communication items received by Council which includes but is not limited to letters, memorandums, reports, notices, electronic mail, facsimile, petitions, brochures, media release and newspaper/magazine articles.

“**Committee**” means an Advisory Committee, or a Task Force established by Council from time to time.

“**Committee Chair**” means a Presiding Officer of a Standing Committee, Advisory Committee or Task Force and shall have the same powers during a Committee Meeting as the Head of Council during Council Meeting s.

“**Confirmatory By-law**” means a by-law passed at the conclusion of Regular Council Meeting s, confirming the actions of Council taken at that Meeting, in respect of each Resolution and other actions taken, so that every decision of Council at that Meeting shall have the same force and effect as if each one of them had been the subject matter of a separately enacted by-law.

“**Conflict of Interest**” means a pecuniary (financial) interest as defined in the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50.

**“Consent Agenda”** means the portions of an Agenda comprised of correspondence and staff reports from which Members and the public may identify as “Items Extracted from Consent Agenda”. The remaining items on the Consent Agenda that are not extracted are approved in a single Motion.

**“Correspondence”** means a listing of items of a routine nature received by Council requiring no further action or discussion unless requested by Council, CAO, or Division Director.

**“Council”** means the elected and sworn-in Members of the Municipal Council of the Corporation of the Town of Cobourg.

**“Council Chambers”** means the Council Chambers on the 3<sup>rd</sup> floor of Victoria Hall, 55 King Street West, Cobourg.

**“Delegation”** a person or group who has made a written request to address Council on a subject which is not on the Agenda.

**“Deputy Mayor”** means the Member of Council elected to Act from time to time in the place and stead of the Mayor when the Mayor is absent or refuses to Act or when the Office of Mayor is vacant.

**“Emergency Meeting”** means a Meeting as defined in section 5.7.

**“Head of Council”** means the Mayor who shall preside at all Meetings of the Council (unless absent or refuses to Act); and the Head of Council is also the Chief Executive Officer of the Municipality of the Town of Cobourg.

**“Inaugural Meeting”** means a Meeting as defined in section 5.1.

**“Local Board”** means a Board established or exercising any power under any Act with respect to the affairs or purposes of one or more Municipalities.

**“Majority Vote”** means an affirmative vote of more than one half of the Members present and voting.

**“Meeting”** means any Meeting of Council or of a Committee or Board where a Quorum is present, and at which Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council or the Committee or Board.

**“Member”** means a Member of Council and/or an appointed or elected Member of a municipal Committee or Local Board

**“Motion”** means a proposal moved by a Member and seconded by another Member to adopt, amend, or otherwise deal with a matter before the Council, Committee or Local Board.

**“Municipal Act, 2001”** means *the Municipal Act, 2001*, S.O. 2001, c. 25.

**“MCIA”** means the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50.

**“Planning Act”** means the *Planning Act*, R.S.O. 1990, c. P.13.

**“Point of Order”** means a Motion raised by a Member drawing attention to an infraction of this by-law.

**“Point of Personal Privilege”** means a Motion concerning the health, safety, rights, or integrity of the Member, the Council, a Committee or anyone present at a Meeting.

**“Point of Privilege”** means a question by a Member to the Chair and the Members that a privilege affecting the rights and immunities of the Council collectively or the position and conduct of Members as elected representatives is being affected adversely and to request that action be taken to rectify the situation.

**“Point of Procedure”** means a question by a Member to obtain information on a matter of parliamentary procedure where the rules of the Council bearing on the business at hand require clarification in order to assist a Member to make an appropriate Motion, raise a point of order, or understand the parliamentary situation or the effect of a Motion.

**“Presiding Officer”** means the Mayor, Acting Head of Council, or Chair of a Meeting.

**“Public Meeting”** means a Meeting as defined in section 5.4.

**“Quasi-Judicial Committee”** means a Committee created by Council to exercise a legislative or quasi-judicial power under the Planning Act, Municipal Act, or any other Act as prescribed, and includes a Property Standards Committee required under the Building Code Act.

**“Quorum”** means the number of Members required for the legal conduct of the business of Council or a Committee or Board.

**“Recorded Vote”** means the making of a written record of the name and the vote of each Member who votes on a Motion.

**“Regular Meeting”** means a Meeting as defined in section 5.2.

**“Resolution”** means a formal determination made by Council, Committee or a Board on the basis of a Motion, duly placed before a regularly constituted Meeting of the Council, Committee or Board for debate and decision, and is duly passed.

**“Robert’s Rules of Order”** means the most current edition of Robert’s Rules of Order.

**“Secretary”** means the recording secretary for a Council or other Committee or Board Meeting being the Municipal Clerk or designated Committee Secretary responsible for preparing Agendas and taking Minutes.

**“Special Meeting”** means a Meeting as defined in section 5.6.

**“Speaker”** means a Member of the public who wishes to speak or submit comments to Council on an item included in the Council Agenda.

**“Standing Committee”** means one of the Committees of Council as set out in section 5.3.

**“Statutory Powers Procedure Act”** means the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22.

**"Striking Committee"** means the Strategic Priorities and Policy Standing Committee who shall be responsible for the review and recommended appointments of Members of Council to the various boards and Committees, for Council's consideration.

**"Sub-Committee"** means a Council approved Committee consisting of at least three (3) Members of a Committee establishing the sub-Committee, to consider one or more matters.

**"Task Force"** means a Committee established by Council with a defined ending, to report directly to Council on a specific matter.

**"To Adjourn"** means to end a Meeting.

**"To Recess"** means to take a short break or suspend a Meeting for a specified length of time.

**"To Table"** means to postpone without setting a definite date as to when the matter will be discussed.

**"Town/Municipality"** means the Corporation of the Town of Cobourg.

**"Town Website"** means the Town of Cobourg official website at <http://www.cobourg.ca>.

**"Two-Thirds Majority Vote"** means an affirmative vote of at least two-thirds of the Members present and voting, or

- i. 2/3 of 7: 5
- ii. 2/3 of 6: 4
- iii. 2/3 of 5: 4

### 3.0 General

#### 3.1 Application

- a) The rules and regulations set out herein shall be observed in all proceedings of Council and, with necessary modifications, to Committees established by Council and Local Boards, and shall be the rules for the order and dispatch of business.

#### 3.2 Interpretation

- a) In the event of a conflict between this by-law and any legislation, the provisions of the legislation will prevail to the extent of the conflict.
- b) In the event of a conflict between this by-law and any other by-law of the Town respecting Meeting procedure, this by-law will prevail to the extent of the conflict.
- c) If there is a conflict between two (2) or more rules established by this by-law, or if there is no specific rule on a matter, the Chair will determine a rule. In making a ruling pursuant to this by-law, the Chair may consult the Clerk and with such others as the Clerk may recommend, rely on previous rulings and practices, and refer to Robert's Rules of Order as the rule for guidance on a specific parliamentary procedure.
- d) Any definition of a word or phrase used in this by-law and not defined in this by-law has the meaning as defined in the Act.



### **3.3 Suspension of Rules**

- a) Rules and regulations contained in this By-law may be suspended by a two-third (2/3) majority vote of the Members present at the Meeting, with the exception of the following:
  - i. Statutory requirements;
  - ii. Contractual agreements binding the Town;
  - iii. Amending this Procedural By-law; or
  - iv. Quorum requirements.

### **3.4 Majority Vote**

- a) Unless this Procedural By-law states otherwise, a matter passes when the Majority of Members present vote in the affirmative.

### **3.5 No Quorum**

- a) If there is not a Quorum present fifteen (15) minutes after the time appointed for the Meeting, the Clerk shall write the names of the Members present and Council shall stand adjourned until the next scheduled Meeting date, unless a Special Meeting is called prior to that date.
- b) In a Meeting where there is only the minimum requirement for a and a Member declares a Conflict of Interest, the remaining Members of Council are deemed to constitute a Quorum, provided that this number is not fewer than two (2).
- c) If during the course of a Meeting, a Quorum is lost, the Meeting shall stand recessed and shall reconvene if a Quorum is regained within fifteen (15) minutes. If a Quorum is not present within fifteen (15) minutes from the time the Quorum is lost, the Clerk will record in the minutes the time when Quorum was lost and the names of those Members present, and the Meeting shall end without formal adjournment.
- d) If a Meeting ends because a Quorum is lost,
  - i. The items on the Agenda that were dealt with by Council including any recommendations therefrom, shall be included in the Minutes of the Meeting;
  - ii. The remaining business on the Agenda for that Meeting shall be placed on the Agenda for the next Regular Meeting or Special Meeting of the Council or Committee.
- e) Each Member of Council is encouraged to notify the Clerk when the Member is aware that he/she shall be absent from any Meeting.

### **3.6 Absence of the Chair**

- a) If the Chair does not attend within fifteen (15) minutes after the hour appointed for the Meeting, the Deputy Mayor or a Member designated by the majority of Members present shall call the Meeting to order and shall preside until the Chair arrives.

### **3.7 Late Arrival**

- a) If a Member arrives late to a Meeting that has already commenced, any prior discussion shall not be reviewed without Two-Thirds (2/3) Majority Vote of all Members present.

### **3.8 Municipal Conflict of Interest Act**

- a) The MCIA requires Members to declare orally and in writing any direct or indirect pecuniary interest in relation to a matter under consideration. The MCIA requires the Town to maintain a registry of all declarations made under this Act. The registry must include the original written declaration provided by the Member and must be available to the public. The onus to declare a pecuniary interest rests with the Member and time for this process is allocated on every Meeting Agenda.
- b) Every declaration and the general nature thereof in open Meeting shall be recorded in the minutes.
- c) Every declaration, but not the general nature thereof in Closed Session shall be recorded in the minutes of the next Meeting that is open to the public.

### **3.9 Disclosure of Pecuniary Interest**

- a) All Members shall govern themselves at any Meetings in accordance with the MCIA respecting any disclosure of pecuniary interest. It is the responsibility of the Member to identify and disclose any pecuniary interest. Members may contact the Integrity Commissioner to provide advice or comment on whether a Member has a pecuniary interest but shall not request the Clerk or any other municipal staff to provide advice or comment.
- b) The fees associated with the legal advice as described in subsection 3.9 a) shall be paid by the Municipality for Members of the Municipal Council and Local Boards only.
- c) Where a Member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a Meeting at which the matter is the subject of consideration, the Member:
  - i. Shall verbally disclose the interest and the general nature thereof, prior to any consideration of the matter at the Meeting;
  - ii. May be asked to leave the Meeting for the portion of the Meeting the pecuniary matter is to be discussed; and
  - iii. Shall be asked to leave the Meeting immediately prior to any consideration or discussion of the matter in Closed Session; and
  - iv. shall not take part in the discussion of or vote on any question in respect of the matter;
  - v. Shall not attempt in any way either before, during or after the Meeting to influence voting on any such question.

- vi. Shall provide the Clerk with a written statement of the Conflict of Interest on the prescribed 'Declaration of Pecuniary Interest Form'.
  - vii. Where a Member has declared a pecuniary interest on an item appearing on an Agenda, that item shall be placed under "Items Extracted from Consent Agenda".
- d) Where the interest of a Member has not been disclosed by reason of the Member's absence from a Council or Committee Meeting, the Member shall disclose the interest and comply with the requirements listed in section 3.9 of this by-law, at the first Meeting attended by the Member after the Meeting at which the item was discussed.
  - e) In the event that a Member discovers after the Meeting that the Member had a direct or indirect pecuniary interest in the matter, the Member shall declare the interest at the next available Meeting, and it shall be recorded in the Minutes.
  - f) Where the interest of a Member has been disclosed in a Closed Meeting, the Member shall disclose the interest and not the general nature at the first open Meeting attended by the Member after the Closed Meeting at which the item was discussed.

### **3.10 Electronic Participation**

- a) All Members of Council are expected to attend Council Meetings in person.
- b) A Member of Council may participate electronically in a Meeting that is open or closed to the public when a personal emergency or uncontrollable circumstance precludes in-person attendance, subject to subsection 238(3.3) (b) of the Act.
- c) A Member of Council participating electronically in a Meeting will count towards Quorum, subject to subsection 238(3.3) (a) of the Act.

## **4.0 ROLES AND RESPONSIBILITIES**

### **4.1 Chair of Meeting**

- a) The Chair of a Regular, Special, or Public Planning Meeting of Council is the Mayor. In the absence of the Mayor, the Deputy Mayor is the Chair as provided for in section 4.2 of this Procedural By-law.
- b) The Chair of a Standing Committee Meeting is as set-out in the applicable Terms of Reference for each standing Committee.

### **4.2 Deputy Mayor**

- a) The Deputy Mayor has, and may exercise all the rights, powers, and authority of the Mayor as Head of Council in the Mayor's absence, as defined in section 241 and 242 of the Act.

- b) The Deputy Mayor shall act in the absence of the Mayor in the following circumstances:
  - i) When the Office of the Mayor is vacant;
  - ii) When the Mayor is absent due to illness or scheduling conflict;
  - iii) When the Mayor is absent from Town;
  - iv) When the Mayor refuses to act; or
  - v) When the Mayor declares a Conflict of Interest.
- c) In the event that both the Mayor and Deputy Mayor are absent from the Town, or a Member designated by the majority of Members shall exercise all the rights, powers, and authority of the Mayor as Head of Council.

#### **4.3 Member of County Council**

- a) The Mayor shall preside as the Town's County Council Member.
- b) At the beginning of each term of Council, Council shall appoint an Alternate Member of County Council, and the Clerk shall notify the County Clerk of such appointment.
- c) The Alternate Member shall act in the absence of the Mayor at a County Council Meeting. This excludes Standing Committee or other Meetings.
- d) The Alternate Member shall have all the powers and duties of a County Council Member, including the power to make Motions and vote and the duty to abide by the County's Procedural By-law and Code of Conduct.
- e) The Alternate Member's powers and duties as a County Council Member extend only to the time, they are present at the Council Meeting.
- f) The Mayor or Clerk shall notify the County Clerk, in writing, as soon as reasonably possible, when an alternate shall be attending a Meeting of County Council.

#### **4.4 Chief Administrative Officer (CAO)**

- a) The CAO may appoint a delegate who has all the powers and duties of the CAO under this and any other act.
- b) Shall review all staff recommendations and reports prior to their submission to Council or Standing Committee and, when deemed necessary, to submit their comments on the said reports;
- c) to ensure that all recommendations submitted to Council, or a Committee accurately reflect the goals and objectives of the Town;
- d) to assist the Council to discharge its responsibilities and, in a non-partisan manner, to aid Council Members to carry out their duties;

- e) to attend all Council Meeting s with the right, with the consent of the Chair, to speak but not to vote; and to attend Meeting s of the Committees when invited or when the CAO deems it advisable to do so, with the right, with the consent of the Chair, to speak but not to vote;
- f) to exercise general control and management of the affairs of the Town for the purpose of ensuring the efficient and effective operation of the Town; and
- g) without limiting the generality of the foregoing, to perform such other duties as may be necessary to fulfill the intent of the CAO Appointment By-law and to exercise the powers which, from time to time, may lawfully be assigned by the Council.

#### **4.5 Clerk**

- a) The Clerk or designate shall be present at all Meeting s of Council.
- b) The Clerk shall be responsible for the management and coordination of Meeting Agendas and related resolutions, by-laws, correspondence, and records, and allow for public access to the same in accordance with the Act, the Municipal Freedom of Information and Protection of Privacy Act and other pertinent legislation.
- c) make Agendas available to the public and media following distribution to Members;
- d) distribute a copy of all decisions, Resolutions, and directions of Council to appropriate Members of staff, the public, and other agencies, boards, Committees and governments as required;
- e) where a video or audio recording of a Meeting is made, to retain such recording in accordance with the Records Retention By-law;
- f) The Municipal Clerk shall be the Secretary of all Committees and may delegate any such duties to a Municipal Employee in the Town of Cobourg in consultation with the CAO and Division Directors.

#### **4.6 Deputy Clerk**

- a) The Town may appoint a Deputy Clerk to assist the Clerk in carrying out their duties and/or act in place of the Clerk when the Clerk is absent. While acting in place of the Clerk, the Deputy Clerk shall have all the powers and duties of the Clerk under this By-Law, the Act or any other applicable legislation.

#### 4.7 Duties of the Chair

- a) As soon as a Quorum is present, after the hour fixed for the holding of a Council Meeting, the Chair shall call the Meeting to Order.
- b) The Chair is responsible for, where applicable:
  - i) Presiding at all Meetings of Council;
  - ii) Maintaining, throughout the duration of a Meeting, a list containing the names of the Members and public attendees who wish to speak to an item of the Agenda;
  - iii) Ensuring that all Members who wish to speak on a Motion have spoken;
  - iv) Ensuring clarity, where required, by reading, or requesting the Clerk to read, Motions before voting;
  - v) Putting to a vote on all Motions which are duly moved and seconded, and to announce the result of the vote;
  - vi) Declining to put to a vote any Motion which contravenes this Procedural By-law;
  - vii) Voting on all matters unless prohibited by law;
  - viii) Maintaining the rules of order in this Procedural By-law and decorum among the Members and Meeting attendees;
  - ix) Enforcing order and good behavior of all Members in accordance with the Rules of Procedures when engaged in debate;
  - x) When a Member persists, following several reminders, in breaching the Rules of Procedure and disrupting the business of Council, ordering the Member to vacate the Council Chamber for the duration of the Meeting;
  - xi) Deciding all questions of order at the Meeting, subject to an appeal by any Member to Council on any question of order in respect to business before the Council;
  - xii) Adjourning the Meeting when the business of the Meeting has concluded;
  - xiii) Executing, by their signature, when necessary, all By-laws, resolutions and minutes of a Meeting and other required documents; and
  - xiv) Representing and supporting Council, declaring its will, and implicitly obeying its decisions in all matters.
  - xv) All matters not covered by this by-law shall be decided by the Chair who may call upon the Municipal Clerk to provide advice regarding procedure. The Clerk shall provide this advice following which the Chair shall announce their ruling.
  - xvi) If a Member disagrees with the ruling of the Chair the Member may appeal the ruling. The Chair, in response, shall call a vote on the question of sustaining the ruling of the Chair. The Chair may provide further explanation of the ruling prior to the calling of the vote.

- xvii) Should an appeal of the Chair's decision be put, the Chair shall immediately put the question, no amendment, adjournment or debate being allowed. A Motion is required and shall state "that such Member be allowed to retain their seat for the duration of the Meeting of Council". A two-thirds vote of the Members of Council present, and voting is required to overturn the Chair's Ruling that the Member be expelled.

#### **4.8 Council Members**

- a) Members are responsible for, where applicable:
  - i) Attending scheduled Meetings;
  - ii) Carefully considering and making decisions about Meeting business, including seeking information and advice from staff prior to and during a Meeting;
  - iii) Respecting and following the rules of order, the Chair's final ruling, and Council's decision;
  - iv) Speaking only to the subject in debate;
  - v) Maintaining decorum and conduct and not using offensive words or unparliamentary language;
  - vi) Participating in a Meeting and not interrupting, unless to raise a Point of Order or Point of Privilege;
  - vii) Voting on all matters unless prohibited by law;
  - viii) Adhering to the Town's Code of Conduct, Procedural By-law, and all applicable legislation, Town By-laws and policies;
  - ix) Provide written statements of pecuniary interest to the Clerk and verbally disclose the interest and its general nature, prior to any consideration of the matter at the Meeting in accordance with the provisions in the MCI A;
  - x) Advising the Chair or Clerk of any absences; and
  - xi) Respecting the confidentiality of matters discussed in Closed Meetings and not disclosing the subject or substance of these discussions unless authorized to do so.

#### **4.9 Members of the Public**

- a) Members of the Public shall, where applicable:
  - i) maintain order and quiet and observe the rules of Council with respect to decorum and conduct;
  - ii) only address Council with the permission of the Chair;
  - iii) not display signs or placards, applaud participants in debate or engage in conversation or other behavior which may disrupt the proceedings of Council or the Committee;
  - iv) ensure cellular telephones, pagers or other electronic devices which emit a sound are turned off or silenced;

- v) not use indecent, offensive or insulting language or speak disrespectfully of any Member of the Royal Family, the Governor General, the Lieutenant Governor, Member of Parliament, any other Council Member or any official or employee of the Municipality;
  - vi) only speak on the subject in debate and shall not speak on any other subject; and
  - vii) not approach the dias, without the permission of Council, if an attendee wishes to submit materials to Council they must do so through the Clerk.
- b) The Chair may request security to expel or exclude any person who disrupts a Meeting for an extended period of time as deemed reasonable, with the following timelines recommended:
- i) 24 hours for a first offence,
  - ii) 30 days for a second offence, and
  - iii) 90 days for a third offence.

## **5.0 COUNCIL MEETINGS**

### **5.1 Inaugural Meeting**

- a) The Inaugural Meeting of a newly elected Council must occur no later than thirty-one (31) days after Council's term commences pursuant to the Act, as amended, and shall be held at a date and time as determined by the Clerk.
- b) A person elected or appointed to Council shall not take a seat on the Council of the Municipality until the said elected or appointed official takes and signs the Declaration of Office in the English or French version of the form established by the Province of Ontario for that purpose.
- c) The new Council shall be deemed to be organized after the Declarations of Office have been taken and signed by a sufficient number of Council Members to form a Quorum.

### **5.2 Regular Meeting**

- a) Regular Meeting s of Council shall be held on Wednesdays at 6:00 p.m. in the Council Chambers, in accordance with the approved annual schedule, unless directed by resolution of Council.
- b) No later than December of each year, Council shall set the schedule of Meeting s for the following year. Consideration shall be given to the following:
  - i) No Meeting s during the last two weeks of the month of December and during the months of July and August.
  - ii) Additional Council Meeting s may be held during this time period at the call of the Head of Council.



### **5.3 Standing Committee Meetings**

- a) The composition, chair, mandate, schedule of Meetings, and departmental resources of the four Standing Committees are included in the Schedules, as referenced below:
  - i. Strategic Priorities and Policy Standing Committee – Schedule “A”
  - ii. Corporate, Finance, and Legislative Committee – Schedule “B”
  - iii. Public Works, Planning and Development Standing Committee – Schedule “C”
  - iv. Community Services, Protection, and Economic Development Standing Committee – Schedule “D”
- b) Due to the potential of Council being in a Restricted Acts (Lame Duck) position in the months of August, September, October and November in election year, limiting their ability to make decisions on items described in section 275 of the Municipal Act, 2001, Meetings may be tentatively scheduled in the month of August to ensure business continuity during this period. A minimum of two (2) weeks void of Regular Council Meetings will be maintained.
- c) No later than December of each year, the Standing Committees shall set the schedule of Meetings for the following year.
- d) Recommendations of appointments to the Standing Committees are made by the Striking Committee and confirmed by resolution of Council at a Regular Meeting.
- e) The Clerk shall preside at the first Meeting of each Standing Committee in each calendar year for the purpose of electing the Chair of that Committee. Upon election, the Chair shall preside at the Meeting.

### **5.4 Public Planning Meeting**

- a) Public Planning Meetings shall consider matters where a Public Planning Meeting is required to hear applications under the Planning Act.
- b) Dates of Public Planning Meetings held pursuant to the Planning Act are included in the schedule of Meetings and are held in the Council Chambers on Wednesdays at 5:00 p.m.
- c) No such Meetings shall be held between June 30<sup>th</sup> and September 1<sup>st</sup> of any year or between December 16<sup>th</sup> of any year and January 2<sup>nd</sup> of the subsequent year without the consent of a Two-Thirds Majority vote of the Members present at a Regular Meeting.

### **5.5 Budget Meeting**

- a) Budget Meetings are established for Council to deliberate the Town's budget.

## **5.6 Special Meeting**

- a) The Mayor may, at any time, summon a Special Meeting of Council to take care of business that requires the urgent attention of Council and cannot wait until the next scheduled Regular Council Meeting.
- b) When the Clerk receives a petition signed by a majority of Members of Council, a Special Meeting is called for the purpose and date and time identified in the Petition. The Petition shall include:
  - i. Signatures of the Members requesting the Meeting;
  - ii. A clear statement of the purpose of the Special Meeting; and
- c) A Special Meeting of Council is limited to business matters included in the Notice of Meeting .

## **5.7 Emergency Meeting**

- a) Notwithstanding any other provision in this Procedural By-law, the Mayor may, at any time, call or provide Notice of an Emergency Meeting of Council to deal with matters deemed to be of an urgent/emergency nature, that may impact the health, safety, well-being of the community or that need to be addressed due extraordinary circumstances. An Emergency Meeting of Council is limited to business matters included in the Notice of Meeting.

## **5.8 Closed Session**

- a) All Council and Committee Meeting s shall be open to the public except as provided for pursuant to section 239 of the *Municipal Act, 2001* and with at least forty-eight (48) hours of advance notice.
- b) The Clerk or CAO shall advise the Chair, if in their opinion, the issue (or portion thereof) being discussed at a Closed Session is not appropriate in accordance with the terms of the Act.
- c) Prior to holding a Meeting or part of a Meeting that is to be closed to the public the Head of Council or Presiding Officer shall state by resolution:
  - i) The act of the holding of the Closed Session; and
  - ii) The general nature of the matter to be considered at the Closed Session; and
  - iii) The specific provision of the Act, under which Meeting in Closed Session is permitted.
- d) Voting shall not be permitted in a Closed Meeting except when: the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality or persons retained under contract with the municipality. Recorded Votes shall not be taken at a Closed Meeting.

- e) Where appropriate and where it does not conflict with the best interests of the Town, Council shall report any decisions made in the Closed Session immediately upon reconvening in Open Session.
- f) Members and administration shall ensure that confidential matters disclosed to them, and materials provided to them during a Closed Meeting are strictly kept confidential and are not to be discussed with or disclosed to any individual. The Clerk shall collect all confidential material after the Meeting.
- g) A person may request that an investigation be undertaken to determine whether Council complied with the requirements of the Act and this Procedural By-law in respect of a Meeting or part of a Meeting closed to the public. A person may initiate such a request by completing and submitting a "Closed Meeting Investigation Request Form", which is available on the Town's website or from Victoria Hall.

### **5.9 Location of Meetings**

- a) Meetings of Council shall take place at Victoria Hall, or at another location authorized by Mayor and Council, or as provided for in the *Act* when Notice is given.
- b) Other Public Information Sessions, Workshops or Forums can be held in various locations and at varied times providing they are communicated in accordance with the Town of Cobourg Public Notice Policy.

### **5.10 Duration of Meetings**

- a) A Motion passed by a majority of the Members present is required to continue a Meeting of Council past 4 hours.

### **5.11 Notice of Meetings**

By December of each year the Clerk will present a schedule of Meetings of Council, which may be amended to be approved by Council. The schedule of Meetings is made available to the public on the Town's website and from Victoria Hall.

#### **a) Regular, Standing Committee and Public Planning Meetings**

The Clerk shall give notice of all Regular, Standing Committee, and Public Planning Meetings by:

- i) Posting the annual regular schedule of Meetings, once adopted by Council, on the Town's website and distributing copies upon request. Any changes will be posted on the Municipal website as soon as possible following the change;
- ii) Posting any changes to the Regular Meeting schedule on the Town's website at least seven (7) days prior to the Meeting;
- iii) Providing the Agenda to Members of Council and the public, as set out in Section 6.1 of this By-law.
- iv) In addition, the above subsections (i) to (iv), Staff shall give statutory notice of items on the Agenda of Public Planning Meetings, in accordance with the applicable legislation.

**b) Special Meetings**

The Clerk shall give notice of all Special Meetings by:

- i) Providing Council with an Agenda in person, by telephone, by mail, or electronic mail at least 48 hours prior to the Meeting;
- ii) Posting a notice on the Town's website as soon as possible after the Meeting is called and no later than 48 hours prior to the Meeting; and
- iii) Sending notice to local media. Notice shall indicate the date, time and location of the Meeting, and the general nature of the matters to be discussed.

**c) Emergency Meetings**

The Clerk shall give notice of Emergency Meetings by:

- i) Providing notice to Council in person, by telephone, by electronic mail, or in the form of an Agenda that indicates the date, time and location of the Meeting and general nature of the matters to be discussed; and
- ii) Posting a notice at the main entrance to Victoria Hall that indicates the date, time, and location of the Meeting and general nature of the matters to be discussed.

**d) Town Hall Meetings**

- i) The purpose of a Town Hall Meeting is to allow Members of the public to provide comment and input to Council as a whole. Town Hall Meetings are not a statutory requirement of Council and are offered as an added opportunity for dialogue with the community, grounded in the principles of transparency, responsiveness, participation and collaboration.
- ii) The Mayor or a majority of Members may petition the Clerk to hold a Town Hall Meeting.
- iii) During a Town Hall Meeting, the Chair may ask staff to provide information to the public or to answer a question raised by a Member of the public.
- iv) Each Member of the public may speak for up to three (3) minutes at a Town Hall Meeting. Time permitting, Members of the public may speak a second time after everyone present has had an opportunity to speak.
- v) At least two (2) weeks' notice shall be provided on the Town's website prior to the Town Hall Meeting being held.

**e) Notice Policy for Meetings**

The form, manner and times when Notice shall be provided to the public regarding specific by-laws and the holding of certain Meetings are outlined in the Public Notice Policy.

### **5.12 Cancellation or Postponement of Meetings**

- a) Any Meeting of Council may be cancelled or postponed where Quorum cannot be achieved, by Council resolution, in the event of an emergency, or where the Meeting is no longer required, as deemed by the Mayor, CAO and/or Clerk. The Clerk shall contact as many Members as he/she is able to reach.
- b) The Clerk shall give Notice on the Town's website and time permitting, through the Town Page of a cancellation or postponement of a Meeting.
- c) A Notice is posted at the main entrance to Victoria Hall.

### **5.13 Irregularity of Notice of Meeting**

- a) If a Meeting Notice is substantially given but varies from the form and manner provided in this Procedural By-law, the ability to hold the Meeting and the actions taken at the Meeting are not invalidated, and such Meeting shall proceed.

### **5.14 Recording and Live Streaming of Meetings**

- a) Meetings may be audio and/or visually recorded, broadcasted and/or live streamed publicly by the Town in accordance with Video/Audio Live Streaming Policy, with the exception of proceedings closed to the public provided for in Section 5.7 of this By-law.
- b) Attendees using their own recording, broadcasting and/or streaming devices are encouraged to inform the Clerk to ensure attendees at the Meeting are notified through the Chair.

## **6.0 AGENDAS AND MINUTES**

### **6.1 Agendas**

- a) Prior to each Meeting, the Clerk, with the assistance of the Department Heads and approval by the Chief Administrative Officer, shall prepare an Agenda of all the businesses to be brought before such Meeting.
- b) In the case of a Regular Meeting or a Public Planning Meeting, the Agenda shall be distributed to Members of Council and the public at least seven (7) days before the day of the Meeting.
- c) In the case of a Special Meeting, the Agenda shall be distributed to Members of Council, the public, and local media at least forty-eight (48) hours before the Meeting.

## **6.2 Minutes**

- a) It shall be the duty of the Clerk to record, or cause to be recorded, the proceedings of Council in the form of minutes that shall contain the following:
  - i. The date, time and location of the Meeting;
  - ii. A record of the attendance at the Meeting;
  - iii. Disclosures of pecuniary interest;
  - iv. The name and nature of Delegations and presentations;
  - v. All resolutions, decisions and other proceedings of the Meeting; and
  - vi. Administrative references, including by-law, report, Motion and policy indexes.
- b) The Minutes shall record all proceedings of the Meeting without note or comment.
- c) Minutes of a Meeting shall be reviewed and/or amended to correct errors or omissions, debate is not permitted.
- d) They shall be approved at the next Regular Meeting of Council or as soon thereafter as is reasonably practical.
- e) Adopted Minutes of a Meeting shall be signed by the Chair and Clerk.

## **6.3 Administrative Authority of the Clerk**

The Clerk shall be authorized to make minor corrections to any By-law, minutes, or other Council document to eliminate technical or typographical errors or to clarify the intent of Council.

## **6.4 Adoption of Minutes**

As soon as a Regular Meeting is called to order and the Agenda has been approved, the Chair shall ask if there are any objections to the minutes of previous Meeting s as referred to in Section 6.2 of this By-law and, shall after any correction or change, declare the minutes adopted and sign them.

## **7.0 ORDER OF BUSINESS**

### **7.1 Regular Meeting – Closed Meeting (1-hour prior to Regular Meeting)**

The order of business for a Regular Meeting, for the purposes of adjourning into Closed Meeting an hour prior to the Regular Meeting, is set out in the Agenda as follows:

1. Call to Order
2. Introduction of Addendum Items
3. Confirmation of Agenda
4. Resolution to Move into Closed Session
5. Reconvene into Open Meeting
6. Traditional Land Acknowledgement
7. Disclosure of Pecuniary (Financial) Interest
8. Items Arising from Closed Session
9. Adoption of Minutes
10. Community Announcements
11. Delegations
12. Outside Presentation / Information from Advisory Committees or Task Forces
13. Consent Agenda
14. Items Extracted from Consent Agenda
15. By-laws
16. Notice of Motion / Motion for Which Notice Has Been Given
17. County Business
18. Confirmatory By-law
19. Adjournment

### **7.2 Regular Meeting**

The order of business for a Regular Meeting is set out in the Agenda as follows:

1. Call to Order
2. Traditional Land Acknowledgement
3. Introduction of Addendum Items
4. Confirmation of Agenda
5. Disclosure of Pecuniary (Financial) Interest
6. Adoption of Minutes
7. Community Announcements
8. Delegations
9. Outside Presentation / Information from Advisory Committees or Task Forces
10. Consent Agenda
11. Items Extracted from Consent Agenda
12. By-laws
13. Notice of Motion / Motion for Which Notice Has Been Given
14. County Business
15. Confirmatory By-law
16. Adjournment

### **7.3 Standing Committee Meeting**

The order of business for a Standing Committee Meeting, is set out in the Agenda as follows:

1. Call to Order
2. Traditional Land Acknowledgement
3. Introduction of Addendum Items
4. Confirmation of Agenda
5. Disclosure of Pecuniary (Financial) Interest
6. Community Announcements
7. Delegations
8. Outside Presentation / Information from Advisory Committees or Task Forces
9. Consent Agenda
10. Items Extracted from Consent Agenda
11. Departmental Updates/Discussion
12. Adjournment

### **7.4 Public Planning Meeting**

The order of business for a Public Planning Meeting, as required under the Planning Act, is set out in the Agenda as follows:

1. Call to Order
2. Traditional Land Acknowledgement
3. Confirmation of Agenda
4. Introduction
5. Disclosure of Pecuniary (Financial) Interest
6. Adoption of Minutes
7. Consideration of Items  
*(The order of business for each item is as follows)*
  - 7.1 Notification Procedure
  - Explanation
  - Public Submissions
  - Council Submissions
8. Adjournment

### **7.5 Budget Meeting or Special Meeting or Emergency Meeting**

The order of business for a Budget, Special, or Emergency Meeting is set out in the Agenda as follows:

1. Call to Order
2. Traditional Land Acknowledgement
3. Introduction of Addendum Items
4. Confirmation of Agenda
5. Disclosure of Pecuniary (Financial) Interest
6. Consideration of Items
7. Adjournment



## **7.6 Town Hall Meeting**

The order of business for a Town Hall Meeting is set out in the Agenda as follows:

1. Call to Order
2. Traditional Land Acknowledgement
3. Opening Remarks
4. Briefing
5. Public Remarks
6. Information from Staff
7. Adjournment

## **7.7 Inaugural Meeting**

The order of business for the Inaugural Meeting is set out below and may include other ceremonial proceedings as deemed appropriate by the Mayor, the Chief Administrative Officer, or the Clerk.

1. Procession
2. Call to Order
3. Inaugural Meeting Opening
4. Traditional Land Acknowledgement
5. National Anthem
6. Oath of Allegiance and Declaration of Office – Mayor
7. Presentation of Mayor's Chain of Office
8. Oath of Allegiance and Declaration of Office – Deputy Mayor
9. Oath of Allegiance and Declaration of Office – Councillors
10. Remarks, MP
11. Remarks, MPP
12. Inaugural Address
13. Motions
14. Adjournment

## **7.8 Closed Meeting**

The order of business for a Closed Meeting is set out in the Agenda as follows:

1. Call to Order
2. Confirmation of Agenda
3. Disclosure of Pecuniary (Financial) Interest
4. Consideration of Items
5. Adjournment

## **7.9 Changes in Order of Business**

- a) The Clerk may, prior to issuing the Meeting Agenda and having confirmed that a Quorum will be available, schedule the Meeting to start earlier than the published start time for the sole purpose of adjourning into closed Meeting. The following shall be adhered to:
  - i) The open Council Meeting shall start at the published time or as soon thereafter.
  - ii) If the closed Meeting is adjourned prior to the published start of the open Meeting, Council shall recess and reconvene at the published time.

- iii) If the closed Meeting is still in progress at the published start of the open Meeting, Council shall either:
  - Conclude the closed Meeting in a timely fashion, taking into consideration the published start of the open Meeting; or
  - Recess the closed Meeting, move forward with the open Meeting and reconvene into closed Meeting later in the Agenda.
- b) Once the Agenda has been published all business shall be considered in the order in which it appears on the Agenda unless otherwise decided by a Majority Vote of Members present.

#### **7.10 Addendum Items**

- a) Addendum items shall only be permitted on the Agenda pertaining to matters of the utmost importance and urgent nature, determined by the Clerk, with final approval from the CAO.
- b) Approval of addendums presented at Council are at the discretion of Council with a majority vote.
- c) Addendum items shall be introduced by the Clerk at the beginning of the Meeting. The Clerk shall endeavour to circulate Addendum items to Members prior to the Meeting and post on the Town website as soon as possible.
- d) Any new Staff Reports proposed as an Addendum for inclusion in a Council Agenda be presented to Members of Council a minimum of 24 hours prior to the beginning of such Council Meeting.

#### **7.11 Public Participation at Council Meeting s**

- a) The public shall be given the opportunity to participate in Council Meeting s by making a request to appear as a Delegation or Speaker.
- b) Individuals wishing to appear before Council may be encouraged by a Member or a Staff person to consider resolving an issue or concern with Staff in lieu of, or prior to, submitting a request to address Council.
- c) When addressing Council, the Speaker shall:
  - i) Be respectful of any person;
  - ii) Only speak on the subject for which they received approval to address Council;
  - iii) Obey the Chair's decision and ruling;
  - iv) Refrain from entering into cross debate with other delegates or presenters, Town staff, Members or the Chair.
- d) All registered Delegates and Speakers shall be heard before Council enters into discussion or debate.

- e) Delegates and Speakers may utilize a slideshow or multi-media presentation as a portion of their address to Council and are encouraged to submit any supporting material to the Clerk prior to the Meeting.
- f) Members shall be permitted to ask questions to obtain additional information or seek clarification from the Speaker but shall not make statements to or enter into debate with the Speaker.

#### **7.12 Delegations**

- a) Any individual may request to make a Delegation before Council to address any matter relating to community interest or Town business that is NOT on the Agenda and has not been considered within the six (6) months prior to the requested date of Delegation.
- b) Delegation Request Forms are available at the Town website and at Victoria Hall.
- c) The completed Delegation Request Form and any supporting material must be provided to the Clerk by noon on Monday, nine (9) days prior to the Meeting, to be included in the Meeting Agenda for circulation. Any submissions provided after the deadline may be included as an addendum item if the matter is of an urgent nature pursuant to Section 7.7 of this By-law.
- d) In accordance with accountability and transparency, no Delegation shall be permitted to address Council, except those individuals who have submitted a request form within the prescribed time and are listed on the Agenda, unless with the consent of a Two-Thirds (2/3) Majority vote of the Members present.
- e) The Clerk shall give due consideration to the length of the Agenda and, at their discretion, may schedule no more than three (3) Delegations to address Council per Meeting.
- f) Delegates shall be permitted to speak only on the matter indicated on the Delegation form and be limited to speaking for no more than ten (10) minutes. Where there are numerous delegates taking the same position on a matter, they are encouraged to select a spokesperson to present.
- g) After hearing the Delegation, Council shall resolve to either:
  - i) Receive the Delegation for information only; or
  - ii) Refer the matter to staff and request that a report (written or verbal) be brought forward to a future Meeting.
- h) No Delegation shall be permitted to speak to matters relating to:
  - i) Litigation or potential litigation, including those matters which are before and under the jurisdiction of any court or administrative tribunals, under the Statutory Powers Procedures Act, R.S.O. 1990, c. S.22;

- ii) Zoning by-law amendment, official plan amendment or any other matter requiring a public Meeting under the Planning Act, or any other legislation or regulation prior to the date of the scheduled statutory public Meeting;
- iii) A matter that has been the subject of a statutory public Meeting and where Council has not yet decided the matter;
- iv) A matter not within the jurisdiction of the Council; and
- v) A matter that has been considered at a Meeting within the last six (6) months of the request date of Delegation.

### **7.13 Petitions**

- a) Petitions shall include a statement or position that the signatories are supporting, and include legible names and legible addresses, and shall not contain any obscene, incorrect, vexatious or improper matter or language.
- b) The individual or group initiating the petition, or submitting the petition to the Clerk, must provide a key contact name, mailing address, and telephone contact information to the Clerk.
- c) The signatory's names and personal information will be redacted from the information published in the Agenda. Council or Committee Members will be advised of the number of signatories only.
- d) The Town is not accountable for the accuracy or reliability of Petitions that are submitted.

### **7.14 Presentations / Information from Advisory Committees or Task Forces**

- a) Outside Presentations invited by the Town or Council, such as, consultants, other level of governments or agencies, etc. are generally for information purposes.
- b) Advisory Committees and Task Forces may present to Council providing an update for information purposes.
- c) The time limit for a presentation shall be fifteen (15) minutes with a question and answer period by Council to follow. Any additional time shall be granted by the Chair.
- d) Council may refer the matter to a future Meeting of Council or request a staff report for a future Meeting.
- e) Where Council is in receipt of a report from an investigator, either the Integrity Commissioner, Ombudsman, or Closed Meeting Investigator reporting their opinion/investigations contrary to an Act or the provisions of this By-Law, Council shall pass a Resolution confirming how it intends to address the report.

### **7.15 Speakers Regarding an Item on the Agenda**

- a) Speakers shall be permitted to only speak to items on the Consent Agenda or Items Extracted from the Consent Agenda.
- b) A Member of the public wishing to speak about an item on the Agenda shall complete a "Request to Speak Form" (available at the Meeting) prior to the commencement of the Meeting and provide it to the Clerk.
- c) At the request of the Speaker, the Chair shall extract the item from the Consent Agenda as an Action Item for Separate Discussion. The Speaker shall be called upon by the Chair and be heard at the time the report is considered by Council.
- d) Speakers are permitted to speak once on any matter for up to five (5) minutes. If there is a group of Speakers taking the same position on a report, they are encouraged to select a spokesperson to express their views.
- e) If a speaker submits correspondence relating to a Staff Report by noon seven (7) days prior to the Meeting it will be included on the Agenda as correspondence from the public with the applicable staff report.

### **7.16 Consent Agenda**

- a) The Consent Agenda shall include Staff and Advisory Committee Reports that do not have Presentations.
- b) Members of the public may speak about items on the Consent Agenda, with the consent of Council.
- c) At the request of the Chair, Members of Council and the public shall identify any items contained on the Consent Agenda which they wish to speak to, and the matter shall be extracted from the Consent Agenda to be dealt with separately under Items Extracted from Consent Agenda.
- d) At a Regular Meeting at least 2 Members of Council must agree to move an item from the Consent Agenda to Items Extracted from Consent Agenda.
- e) In the event that a Member of Council declares a Conflict of Interest on an item that is included on the Consent Agenda, that item shall be dealt with separately under Action Items Requiring Separate Discussion.
- f) Prior to the Consent Agenda items being adopted a Council Member may take the opportunity to provide a brief comment to Staff regarding a report on the Consent Agenda that they do not wish to speak about but would like to acknowledge.
- g) The balance of items on the Consent Agenda and the recommendations contained therein, which have not been extracted, shall be adopted in one Motion.

### **7.17 Staff Presentation**

- a) A Staff, Advisory Committee Member or third-party presentation related to a report on the Agenda shall occur at the time the report is discussed. The report shall be placed under "*Items Extracted from Consent Agenda*". The presentation shall endeavour to be a maximum of ten (10) minutes.

### **7.18 Items Extracted from the Consent Agenda**

- a) Items seeking Council direction, having a Staff presentation and items extracted from the Consent Agenda that have been identified for separate discussion of Council, shall be placed under Items Extracted from the Consent Agenda
- b) Members of the public may speak to Items Extracted from the Consent Agenda.

### **7.19 Reports**

- a) Reports of Standing Committees and verbal or written reports from Members of Council, Co-ordinators and Municipal Employees shall be presented, received and action taken as directed by Council and be expressed by Motion and passed by resolution.
- b) The reports contain recommendations provided by Municipal Staff including background information and may request authorization for a stated course of action by Council. The reports should succinctly layout the reasons for the request or recommendation and may summarize pertinent report sections including the origin, background, analysis or conclusion where this information assists in clarifying or justifying the staff recommendation.
- c) All Municipal Staff Reports to be included in the Council Agenda package shall be prepared using a consistent and prescribed format and headers as provided by the Clerk and are to be prepared by the author and approved by the Manager, Department Director and CAO.
- d) The recommendations of a Committee or Municipal Staff embodied in a Report to Council are:
  - i) The main Motion(s) when the clause is called; and
  - ii) Deemed to have been adopted by Council without any amendments unless Council decides otherwise by Resolution.
- e) Correspondence related to a staff report that is submitted by noon 7 days prior to the Meeting may be included on the Agenda with the report at the request of the author of the correspondence, at the discretion of the Clerk.
- f) Correspondence related to a staff report received after the Clerk's Agenda publishing deadlines, will be forwarded to Staff and Council and may be added to the revised Agenda with the report at the request of the author of the correspondence, at the discretion of the Clerk.

## 7.20 Correspondence

- a) The Clerk receives correspondence in paper copy and via e-mail.
- b) The Clerk determines if correspondence should be provided to Council for action or for information.
- c) Action items shall be added to the next Council Meeting Agenda under "Items Extracted from Consent Agenda". Where possible each correspondence shall have a staff recommendation included.
- d) For information correspondence shall be converted into searchable PDF, personal information redacted, uploaded to eSCRIBE, and made available on the Council Meeting Calendar for Council, Staff, and the public.
- e) A Council Member or Director, at any time, can request the Clerk to add for information correspondence onto the next Council Agenda for consideration as "Items Extracted from Consent Agenda", adhering to Agenda preparation timelines.
- f) Council's receipt of any correspondence does not constitute endorsement of the correspondence by the Town of any recommendations it may contain or actions it may advocate.
- g) The correspondence shall include the following:
  - i) Author's full name, and
  - ii) Author's address, and
  - iii) Telephone number or e-mail address.
- h) The Clerk will neither respond to nor place on an Agenda any correspondence which, in the Clerk's determination, is anonymous, vexatious, illegible or that contains any disrespectful or offensive language, nor will such correspondence be considered by Council or a Committee.
- i) Correspondence on the Agenda may be:
  - i) Received for information,
  - ii) Referred to staff for a report back, or
  - iii) Referred to staff for direction if the action is of a routine or congratulatory nature.

## 7.21 By-laws

- a) Every by-law enacted by Council shall be numbered, dated and signed by the Mayor and Clerk, or their designate. The corporate seal shall be affixed to the by-law and deposited by the Clerk for safekeeping.
- b) No by-law shall be presented to Council unless the subject matter thereof has been considered and approved by a Standing Committee or unless the Mayor, CAO and/or Clerk determines that the matter is of sufficient urgency, needs to be dealt with in the best interests of the Municipality, or is of a routine nature.
- c) The Clerk shall submit to Council a summary of all by-laws proposed for adoption, including the by-law number and title.
- d) Unless otherwise requested or separated, all by-laws proposed for adoption shall be passed in one single Motion, duly moved and seconded.
- e) The Clerk shall be responsible for their correctness should they require to be amended at the Council Meeting.
- f) Every by-law, when introduced, shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any Act and shall be complete with the exception of the number and date thereof.
- g) The proceedings of every Regular, Special, Budget, Emergency Council Meeting shall be confirmed by by-law, so that every decision of Council and every resolution thereof 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.

## 8.0 MOTIONS – GENERAL

- a) No Member shall introduce any item to Council for its consideration unless:
  - i) the item relates to a matter on the Agenda for that Meeting, or
  - ii) the matter is of an urgent nature and leave is granted on a two-thirds majority vote.
- b) All Motions shall be moved and seconded before a Member speaks to the Motion and before the Chair shall put the question and the Motion is recorded in the Minutes of the Meeting
- c) Except as noted above, all Motions shall be in writing in a form the Clerk approves and signed by the mover and seconder.



- d) Motions respecting the following matters may be introduced orally without written notice and without leave:
  - (1) Point of Order
  - (2) Personal Privilege;
  - (3) a Motion to refer decision on a question;
  - (4) presentation of a Petition;
  - (5) a Motion to refer a matter;
  - (6) a Motion to withdraw a Motion before the Chair;
  - (7) a Motion to recess;
  - (8) a Motion to call the vote on a question;
  - (9) a Motion to divide the question;
  - (10) a Motion to request short reading of a Motion which is provided to Council in written format;
  - (11) a Motion to continue a Council Meeting beyond 10:00 p.m.;
  - (12) a Motion to move into, or out of, Closed Session;
  - (13) a Motion to suspend or not to follow a rule of procedure;
  - (14) a Motion to change the Order of Business;
  - (15) a Motion to Adjourn.
  - (16) Motions to postpone temporarily; or
  - (17) to lay on the table (tabling)
  
- e) No Member shall present a Motion on any matter to Council for its consideration unless:
  - i) The Motion is relevant to a matter that appears on the Agenda for that Meeting of the Council;
  - ii) Leave is granted to deal with a matter not on the Agenda; or
  - iii) The Motion relates to a matter which for reasons of emergency health or safety, or legal deadline, cannot be first considered by the appropriate Committee of Council.
  
- f) After a Motion is moved in Council, it shall be deemed to be in the possession of Council and may only be withdrawn with the leave of Council and only prior to a decision or amendment on such Motion has been rendered by Council.
  
- g) A Member may move a Motion in order to initiate discussion and debate and that Member may vote in opposition to the Motion. A seconder of a Motion may vote against the Motion.

### **8.1 Requirement For Disposition**

- a) A Motion properly before Council for decision must receive disposition before any other Motion can be received for debate, except where a Motion on procedure has been made to amend, to refer the matter, to call the vote on the question, or to extend the hour of closing proceedings; or Meeting has failed for lack of a Quorum.

### **8.2 Dispensing With Notice**

- a) Any Motion may be introduced without notice if the Council, without debate, dispenses with notice on the affirmative vote of at least a simple majority of the Members present and voting.
  
- b) All Motions shall be presented in written form to Council and will be provided to the Clerk if not already printed in the

Agenda for the Meeting and shall be stated by the Mayor or Chair before it is debated.

### **8.3 Beyond Jurisdiction**

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

### **8.4 Motion to Adjourn**

A Motion to adjourn:

- a) when resolved in the negative, cannot be made again until the matter under consideration is disposed of;
- b) shall only be made by a Member who has the floor;
- c) is not in order when a Member is speaking or during the verification of a vote;
- d) is not in order immediately following the affirmative resolution of a Motion for the previous question;
- e) may not be amended;
- f) when resolved in the positive, shall postpone any remaining items for consideration to the next available Meeting.

### **8.5 Motion to Amend**

A Motion to amend, amends a Motion but cannot directly contradict or negate the effect of the Motion. A Motion to Amend should be presented in writing and shall:

- a) receive disposition of Council before a previous amendment or the questions;
- b) shall not be further amended more than once provided that further amendment may be made to the main question;
- c) shall be relevant to the question to be received;
- d) shall not be received proposing a direct negative to the question;
- e) may propose a separate or distinct disposition of a question.

### **8.6 Motion to Refer**

- b) A Motion to refer that carries, directs a matter under discussion by Council or a Committee to staff, another Committee or other body for further examination, review or to obtain additional information.
- c) A Motion to refer requires a majority vote, but must receive disposition by Council before the questions, or an amendment to the question, and when made prior thereto, before decision on a Motion for the previous question or postponement. The Motion can be made with or without instructions to the staff or a Committee, such as when to report back, or to propose an amendment written to accomplish a particular purpose.

## **8.7 Motion to Divide**

- a) A Motion containing distinct proposals may be divided by leave of Council.
- b) When a question has been divided with leave of Council, debate shall be restricted to each proposal in its turn. A separate vote shall be taken upon each proposal contained in a question divided with leave of the Council.

## **8.8 Motion to Reconsider**

- a) Any substantive Motion may be reconsidered. If a Motion has been either adopted or defeated during a Meeting, at least one (1) Member who voted on the winning side may make the Motion to reconsider.
- b) After a substantive Motion has been decided, any Member who voted or is deemed to have voted thereon may at any time prior to adjournment of the Meeting at which such substantive Motion was decided give notice in writing for reconsideration of the Motion. The Member making the Motion to reconsider must declare to the Mayor or Chair the way they voted so that it is clear that the Member is entitled to make the Motion to reconsider, and the Member who gives the notice may have the privilege of stating the Members reasons for doing so.
- c) Alternatively, if the Motion was decided by Council after the adjournment of the Meeting where the Motion was voted on by Members, it shall only be reconsidered within six (6) months following the decision of Council based on new information and if Council decides to do so by a two-thirds vote, unless a regular election has occurred following the decision.
- d) The Motion to Reconsider may be seconded by any Member, no matter how the Member voted.
- e) A Motion to reconsider is debatable.
- f) If the Motion to Reconsider is decided in the affirmative, such reconsideration shall become the next order of business, and debate on the question to be reconsidered shall proceed as though it had never previously been considered.
- g) No question upon which a notice of reconsideration has been accepted shall be considered more than once, nor shall a vote to reconsider be reconsidered.
- h) A Resolution that was decided by Council cannot be reconsidered if action has been taken in implementing the Resolution resulting in legally binding commitments that are in place on the date the Motion to Reconsider is considered by Council.
- i) If Council passes a Resolution and adopts the same matter by By-law, only the Resolution may be reconsidered. If the decision resulting from the reconsideration warrants, the By-law will be amended or repealed accordingly.

- j) A Motion to Reconsider shall be introduced by way of a Notice of Motion to Council and considered as a Special Resolution at a subsequent Regular Meeting of Council.

#### **8.9 Point of Order**

- a) A Motion on a matter of privilege shall receive disposition of Council forthwith upon receipt and, when settled, the question so interrupted shall be resumed from the point where it was suspended.
- b) The Mayor or Chair shall preserve order and decide points of order and points of privilege.
- c) When a Member rises to a point of order, he/she shall ask leave of the Mayor or Chair to raise a point of order and after leave is granted, the Member shall state the point of order and sit down and remain seated until the Mayor or Chair has decided and stated the point of order.
- d) Thereafter, a Member shall only address the Mayor or Chair for the purpose of appealing the Mayor or Presiding Officer's decision to the Council.
- e) If a Member appeals to Council on a point of order, Council shall hear the reason for the appeal from the appellant and the reason for the decision from the Chair and shall decide the question without debate.
- f) The decision of Council under this section is final.
- g) If no Member appeals, the decision of the Mayor or Chair shall be final.

#### **8.10 Point Of Personal Privilege**

- a) A Member may rise at any time on a Point of Personal Privilege where such Member feels that the health, safety, rights or integrity of the Member's own person, of another Members or of anyone present at the Meeting has been called into question by another Member or by anyone present at the Meeting.
- b) Upon hearing such Point of Personal Privilege, the Mayor or Chair will decide and state, without debate or appeal, the ruling on the matter.
- c) The decision of the Mayor or Chair is s. 19.25 is final.

#### **8.11 Recess**

- a) A Motion to recess may be made at the call of the Mayor or Chair to suspend a Meeting for a specific length of time, or as a Point of Privilege by a Member when no question is pending, in order to provide for an intermission in the Council or Committee proceedings. A Motion to recess does not close the Meeting and after which business will immediately be resumed at exactly the point where it was interrupted.

- b) A Motion to recess:
  - i) shall specify the length of time of the recess;
  - ii) is debatable only as to the length or timing of the recess; and
  - iii) can only be amended with respect to the duration of the recess.

#### **8.12 Reconvene**

- a) The Motion to reconvene is made after the Member(s) have had a short recess of the Municipal Council's proceedings. Once reconvened, business resumes at exactly the point where it was recessed. Time of reconvening shall be noted in the Minutes of the Meeting.

#### **8.13 Tabling**

- a) A Motion to table that carries, postpones a matter without setting a definite date for future discussion for the matter.
- b) A Motion to lay on the table:
  - i) may be applied to main Motions, to appeals to reconsideration and to Motions that arise out of questions of privilege;
  - ii) is in order when a Motion to close debate is pending or has been carried;
  - iii) cannot be debated or amended;
  - iv) cannot apply to any subsidiary Motion and cannot have any subsidiary Motion applied to it; and
  - v) must be voted on.
- c) If the Motion to table carries, the matter may not be discussed until a vote to lift the matter from the table is taken. A vote to lift a matter from the table is not amendable or debatable.

#### **8.14 Take From the Table**

- a) A Motion to take from the table:
  - i) Shall not be in order when another Motion is before the Meeting;
  - ii) Shall not be debatable or amendable;
  - iii) When resolved in the negative, shall not be presented again until after some intermediate proceedings have been completed by the Council; and
  - iv) When resolved in the affirmative, the Motion shall become immediately pending.

### **8.15 Withdrawal**

- a) A request to withdraw a Motion,
  - i) Shall only be made by the mover of the Motion;
  - ii) May be made without the consent of the seconder of the Motion; and
  - iii) Shall be in order up until the vote on the Motion is taken.
- b) If a Member objects to withdrawal of a Motion, a withdrawal Motion may be entertained and becomes a main Motion, requires a seconder and a Majority Vote to adopt. If no Member objects to the withdrawal of the Motion, the Motion shall be considered withdrawn without the necessity of a seconder and that a vote be taken.

### **8.16 Notice of Motion**

- a) A Member desiring to introduce a Motion at a Meeting regarding a matter that would not otherwise be considered by the Council at such Meeting, shall deliver to the Clerk, a written copy of the Motion prior to the Agenda being published for the Regular Meeting at which the notice of Motion is to be given.
- b) Upon receipt of a notice of Motion request, the Clerk shall print the Motion in full in the Agenda for the next Regular Meeting of Council or for each succeeding Regular Meeting until the Motion is considered or otherwise disposed of.
- c) A Motion for which notice has been given, other than one to reconsider or rescind a prior decision of Council, shall be in the form of a referral to a Standing Committee.
- d) A notice of Motion shall be otherwise considered or disposed of by the Council at the Regular Meeting or a Standing Committee Meeting at which it is first introduced, unless a Member objects by a vote to its consideration, in which case it shall be considered at the next Standing Committee Meeting.
- e) In introducing a Notice of Motion to Council, a Member shall be permitted to have the opportunity of providing material and information in support of the Resolution.
- f) No Delegations shall be permitted to speak on a Notice of Motion.
- g) Motions for which notice has been given and appeared at the Standing Committee Meeting shall be listed on the next Regular Council Agenda as a Motion for Council consideration.

## **8.17 Precedence of Motions**

### **a) Privileged Motions**

Privileged Motions do not relate to the pending business of Council, but have to do with special matters of immediate and overriding importance which shall not be debated and shall interrupt the consideration of anything else:

1. Question of Privilege;
2. Adjourn; and
3. Recess.

### **b) Subsidiary Motions**

Subsidiary Motions assists with Municipal Council in treating or disposing of a main Motion (and sometimes other Motions):

1. Table;
2. Call the Question;
3. Limit or Extend Limits of Debate;
4. Motions to Postpone Temporarily;
5. Refer;
6. Amend;
7. Postpone Indefinitely;
8. Main Motion;
9. Take from the Table; and
10. Reconsideration.

### **c) Incidental Motions**

Incidental Motions relate, in different ways, to the pending business of Council or to business otherwise at hand:

1. Appeal;
2. Point of Order;
3. Withdrawal;
4. Suspension or Rules; and
5. Motion to Divide.

## **8.18 Rules of Debate**

- a) Every Member prior to speaking to any question or Motion shall raise their hand and must be recognized first by the Mayor or the Chair before addressing Council.
- b) When two (2) or more Members raise their hand at the same time, the Mayor or Chair shall designate the Member who in the opinion of the Mayor or Presiding Officer, was first to be acknowledged.
- c) When the Mayor or Chair calls for the vote on a Motion, each Member shall be seated and shall remain seated until the result of the vote has been declared by the Mayor or Presiding Officer, and during such time no Member shall walk across the room to speak to any Member or make any noise or disturb the Meeting in any manner or cause a disturbance and no Members shall speak to the Motion nor shall any other Motion be made until after the vote is taken and the result has been announced.

- d) When a Member is speaking, no other Member shall pass between the Member and the Mayor or Presiding Officer or interrupt the Member except to raise a question of privilege, appeal from the decision of the Mayor or Presiding Officer, raise a point of order, lay on the table, or move for reconsideration.
- e) Any Member may require a Motion under discussion and debate to be read out by the Mayor or Presiding Officer, or Clerk at any time during the debate but not so as to interrupt a Member while speaking.
- f) No Member shall speak to the same Motion, or in reply, for longer than five (5) minutes without leave by the Mayor or Presiding Officer.
- g) A Member may ask a question solely for the purpose of obtaining information relating to the Motion under discussion and such question must be stated concisely and be asked through the Mayor or Presiding Officer.
- h) If the Mayor or Chair desires a Member to preside over a portion of the Meeting for the purpose of taking part in the debate or otherwise, the Mayor or Chair shall designate the Deputy Mayor or the Vice-Chair, if present, or in the case the Deputy Mayor or the Vice-Chair is not present, any other Member who will preside over the Meeting or a specific section of the Agenda.
- i) When a Member is called to order the Member shall cease speaking unless the Mayor or Chair grants permission for the Member to explain, and the ruling of the Mayor or Chair shall be obeyed, subject to appeal to the Council, but without debate.
- j) If a Member commits a slight breach of order such as addressing another Member instead of the Mayor or Chair in debate, or, in a single instance, fail to confine remarks to the merits of the pending question, the Mayor or Chair simply raps lightly, points out the fault, and advises the Member to correct the action. The Member can then continue speaking if he commits no further breaches of order.
- k) If a Member repeatedly questions the motives of other Members and mentions them by first name, or persists in speaking on irrelevant matters in debate, the Mayor or Chair should first, if desirable to do so, warn the Member. With or without such warning the Mayor or Presiding Officer, or any Member, can call the Member to order by declaring a Point of Order. The Mayor or Chair should clearly state the breach involved and put the question as to whether the Member should be allowed to continue speaking.

### **8.19 Voting on Motions**

- a) The manner of determining the decision of the Municipal Council on a Motion shall be by show of hands unless a Recorded Vote is requested. No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect, unless stated by a provision of the Municipal Act, 2001.



- b) No Member can be compelled to vote. As a result, every Member has the right to abstain. If the vote required is a majority or two thirds (2/3) of the Members present, an abstention will have the same effect as a “no” vote.
- c) When a vote is required to be recorded, by law or by request of a Member immediately prior or subsequent to the taking of a vote, the Municipal Clerk shall call upon each Member of Council, entitled to vote on the Motion, to answer "yes" or "no" beginning with the Member who requested the Recorded Vote and then proceeding in a clock-wise direction to the other Members of Council as Council would be seated in Victoria Hall Council Chambers.
- d) When a Member present requests a Recorded Vote, all Members that is both present and qualified to vote, shall announce their vote openly, and any failure to vote by a Member who is not disqualified shall be deemed to be a negative vote. The names of those who voted for and the names of those who voted against shall be noted in the Minutes of the applicable Meeting. The Mayor or Chair shall announce the results.
- e) If a Member disagrees with the announced result of any vote, except a Recorded Vote, the Member must object immediately following the announced results of the vote to require that the vote be taken again.
- f) Unless provided otherwise, any question having an equal number of votes shall be deemed to be lost.
- g) Every Member of the Council has the right to vote on all questions, unless such Member has declared a Conflict of Interest in writing pursuant to the Municipal Conflict of Interest Act.

## **8.20 Questions Stated**

- a) Immediately preceding the taking of the vote, the Mayor or Chair may state or require the Clerk to state the question in the form introduced and shall do so if required by a Member except when a Motion for the previous question has been resolved in the affirmative. The Mayor or Chair or the Municipal Clerk shall state the question in the precise form in which it will be recorded in the Minutes.
- b) After a question is finally put by the Mayor or Chair no Member shall speak to the question nor shall any other Motion be made until after the vote is taken and the results have been declared.

## 9.0 TASK FORCE

- a) Council may constitute a Task Force to consider and report on a specific subject, project, or undertaking. When a Task Force has been appointed by Council, the Members will be appointed by resolution. When a Task Force has completed its work and made its final report to Council, the Task Force shall be deemed to be discharged.
- b) The Mayor shall be an ex-officio Member of all Task Forces and shall be eligible to vote at these Task Forces.
- c) Prior to the establishment of a Task Force which Council has determined will include Members of the public, the Clerk shall be directed to place an advertisement in a local newspaper and on the Municipal Website inviting Members of the public to apply to be a Member of the Committee.
- d) Where a question has been referred or a task assigned to a Task Force and the Task Force has not yet made its final report to Council and a Member desires to take the matter out of the Committee's hands, either to permit Council itself to consider or Act on the matter or so that the matter may no longer be considered, such action may be proposed by means of a Notice of Motion to Discharge the Committee.
- e) Each Task Force shall be given a clear mandate and well-defined Terms of Reference that shall include:
  - i) The mandate;
  - ii) The composition, including the applicable municipal employees;
  - iii) The reporting relationships;
  - iv) When the matters will be reported on;
  - v) A start and finish date; and
  - vi) Any budget implications.
- f) Task Forces for special projects may be established by Council, when necessary, upon a recommendation and with justification to the applicable Standing Committee.
- g) Council Members who are not Members of a specific Committee may attend Meetings of that Committee and may, with consent of the Chair of that Committee, take part in the discussion but shall not be counted in the Quorum or be entitled to vote at these Meetings.
- h) A Task Force may be appointed by the Council to investigate and report on matters provided that:
  - i) The Task Force, in all cases, reports directly to the Council; and
  - ii) The established Task Force does not have the power to appoint sub-Committees, nor shall it add to its Membership without permission from the Council.
- i) The Clerk shall be the Secretary of all Task Forces of Council but may assign their duties as Secretary of any Committee to an alternate municipal employee.

- j) A copy of the Minutes of each Task Force Meeting shall be forwarded to the Council.
- k) It shall be the duty of the Secretary to give notice of each Meeting of the Task Force together with an Agenda of the matter to be considered so that such notice and Agenda will reach the Members at their addresses as recorded in the Municipal records not later than forty-eight (48) hours preceding the day of the Meeting where possible.
- l) The procedural rules of governing Meetings of Council as set out in this by-law shall apply with necessary modification to any Meeting of a Task Force insofar as they are applicable.
- m) Unless otherwise directed by the Council, a Task Force shall be considered disbanded upon completion of the assigned task(s) and submission of its findings.
- n) Unless otherwise directed by the Council, a Subcommittee shall be considered disbanded upon completion of the assigned task(s) and submission of its findings.

#### **10.0 CALLING THE QUESTION**

- a) When the Chair is putting a question, no Member may walk out of the room;
- b) When a Member is speaking, no other Member shall hold discourse which may interrupt the speaker;
- c) If any Member is speaking or otherwise transgressing the rules of Council, the Chair shall call such Member to order, in which case the Member so called to order shall immediately comply with the call to order, unless permitted to explain and the Council, if appealed to, shall decide on the Member's appeal but without debate. A simple majority is required; and
- d) A Member shall not leave their seat or make any noise or disturbance while a vote is being taken or until the result is declared.

#### **11.0 AMENDMENT**

No amendment or repeal of this by-law or any part thereof shall be considered at any Meeting of the Council unless notice of proposed amendment or repeal has been given at a previous Regular Meeting of Council in accordance with the Town's Public Notice Policy.

#### **12.0 STATUTORY REQUIREMENTS**

All provisions of this by-law which are statutory requirements under the Municipal Act, 2001, are so noted with reference to the relevant section of the Act. Amendments made to these statutory provisions by the Province of Ontario shall take precedence over the provisions contained herein and this by-law shall be deemed to be so amended to conform to the same.

### **13.0 MUNICIPAL SOLICITOR**

- a) The Municipal Solicitor is authorized to commence or to defend any proceeding appeal, or other form of action in a court or before an administrative tribunal to meet statutory or regulatory time limits and to seek costs where appropriate in accordance with the rules of the Court or Tribunal.
- b) The Municipal Solicitor shall report to Council at the first available opportunity on such any action taken, and Council shall determine whether the matter should be continued or discontinued.

### **14.0 GENDER/NUMBER**

This by-law shall be read with all changes of gender or number as are required by the context or the circumstances.

### **15.0 SEVERABILITY**

If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law will be considered to be severed from the balance of the by-law, which will continue to operate in full force.

### **16.0 EFFECTIVE DATE**

That this by-law shall become effective on month, XX, yyyy.

### **17.0 REPEAL OF EXISTING BY-LAWS**

That By-law No. 009-2019 is hereby repealed.

By-law read and passed in Open Council this xx day of month, yyyy.

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Lucas Cleveland, Mayor

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Brent Larmer, Clerk

## **SCHEDULE A - STRATEGIC PRIORITIES AND POLICY STANDING COMMITTEE TERMS OF REFERENCE**

### **1. Composition**

The Strategic Priorities and Policy Standing Committee will be composed of all Members of Council.

### **2. Chair**

The Chair of the Strategic Priorities and Policy Standing Committee shall be the Deputy Mayor, and a Vice-Chair Acting as Chair in the absence of the Deputy Mayor decided on by Members. The Chair and Vice-Chair is responsible to preside over each Meeting of the Standing Committee and present each item for Committee consideration during each Meeting. The Chair and Vice-Chair shall respond to questions regarding Committee deliberations and recommendations and refer questions to the CAO or Director as required.

### **3. Meeting Date, Time and Location**

Meetings for the Strategic Priorities and Policy Committee shall be scheduled on a Tuesday at 1:30 p.m., unless otherwise determined by the Chair. The Meeting s can be cancelled at the call of the Chair in coordination with the CAO and Clerk if the Meeting is not needed.

Other Meeting s of the Strategic Priorities and Policy Committee may be called at a different date by the Chair in coordination with the CAO and Clerk if deemed necessary. The Meeting s shall be held in Council Chambers, unless otherwise authorized by the Chair.

### **4. Mandate**

The general mandate of the Strategic Priorities and Policy Standing Committee will be to provide coordination and oversight for significant strategic / executive initiatives impacting the future of the Town in terms of its financial sustainability and fiscal management, together with strategic direction and priorities through corporate policy.

To report and make recommendations to Council with respect to:

- Strategic Planning (Implementation, Tracking, Annual Review)
- Governance Review
- Organization Reviews
- Asset Management
- Studies (DC, Fees and Charges, other)
- Corporate Policy
- Budget deliverables
- Holdco, Northam
- Financial Audits,
- Variance reporting
- Long-range capital projects
- Property Matters – Sales, Acquisitions,
- Accountability Matters
- Council appointments of Council and public volunteers to various Committee and boards.

## **5. Procedures**

The general Meeting procedures as provided within the Procedural By-law shall be adhered to. The Order of Business will be consistent with the various Standing Committees as determined by the Clerk and may change from time to time.

## **6. Departmental Resources**

- Chief Administrative Officer, or Designate
- Division Directors
- All Departments as required.

## **SCHEDULE B - CORPORATE, FINANCE AND LEGISLATIVE STANDING COMMITTEE TERMS OF REFERENCE**

### **1. Composition**

The Corporate, Finance and Legislative Standing Committee shall be composed of three (3) Members of Council, with the Mayor as one of the three voting Members and the remainder of the Membership appointed by Council.

The Membership of the Standing Committee may be reviewed annually to allow for movement between various standing Committee, providing Members with an opportunity to increase their knowledge and experience to the various items and responsibilities applicable to each of the Committees, providing them with a well-rounded understanding of the municipal operations with their Council Term.

Members of Council may attend the Corporate, Finance and Legislative Standing Committee Meeting, but the Member in attendance would be non-voting and only may ask questions of clarification on a matter before the Standing Committee. If a Council Member wishes to attend the Meeting, they must provide notice to the Chair and the Municipal Clerk.

### **2. Chair**

The Chair and Vice Chair of the Corporate, Finance and Legislative Standing Committee shall be determined by at its first Meeting following the Inaugural Meeting of Council. Chair and Vice-Chair appointments should be for a one (1) year term, reviewed annually to provide each Member of Council an opportunity to Chair Meeting s of the Standing Committee. The Standing Committee may permit a Member to continue as chair for one (1) additional year, but not to exceed two (2) years. The Mayor cannot be appointed to the position of Chair or Vice-Chair.

The Chair shall be responsible to following the rules of order in chairing the Meeting and present the Committee reports to Council and shall respond to questions regarding Committee deliberations and recommendations and refer questions to the Chief Administrative Officer or Director as required.

### **3. Meeting Date, Time and Location**

The Corporate, Finance and Legislative Standing Committee shall meet on the Thursday at 1:30 p.m. and can be cancelled at the call of the Chair in coordination with the CAO and Clerk if the Meeting is not needed. Other Meeting s of the Corporate, Finance and Legislative Standing Committee may be called at a different date by the Chair in coordination with the CAO and Clerk if deemed necessary. The Meeting s shall be held in Council Chambers, unless otherwise authorized by the Chair.

### **4. Mandate**

The general mandate of the Corporate, Finance and Legislative Standing Committee shall be to report to and make recommendations to Council with respect to:

- Strengthening of administrative, finance, legislative/legal services, including Human Resources;
- Procurement;
- Communications;
- Information Technology

- Accessibility, Equity, Diversity and Inclusion
- Customer Service Initiatives

## **5. Procedures**

The general Meeting procedures as provided within the Procedural By-law shall be adhered to. The Order of Business will be consistent with the various Standing Committees as determined by the Clerk and may change from time to time.

In addition to its core function of making recommendations to Council, the Committee is empowered to make decisions regarding the following matters:

- a) Add items to its Agenda pursuant to the Procedural By-law;
- b) Refer matters for the purpose of receiving additional information from staff, or for additional public input;
- c) Refer a matter to another standing Committee in the rare circumstance additional recommendations are required from that standing Committee as the matter proceeds to Council;
- d) Hear and receive Delegations regarding Agenda items;
- e) Consider correspondence and make recommendations to Council;
- f) Other procedural matters, as recognized by the Procedural By-law.

## **6. Departmental Resources**

- Chief Administrative Officer
- Municipal Clerk or Designate
- Director of Corporate Service/Treasurer or Designate



## **SCHEDULE C - PUBLIC WORKS, PLANNING AND DEVELOPMENT STANDING COMMITTEE TERMS OF REFERENCE**

### **1. Composition**

The Public Works Planning and Development Standing Committee shall be composed of three (3) Members of Council, with the Mayor as one of the three voting Members and the remainder of the Membership appointed by Council.

The Membership of the Public Works Planning and Development Standing Committee may be reviewed annually to allow for movement between various standing Committees, providing Members with an opportunity to increase their knowledge and experience to the various items and responsibilities applicable to each of the Committees, providing them with a well-rounded understanding of the municipal operations with their Council Term.

Members of Council may attend the Public Works Planning and Development Standing Committee Meeting, but the Member in attendance would be non-voting and only may ask questions of clarification on a matter before the Standing Committee. If a Council Member wishes to attend the Meeting, they must provide notice to the Chair and the Municipal Clerk.

### **2. Chair**

The Chair and Vice Chair of the Public Works Planning and Development Standing Committee shall be determined by at its first Meeting following the Inaugural Meeting of Council. Chair and Vice-Chair appointments should be for a one (1) year term, reviewed annually to provide each Member of Council an opportunity to Chair Meetings of the Standing Committee. The Standing Committee may permit a Member to continue as chair for one (1) additional year, but not to exceed two (2) years. The Mayor cannot be appointed to the position of Chair or Vice-Chair.

The Chair shall be responsible to following the rules of order in chairing the Meeting and present the Committee reports to Council and shall respond to questions regarding Committee deliberations and recommendations and refer questions to the Chief Administrative Officer or Director as required.

### **3. Meeting Date, Time and Location**

The Public Works, Planning and Development Standing Committee shall be scheduled on Wednesday at 9:30 a.m. The Meetings can be cancelled at the call of the Chair in coordination with the CAO and Clerk if the Meeting is not needed.

Other Meetings of the Public Works Planning and Development Standing Committee may be called at a different date by the Chair in coordination with the CAO and Clerk if deemed necessary. The Meetings shall be held in Council Chambers, unless otherwise authorized by the Chair.

### **4. Mandate**

The general mandate of the Public Works Planning and Development Standing Committee shall be to report to and make recommendations to Council with respect to:

- Development and maintenance of the Official Plan and Zoning By-law
- Planning and Development applications
- GIS

- Roads, traffic, parking, public transportation
- Green/environmental initiatives, sustainability
- Transportation networks and policy matters related to general infrastructure development.
- Operation of wastewater services to ensure compliance with municipal and provincial legislation and policies.
- Heritage

## **5. Procedures**

The general Meeting procedures as provided within the Procedural By-law shall be adhered to. The Order of Business will be consistent with the various Standing Committees as determined by the Clerk and may change from time to time.

In addition to its core function of making recommendations to Council, the Committee is empowered to make decisions regarding the following matters:

- a) Add items to its Agenda pursuant to the Procedure By-law;
- b) Refer matters for the purpose of receiving additional information from staff, or for additional public input;
- c) Refer a matter to another standing Committee in the rare circumstance additional recommendations are required from that standing Committee as the matter proceeds to Council;
- d) Hear and receive deputations regarding Agenda items;
- e) Consider correspondence and make recommendations to Council;
- f) Other procedural matters, as recognized by the Procedure By-law.

## **6. Departmental Resources**

- Chief Administrative Officer or Designate
- Municipal Clerk or Designate
- Director, Planning and Development or Designate
- Director, Public Works or Designate

## **SCHEDULE D - COMMUNITY SERVICES, PROTECTION, AND ECONOMIC DEVELOPMENT STANDING COMMITTEE TERMS OF REFERENCE**

### **1. Composition**

The Community Services, Protection, and Economic Development Standing Committee shall be composed of three (3) Members of Council, with the Mayor as one of the three voting Members and the remainder of the Membership appointed by Council.

The Membership of the Community Services, Protection, and Economic Development Standing Committee may be reviewed annually to allow for movement between various standing Committees, providing Members with an opportunity to increase their knowledge and experience to the various items and responsibilities applicable to each of the Committees, providing them with a well-rounded understanding of the municipal operations with their Council Term.

Members of Council may attend the Community Services, Protection, and Economic Development Standing Committee Meeting, but the Member in attendance would be non-voting and only may ask questions of clarification on a matter before the Standing Committee. If a Council Member wishes to attend the Meeting, they must provide notice to the Chair and the Municipal Clerk.

### **2. Chair**

The Chair and Vice Chair of the Community Services, Protection, and Economic Development Standing Committee shall be determined by at its first Meeting following the Inaugural Meeting of Council. Chair and Vice-Chair appointments should be for a one (1) year term, reviewed annually to provide each Member of Council an opportunity to Chair Meetings of the Standing Committee. The Standing Committee may permit a Member to continue as chair for one (1) additional year, but not to exceed two (2) years. The Mayor cannot be appointed to the position of Chair or Vice-Chair.

The Chair shall be responsible to following the rules of order in chairing the Meeting and present the Committee reports to Council and shall respond to questions regarding Committee deliberations and recommendations and refer questions to the Chief Administrative Officer or Director as required.

### **3. Meeting Date, Time and Location**

The Community Services, Protection, and Economic Development Standing Committee shall be scheduled on a Wednesday at 1:30 p.m. and can be cancelled at the call of the Chair in coordination with the CAO and Clerk if the Meeting is not needed.

Other Meetings of the Public Works Planning and Development Standing Committee may be called at a different date by the Chair in coordination with the CAO and Clerk if deemed necessary. The Meetings shall be held in Council Chambers, unless otherwise authorized by the Chair.

#### **4. Mandate**

The general mandate of the Community Services, Protection, and Economic Development Standing Committee shall be to report to and make recommendations to Council with respect to:

- Town Facilities
- Recreational Programming
- Waterfront Operations
- Marketing, Events and Tourism
- Parks
- Urban Forestry
- Fire Services
- By-law Enforcement
- Economic Development Strategic Plan
- Venture 13

#### **5. Procedures**

The general Meeting procedures as provided within the Procedural By-law shall be adhered to. The Order of Business will be consistent with the various Standing Committees are determined by the Clerk and may change from time to time.

In addition to its core function of making recommendations to Council, the Committee is empowered to make decisions regarding the following matters:

- a) Add items to its Agenda pursuant to the Procedure By-law;
- b) Refer matters for the purpose of receiving additional information from staff, or for additional public input;
- c) Refer a matter to another standing Committee in the rare circumstance additional recommendations are required from that standing Committee as the matter proceeds to Council.
- d) Hear and receive deputations regarding Agenda items;
- e) Consider correspondence and make recommendations to Council;
- f) Other procedural matters, as recognized by the Procedure By-law.

#### **6. Departmental Resources**

- Chief Administrative Officer or Designate
- Municipal Clerk or Designate
- Director, Community Services or Designate
- Fire Chief or Designate
- Director, Planning and Development or Designate