

**The Corporation of the City Of Quinte West
By-Law Number 23-001**

**Being A By-Law To Govern The Calling, Place And Proceedings Of
Meetings Of The Council Of The Corporation Of The City Of Quinte West.**

Whereas Section 238(2) of the *Municipal Act*, S.O. 2001, c. 25, as amended, provides that every council and local board shall adopt a procedure by-law for governing the calling, place and proceedings of meetings;

And Whereas Section 8 of the *Municipal Act*, S.O. 2001, c. 25, as amended, provides that a council may pass by-laws for governing their affairs as they consider appropriate;

And Whereas the Council of the Corporation of the City of Quinte West, in the interest of good governance, recognizes a Procedural By-law as a hallmark of accountability and transparency;

And Whereas, it is the Council of the Corporation of the City of Quinte West's desire to follow a process of municipal governance that reflects an open, transparent government;

And Whereas the Council of the Corporation of the City of Quinte West deems it expedient to pass a by-law for this purpose.

**Now Therefore Be It Enacted By the Council For The Corporation Of The
City Of Quinte West As Follows:**

1. Title

This By-law shall be entitled the **"Procedural By-law"**.

2. Definitions

In this By-law:

- (a) **"Agenda"** shall mean the order of proceedings for a Meeting, which sets out the business to be considered at a Meeting and includes any Supplementary Agenda(s);
- (b) **"Announcement"** shall mean a public statement made by a Member of Council related to an event of interest to the general public or an offer of congratulations or condolences, or a matter of similar nature, and shall not be debatable;
- (c) **"City"** shall mean the Corporation of the City of Quinte West;
- (d) **"Clerk"** shall mean the City Clerk or their designate;
- (e) **"Closed Meeting"** shall mean a Meeting, or part of a Meeting, that is not open to the public pursuant to the *Municipal Act*. "In-Camera" and "Confidential" Meeting shall have the same meaning;
- (f) **"Chair"** shall mean the Mayor in the case of the Council, or in the case of a Committee or Local Board, the Chair of such Committee or Local Board or such person appointed to act in their absence;
- (g) **"Committee"** shall mean any Standing Committee of Council or an Advisory Committee established by Council from time to time;
- (h) **"Council"** shall mean the Council of the City;
- (i) **"Council Information Package"** shall mean the prepared list of correspondence addressed to Council or the Clerk that does not require a decision of Council;

- (j) **“Defer”** shall mean a Motion to postpone a decision or debate on a matter until later in the same Meeting or to a future meeting of Council or Committee, either on a fixed date or to be determined. To “Table” shall also mean “Defer”;
- (k) **“Delegate”** shall mean any person or group that has registered with the Clerk and is listed on the Agenda to provide a delegation to Council;
- (l) **“Head of Council”**, “Ex Officio”, or the **“Head”** shall mean the Mayor of the City;
- (m) **“Local Board”** shall mean a Local Board as defined in the *Municipal Act*, S.O. 2001, c. 25, as amended, except municipal police service boards, library boards and school boards;
- (n) **“Meeting”** shall mean any regular, special, workshop, or other meeting of Council, of a local board or of a Committee of either of them, where a quorum of members is present and members discuss or otherwise deal with any matter in a way that materially advances the business or decision making of the Council, local board or Committee;
- (o) **“Member”** shall mean any individual elected to Council or a person appointed by Council to a Committee;
- (p) **“Motion”** shall mean a proposal by a Member for the consideration of Council or Committee.
- (q) **“Municipal Act”** shall mean the *Municipal Act*, 2001, S.O. 2001, c.25, as amended from time to time;
- (r) **“New/Other Business”** shall generally refer to an item that is to be added to the Agenda due to an urgent statutory time requirement, an emergency, or time sensitivity;
- (s) **“Pecuniary Interest”** would apply to a Member who believes they may have a conflict relating to a financial benefit pursuant to applicable conflict of interest legislation;
- (t) **“Recorded Vote”** shall mean a vote, at a Council meeting, for which the Clerk records all Members present and how they voted;
- (u) **“Refer”** shall mean a Motion to send a matter to a Committee, Local Board, agency, City staff or another person for more information, recommendation or other action;
- (v) **“Resolution”** shall mean a Motion or substantive proposal placed before Council for discussion and decision;
- (w) **“Robert’s Rules of Order”** shall mean the most current edition of Robert’s Rules of Order, Newly Revised;
- (x) **“Rules of Procedure”** means the rules and regulations contained in the Procedural By-law that govern the proceedings of Council and its Committees’
- (y) **“Standing Committee”** means a Committee established by Council for the purpose of providing recommendations directly to Council, including the Planning Advisory Committee;
- (z) **“Supplementary Agenda”** shall mean an Agenda that is prepared with additional order(s) of business for a Meeting;
- (aa) **“Vice-Chair”** means the Member appointed to act from time to time in place of the appointed Chair.

3. Application of By-Law

The rules and regulations contained in this By-law shall be observed in all proceedings of Council and, with necessary modifications, the Committees

and Local Boards of the Municipality and shall be the rules and regulations for the order and conduct of business therein, provided that the rules and regulations contained herein may be suspended by a majority vote of Members present, in accordance with Section 3.1 (c) of this By-law.

3.1 Rules and Regulations

- (a) The rules and regulations contained in the By-law shall be the Rules of Procedure for the order and dispatch of business in Council and Committees.
- (b) Unless the By-law provides to the contrary, the rules or regulations expressed for the conduct of Council Meetings apply, with necessary changes, to Committees.
- (c) The Rules of Procedure may be suspended by a two-thirds vote of the Members of Council or Committee present at the Meeting.

3.2 Interpretation

- (a) In the event of a conflict of interpretation of any rules or regulations of this By-law or for determining a proper course of action for matters that may arise that are not specifically contemplated by this By-law, the most recent edition of Robert's Rules of Order, Newly Revised shall be referred to for clarification.
- (b) A word in this By-law expressed in the singular has a corresponding meaning when used in plural. Words implying a single gender shall be read to be inclusive of all genders.
- (c) Any future amendment(s) to the *Municipal Act* or other legislation as noted in the By-law that may alter the sections or subsections of the legislation referenced will not affect the validity of the By-law or any part thereof.

4. Meetings

a. Inaugural Meeting

The Inaugural Meeting of a newly elected Council shall be held on a date as legislated in the *Municipal Act*, S.O. 2001, c. 25, as amended.

b. Regular Council and Standing Committee Meetings

- (a) Regular Meetings of Council shall be held in accordance with the schedule adopted by Council, except when otherwise directed by a resolution of Council.
- (b) Regular Meetings of a Standing Committee shall be held in accordance with the schedule adopted by Council, except when otherwise directed by a resolution of Council.

c. Special Council Meetings

4.3.1 Special Meetings may be called in one of three ways:

- (a) The Head or Clerk may at any time summon a Special Meeting on 24 hours written notice to the Members; or,

- (b) Upon receipt of the petition of a majority of the Members of the Council, the Clerk shall summon a Special Meeting for the purpose and at the time mentioned in the petition. Each Council member and the Clerk shall be given at least twenty-four (24) hours notice of each Special Meeting.
- (c) In urgent and extraordinary circumstances, a Special Meeting of Council may be held as soon as practicable following receipt of the summons of the Head or the petition of a majority of the Members of Council and notice may be given by telephone or personal contact by the Clerk. Notice of a Special Meeting shall specify the time, location and purpose for the Meeting.

4.3.2 The only business to be dealt with at a Special Meeting is that which is listed in the notice of the Meeting. Special Meetings may be open or Closed as provided for in the *Municipal Act*.

d. Electronic Meeting Participation

- i. A Member may participate electronically in a Meeting and will be counted in determining whether or not a quorum of Members is present at any point in time and shall be permitted to vote.
- ii. A Member may participate electronically in a meeting that is either open or closed to the public.
- iii. Any Member participating in a Meeting electronically shall:
 - (a) Provide notice to the Clerk no later than 1:00 p.m. on the day of the Meeting;
 - (b) Make themselves available at least 30 minutes prior to the beginning of the meeting so that staff may ensure a sufficient electronic connection;
 - (c) Ensure they are on mute when not speaking;
 - (d) Participate using video conferencing technology established by the Clerk. Phone-in participation is not permitted;
 - (e) Ensure that their video is enabled while participating in the meeting. If the Member's video is off without providing an explanation sufficient to the Clerk, the Member shall be considered to have left the meeting.
- iv. City staff, including the Clerk, shall be permitted to participate in a Meeting electronically. Where feasible, the Chair and the Clerk of the Meeting shall be physically present.
- v. The public shall be permitted to participate electronically in any Meeting, provided that the Meeting is not a Closed Meeting. If part of the Meeting is Closed, the public shall not be permitted to participate in the part of the Meeting that is Closed.
- vi. Delegates shall be permitted to participate electronically at the discretion of the Clerk.

e. Calling a Meeting to Order and Quorum

A majority of the Members is necessary to form a quorum. As soon as there is a quorum after the time appointed for the commencement of a Meeting, the Mayor or Chair will call the Meeting to order. If a quorum is not present for 30 minutes after the time appointed for commencement of a Meeting, the Clerk shall record the names of the Members present and the Meeting shall not commence or proceed.

f. Late Arrival

If a Member arrives late for a Meeting, any prior debate shall not be reviewed without two-thirds consent of all Members present.

g. Chair of Council

- (a) The Mayor is the Chair of Council. In the absence of the Mayor at Council, the Deputy Mayor shall take the Chair. In the absence of both of them, the Members present shall elect a Chair for the meeting.
- (b) The Deputy Mayor shall be appointed by Council in accordance with the Deputy Mayor Appointment Procedure Policy.

h. Preparation of the Agenda

- (a) Prior to each regular Meeting, the Clerk shall prepare an Agenda of all the business to be brought before such Meeting. The Council Agenda shall be distributed to Members and posted on the City's website at least 24 hours before the Meeting.
- (b) If required, the Clerk shall prepare and distribute a Supplementary Agenda of all the business to be brought before a Meeting, at a minimum of one hour prior to each regular Meeting.

i. Supplementary Agenda

Requests for items to be added to a Supplementary Agenda shall meet at least one of the following conditions:

- (a) Government/agency deadlines;
- (b) Legal implications;
- (c) Contractual implications;
- (d) Financial implications; or,
- (e) Council or Standing Committee direction.

j. Order of Business

- (a) Council Meetings

The Clerk shall prepare the Agenda for the use of Members at the regular Meetings of Council, as follows:

Call to Order
 Closed Session
 Indigenous Land Acknowledgement Statement
 National Anthem & Opening Remarks from Clerk
 Opening Remarks from Chair
 Announcements
 Disclosure of Pecuniary Interest and the General Nature Thereof
 Approval of Agenda
 Approval of Minutes
 Delegations and Petitions
 Public Input
 Committee Reports, Staff Reports and Approval of Accounts
 Correspondence for Council Decision
 Business Arising from Council Information Package
 Supplementary Agenda Items
 Notice(s) of Motion
 New/Other Business
 By-laws
 Confirmation By-law
 Adjournment

(b) Standing Committee Meetings

The Clerk, or designate, shall prepare the Agenda for the use of the Members at the regular Standing Committee Meetings, as follows:

Call to Order
 Closed Session
 Disclosures of Pecuniary Interest and there General Nature Thereof
 Approval of Agenda
 Approval of Minutes
 Public Meetings
 Public Input
 Presentations
 Delegations
 Staff Reports and Other Decision Items
 Correspondence for Committee Decision
 Supplementary Agenda Items
 Notice(s) of Motion
 New/Other Business
 Adjournment

k. Record of the Proceedings

The Clerk, or designate, shall be the secretary of all Meetings. It shall be the duty of the Clerk to record the proceedings of Council in the form of minutes that shall contain the following:

- (a) The beginning and ending time of the Meetings.
- (b) The names of the Members present.
- (c) Any declaration of Pecuniary Interest.
- (d) A record of the decision of each item for consideration.
- (e) Recommendations on each item.
- (f) The name of Delegates appearing before Council or Committee.

I. Minutes

- (a) Minutes of a previous Meeting shall be approved at the next regular Meeting.
- (b) After the minutes have been adopted by Council, they shall be signed by the Mayor, or the Chair if not the Mayor, and the Clerk.
- (c) The Minutes of an open Meeting of Council or Committee are public and shall be made available on the City's website.
- (d) The minutes of all Advisory and Standing Committees, once received, shall be placed on the Council Agenda for information only. Motions from advisory and special Committees requiring Council endorsement shall be placed on the Council Agenda for consideration.
- (e) The Clerk is authorized to make minor technical or clerical corrections to the Minutes after they have been adopted by Council, with the appropriate notation included in the Minutes identifying the correction, so long as the intent and integrity of the information and/or Resolution is not changed.

m. Recording Equipment

- (a) Council and Standing Committee Meetings shall be recorded, wherever possible, through audio and video streaming on the City's website. Any failure of the audio or video streaming equipment for a Meeting, or any portion thereof, does not invalidate the outcome of a Meeting. Closed Meetings shall not be recorded.
- (b) The use of audio and video recording equipment in the Meeting room by the public or the media will be permitted provided that it is not disruptive to the Meeting. Permission for recording and the location of recording equipment will be at the discretion of the Chair.

n. Delegations, Public Input, and Petitions

- (a) To speak on the same matter, persons shall only appear before Council or Committee as a Delegate, but not both.
- (b) Any person desiring to be heard by Council or a Committee shall register as a Delegate by completing and submitting the prescribed form to the Clerk no later than seven (7) days prior to the Meeting. The prescribed form must be completed by the individual requesting to be a Delegate. Delegates who register prior to the publication of the Agenda will be listed under the "Delegation" section of the Agenda.
- (c) Petitions presented to Council shall be legibly written or printed and signed by at least one person and filed with the Clerk during or prior to the Council Meeting. The person or persons presenting the Petition may speak on the matter before Council, in which case it shall be limited to a maximum of ten (10) minutes.
- (d) Delegates who cannot appear before Council or Committee may submit their written comments, by the prescribed deadline, for inclusion under the "Correspondence for Council Decision" section of the Agenda.

- (e) A Delegation on behalf of an organization, corporation, association, or group shall be limited to two people.
 - (f) Delegates shall be permitted to speak for a maximum of ten (10) minutes, regardless of whether they are representing themselves personally, or an organization, corporation, association or group.
 - (g) In the "Public Input" section of the Agenda, persons are permitted to speak on any issue with which they are concerned and that presentations be limited to three (3) minutes. Public Input is for the receipt of information by Council or Committee only. Questions may not be directed to Council or Committee for debate, nor shall any of the items raised be debated by members of Council or Committee during this portion of the Agenda.
 - (h) Delegates shall not promote products or services for the purpose of soliciting business.
 - (i) Delegates shall not make statements or comments that are, in the opinion of the Chair, frivolous or vexatious in nature.
 - (j) Delegates shall respond to questions from Members only through the Chair.
 - (k) After a Delegate has completed their submission, Members shall each have the opportunity to ask questions of the Delegate for clarification purposes only. When all Members who have indicated a desire to ask questions have been given the opportunity to do so, the Delegate shall take their seat in the public seating area and shall not engage in debate with Members.
 - (l) The Chair may curtail any delegation, any questions of a Delegate or debate during a delegation, for disorder, lack of decorum or for any other breach of this By-law and, should the Chair rule the delegation is concluded, the Delegate shall take their seat in the public seating area immediately.
 - (m) The number of delegations or petitions to be heard at Council Meeting shall not exceed three (3) unless otherwise determined by Clerk in consultation with the Chair.
- o. Announcements
- (a) A Member shall be permitted to make Announcements at a Council Meeting. Announcements shall not be debatable and the duration of the Member's Announcement shall not exceed two (2) minutes.
- p. Motions
- (a) Any Member of Council may introduce a motion related to a matter listed on the Agenda for discussion or debate. The motion must be formally seconded before it is subject to discussion or debate.
 - (b) Notice of the introduction of new matters (Notice of Motion[s]) shall be given in writing to the Clerk as contemplated by the provisions of Section 4.19 of this By-law and shall be entered on the agenda for the next regular Meeting of the Council. If at the meeting at which the motion is to be considered it is not proceeded with or there is no seconder, it shall be deemed to have been withdrawn.
 - (c) After a motion has been put and decided, no Motion for reconsideration thereof shall be introduced during the same meeting, unless it is moved and seconded by two Members from among those who voted with the majority.

- (d) No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.
- (e) A motion related to a question under consideration may be entertained only if it is:
 - (i) to refer (debatable)
 - (ii) to amend (debatable)
 - (iii) to defer, postpone or table (not debatable)
 - (iv) to adjourn (not debatable)
 These motions shall have precedence in the order in which they are named.
- (f) A Motion that was duly made, discussed or debated shall be put to a vote and the Motion and the result shall be recorded in the Minutes.
- (g) A Motion may be withdrawn by the mover with permission of the seconder prior to its being debated or put to a vote.

q. Voting on Motions

- (a) Before a Motion is put to a vote, the Chair shall state the question in the precise form it is to be recorded in the Minutes, including any amendments to the question. Members present must vote on the question unless prohibited by any provincial statute or regulation. The Head shall verbally indicate whether the Motion has been carried or lost.
- (b) When a question is put to a vote, no Member shall speak to the question nor shall any other Motion be made until after the vote is taken and the result declared.
- (c) Any question on which there is a "tie vote" or equality of votes, the vote shall be deemed to be lost.
- (d) The Head of Council may vote on any issue and shall vote upon any question on which there is an equality of votes.
- (e) Any Member may request a recorded vote. A request for a recorded vote must be made immediately prior to the taking of the vote and the names of those who voted for and those who voted against shall be recorded in the Minutes by the Clerk. On a recorded vote, the manner of determining the outcome of the vote shall be by voice stating yes or no. A recorded vote shall be carried out in alphabetical order with the exception of the Head who shall vote last. Any failure to vote by a qualified Member shall be deemed to be a negative vote. The Clerk shall report the results of the vote to the Head who shall declare the results of the vote.
- (f) No vote by Council shall be taken by ballot or any other method of secret voting.
- (g) When the Head calls for a vote on a question, each Member shall remain seated and refrain from communicating with other Members until the result of the vote has been declared by the Head. On an unrecorded vote, the manner of voting shall be at the discretion of the Head and may be by voice, show of hands, standing or otherwise.
- (h) Members shall not speak more than once to the same question without the consent of the Head of Council. If a Motion has been amended, each Member may readdress the question.
- (i) The Members are required to address the question as put by the Motion, and any variance may be deemed out of order by the Head.

r. Correspondence

- (a) Correspondence for Council's decision shall be placed on the Agenda for Council's consideration by the Clerk.
- (b) Correspondence not requiring a decision of Council shall be included in the Council Information Package and shall be distributed by the Clerk via email to Members of Council each Thursday during the weeks in which there is a regular Meeting of Council.
- (c) Any Member of Council may pull any item(s) of correspondence included in the Council information Package for consideration by Council at the next regular or Special Meeting of Council.
- (d) Members of Council wishing to pull any item(s) of correspondence included in the Council Information Package for consideration by Council shall do so by notifying the Clerk in writing no later than the seven (7) days prior to the Meeting. The Clerk shall include these items on the Agenda for receipt by Council.

s. Notice(s) of Motion

- (a) A Notice of Motion shall be:
 - i. In writing signed by the mover and the seconder;
 - ii. Delivered to the Clerk at least seven (7) days prior to the Meeting for inclusion on the Agenda; and,
 - iii. Amended or withdrawn only with the consent of the mover.
- (b) The Notice of Motion shall be considered at the Meeting in which it appears on the Agenda.
- (b) The Notice of Motion may be Deferred to a subsequent Meeting.

t. By-laws

- (a) All By-laws shall be passed in a single Motion, unless a Member wishes to discuss the contents of a particular by-law or by-laws, in which case the subject by-law(s) shall be removed from the Motion and dealt with separately.
- (b) If a Member wishes to debate the contents of a by-law, the subject by-law shall be removed from the Motion and dealt with separately.
- (c) Every by-law which is passed by Council shall be signed by the Mayor or the Deputy Mayor and the Clerk, or designate, and sealed with the seal of the City, and shall be retained by the Clerk.
- (d) If a majority vote is not achieved for a by-law on a report item previously approved in the Meeting, the by-law shall be presented at a subsequent Meeting.
- (e) The Clerk is authorized to make the following changes to by-laws after enactment by Council:
 - i. Correct spelling, punctuation or grammatical errors, or errors that are of a clerical, typographical or similar nature.

- ii. Alter the style or presentation of text or graphics to improve electronic or print presentation or to comply with legislated accessibility requirements.
 - iii. Correct errors in the numbering provisions or other portions of a by-law and make any changes in cross-reference that are required as a result.
- u. The Mayor and in their absence, the Deputy Mayor, and the Clerk, or designate, are authorized to sign and seal all agreements and other municipal documents that have been approved by Council.
- v. New/Other Business
 - (a) Items Referred from a Committee may be listed under the New/Other Business section of an Agenda.
 - (b) New/Other Business presented at Council should be urgent due to:
 - i. a statutory time requirement;
 - ii. an emergency, or
 - iii. time sensitivity.
 - (c) Matters that are non-urgent in nature shall require a Notice of Motion.
- w. No item of business may be dealt with at a Meeting after 8:00 p.m., unless extended by a Motion and majority vote of the Members present.

5. Closed Meeting (i.e. Confidential/In-Camera Meetings)

- 5.1 Council or Committee may, by Resolution, close a Meeting or part of a Meeting to the public in accordance with section 239 of the *Municipal Act*, S.O. 2001, c. 25 if the subject matter being considered is:
- (a) the security of the property of the municipality;
 - (b) personal matters about an identifiable individual including municipal employees;
 - (c) a proposed or pending acquisition or disposition of land by the municipality;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality;
 - (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which Council has authorized a meeting to be closed under an Act other than the *Municipal Act*, S.O. 2001, c. 25, as amended;

- (h) information explicitly supplied in confidence to the municipality by Canada, a province or territory or a Crown agency of any of them;
 - (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality and has monetary value or potential monetary value;
 - (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality; or,
 - (l) For the purpose of educating or training the Members. During such Meetings, no Member may discuss or materially advance the business or decision-making of Council, Committee or a Local Board.
- 5.2 Council or Committee shall, by Resolution, close a Meeting or part of a Meeting to the public in accordance with section 239 of the *Municipal Act* if the subject matter being considered is:
- (a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the Council, board, commission or other body is the head of the institution for the purposes of that Act; or,
 - (b) an ongoing investigation respecting the municipality by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13(1) of the *Municipal Act*, or the investigator referred to in subsection 239.2(1) of the *Municipal Act*.
- 5.3 A Motion to close a Meeting or part of a Meeting to the public shall state the:
- (a) Intention to close the Meeting to the public; and,
 - (b) General nature of the matter(s) to be considered at the Closed Meeting and the grounds for closing the Meeting as set out in the *Municipal Act*.
- 5.4 Where a Meeting or part of a Meeting is closed to the public, all persons not specifically invited to remain by the Chair shall leave the Meeting.
- 5.5 If Council or Committee requires a person(s) to remain during a Meeting, or part of a Meeting, that is closed to the public who are not Members, City staff, or persons retained under contract with the City, it must adopt a Resolution to that effect.

5.6 Only votes relating to procedural matters or direction to staff or persons retained under contract to the City may be taken during a Closed Meeting, unless otherwise authorized by legislation.

5.7 Upon completion of the Closed Meeting:

- (a) The Members shall immediately reconvene in open session;
- (b) The public shall be allowed to return to the Meeting;
- (c) The Mayor or Chair shall report any outcomes on the Closed Meeting as necessary; and,
- (d) If applicable, the Members shall vote during the open session on any resolutions originating from the Confidential Meeting.

5.8 Meeting Agenda for Closed Sessions

- (a) For any Meeting at which there are items to be considered in a Closed Session, the Agenda for that meeting shall identify the subsection(s) of the *Municipal Act*, S.O. 2001, c. 25, as amended, or other applicable legislation, which authorizes each item to be considered at the Closed Session.
- (b) The Clerk shall prepare in consultation with the appropriate Director, and have approved by the Clerk or designate, an Agenda for the Closed Session which shall include a list of items to be considered and shall identify the subsection of the *Municipal Act*, S.O. 2001, c. 25, as amended, or other applicable legislation, which authorizes each item to be considered at the Closed Session.
- (c) The Clerk shall circulate the Closed Session Agenda to all members of the Council and to such staff as directed by the Chief Administrative Officer.
- (d) No item may be added to an Agenda for a Closed Session without the prior approval of the Clerk.
- (e) Council, rather than moving into a Closed Session, may simply acknowledge the items, without full discussion, on a Closed Session agenda, and may give direction in accordance with a recommendation included in a report on a Closed Session agenda, without moving into Closed Session.
- (f) The Clerk shall prepare for the use of the Members at Closed Sessions an Agenda that shall conform to the following order of procedure:
 - 1. Call to Order
 - 2. Disclosure of Pecuniary Interest
 - 3. Approval of Closed Session Minutes
 - 4. Items for Consideration
 - 5. Motion to return to open session

5.9 Closed Session Minutes

Minutes shall be kept of all Closed Sessions, identifying the Members present and absent, staff present, in the same fashion as those kept for open sessions and shall correspond directly to the prepared Closed Session Agenda and shall identify any added items and shall note any

direction or instructions given.

5.10 Closed Session Confidentiality

- (a) No member of the Council shall distribute any reports or items, or disclose the nature or content of discussions regarding any matters that are part of a Closed Session Agenda without the prior approval of the Council or Committee.
- (b) The Clerk shall be responsible to maintain a confidential copy of all Agendas and Minutes of Closed Session.

6. Duties and Conduct

a. Duties of the Chair

It shall be the duty of the Chair to:

- (a) open the meeting of Council by taking the Chair, calling the meeting to order, and giving appropriate opening remarks;
- (b) announce the order of business as it appears on the Agenda;
- (c) receive and put to a vote all Motions presented by Members of Council that are duly moved and seconded, or necessarily arise in the course of the proceedings and to announce the results;
- (d) ensure the observance of order and decorum among Members;
- (e) receive all communications and Delegations and announce them to Council;
- (f) inform the Council, when necessary or when referred to for that purpose, on a point of order or usage;
- (g) decline to put to vote any Motion which contravenes this By-law;
- (h) expel any person for improper conduct and/or use of offensive words or unparliamentary language, at a meeting if the Head, in his or her sole discretion, deems it necessary or appropriate; and preside over the conduct of the meeting including the ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal to Council as set out in this By-law.
- (i) Ensure Members take a break by announcing a minimum 10 minutes recess after two hours have passed since the last break.

b. Conduct of Members at Meetings

Members shall act in a respectful and courteous manner that allows Council to effectively address all matters before it. Members are expected to show respect to Delegates, fellow Members and staff by being

courteous and not distracting from the business of Council during presentations, Delegations, and when other Members have the floor.

No Member shall:

- (a) Use indecent, offensive or insulting language or speak disrespectfully of any individual.
- (b) Speak on any subject other than the subject being debated.
- (c) Criticize any decision of Council except for the purpose of moving that a Motion be reconsidered.
- (d) Fail to comply with the Rules of Procedure or disobey the decision of the Chair on questions of order or on the interpretation of the Rules of Procedure, unless the Member appeals an interpretation of the rules.

Where a Member persists in any such disobedience after having been called to order by the Chair:

- (a) The Chair shall put a question to Council for a vote. Amendments, adjournments or debates shall not be allowed upon such question. The question to be voted on is, "That the Member be required to leave the Meeting room." The question requires a majority vote for adoption.
- (b) If the question carries, the Chair will order the Member to leave the Meeting room for the remainder of the Meeting and the Member shall comply.
- (c) If the Member advises the Clerk that the Member wishes to apologize to Council, the Clerk will inform the Chair, who will permit the Member to do so, and with Council's consent, the Member may return to their seat.
- (d) Disclosure of any content of a Meeting that was closed to the public or provide confidential documents or materials to unauthorized individuals.
- (e) Read aloud any texts, emails or other communications, that have been received by the Clerk and are not part of the official meeting records without the majority consent of the Members present at a Meeting.

c. Speaking Order and Limit

- (a) The Chair shall determine and administer the speaking order;
- (b) Each Member may only speak for a maximum of five (5) minutes at a time during debate, however, they may speak as often as they wish. This time restriction does not apply to Members when they are asking questions and seeking clarification from Delegates and staff.

- (c) If requested, the mover or seconder of a Motion, has the right to be the last Member to speak on a Motion; and,
 - (d) When a Member is speaking to a Motion, they shall confine their remarks to the Motion.
- d. Point of Order
- (a) A Member may interrupt at any time the person who has the floor to raise a point of order when such Member feels that there has been a deviation or departure from the Rules of Procedure.
 - (b) Upon hearing such a point, the ruling of the Chair shall be final unless the Member and a seconder appeals the rules to Council or Committee, which shall then decide upon the question without debate. The question to be decided is "Shall the ruling of the Chair be upheld?" In order to overturn the decision of the Chair, a majority vote of Council or Committee is required.
- e. Point of Privilege
- (a) A Member may interrupt at any time the person who has the floor to raise a point of privilege when such Member feels that their integrity or the integrity of the Council or Committee has been impugned by any individual.
 - (b) Upon hearing such point, the ruling of the Chair shall be final unless the Member and a seconder appeals the ruling to Council or Committee, which shall then decide upon the question without debate. The question to be decided is "Shall the ruling of the Chair be upheld?" In order to overturn the decision of the Chair, a majority vote of Council or Committee is required.
 - (c) Where the Chair rules that a breach of Privilege has taken place, and that ruling is upheld, if necessary, by a vote of Council or Committee, the Chair shall demand that the offending Member or Delegate apologize, and absent of such apology, shall request such Member or Delegate to leave the Meeting room for the duration of the Meeting.
- f. Public Decorum at Meetings

The public is welcome to attend all Council and Committee Meetings held in open session. Members of the public attending Meetings shall conduct themselves in a courteous and respectful manner and in accordance with this By-law.

- (a) The public who attend a Meeting will maintain order and shall not:
 - i) Address Council without the permission of the Chair.
 - ii) Interrupt any speech or action of the Members or any person addressing Council.
 - iii) Display signs or placards, heckle, clap or jeer at the comments of a Member, Delegate or staff, or engage in conversation or other behaviour which may disrupt the proceedings of the Meeting.
 - iv) Use indecent, offensive or insulting language or speak disrespectfully to or about any individual.
- (b) All cell phones and electronic devices shall be turned off and/or set to silent mode during a Meeting.
- (c) The Chair may request security personnel or staff to expel or exclude from any Meeting, any person who fails to comply with these Rules of Procedure.

- (d) No person, except Members and Staff of the City, shall be allowed to approach the area where Members are seated during the Meeting without the permission of the Chair.
- (e) Individuals who wish to submit the materials for Council's consideration must do so through the Clerk.

7. Notice of Meetings

- (a) Public Notice of regular Meetings of Council and Committees of Council shall be provided by posting the annual schedule of regular Meetings adopted by Council on the City's website and, providing a printed version to any person who so requests.
- (b) The Clerk shall provide Notice to local media of the date, time, and place of all regularly scheduled Council and Committee Meetings at least one (1) working day prior to the meeting.
- (c) Notice of Special Meetings that do not form part of the schedule of meetings shall be posted on the City's website and provided to the media.
- (d) The Agenda for each Meeting shall be posted on the web site and provided to the media prior to the meeting and provided in a printed version to any person who so requests.
- (e) Public Notice shall be given in accordance with the City's Notice Policy for the cancellation of regularly scheduled Meetings of Council and Committees of Council.

8. Disclosure of Pecuniary Interest Rules

- 8.1 Where a Member has a pecuniary interest as defined in the *Municipal Conflict of Interest Act*, the Member shall prior to any consideration of the matter at the Meeting, disclose the interest and general nature thereof. The Member shall not take part in the discussion of, or vote on any question in respect of the matter and shall not attempt in any way, whether before, during or after the Meeting to influence the voting on such question. Members shall not request the Clerk or other Staff members to provide advice or comment on whether a Member has a pecuniary interest.
- 8.2 Where the Meeting is not open to the public, in addition to declaring the conflict, the Member shall leave the Meeting or the part of the Meeting during which the matter is under consideration.
- 8.3 Where a member is absent from a Meeting which includes a matter on which they have a pecuniary interest, the Member shall disclose the interest at the next Meeting attended by the Member.
- 8.4 The Clerk shall record any declarations of interest made by a Member in the Meeting minutes, noting the matter and the general nature of the declaration.
- 8.5 All declarations made under Section 8.1 of this By-law shall also be submitted in writing to the Clerk using the prescribed form and shall be made available in the office of the Clerk through a Disclosure of Interest Registry.
- 8.6 Notwithstanding Section 8.2, if the matter under consideration pertains to whether to suspend the remuneration paid to the Member under subsection 223.4(5) of the *Municipal Act*, the Member may take part in the discussion of the matter, including making submissions to Council and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the Meeting. However, the member is not permitted to vote on any questions in respect of the matter. In the case of a Meeting that is not open to the public, the Member may attend the Meeting or part of the Meeting during which this matter is under consideration.

9. Amendment

No amendment or repeal of this By-law or any part thereof shall be considered at any Meeting of Council unless notice of the proposed amendment or repeal has been given to the Clerk and included on the Agenda of the next meeting at which such amendment or repeal is to be considered.

10. Enforcement

If any provision or requirement of this By-law or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the remainder of this By-law or the application of such provision or requirement to all persons other than those to which it is held to be invalid

or unenforceable shall not be affected thereby and is hereby declared to be the intention of Council that each provision and requirement of this By-law shall be separately valid and enforceable to the fullest extent permitted by law.


11. Repeal of Previous By-Law

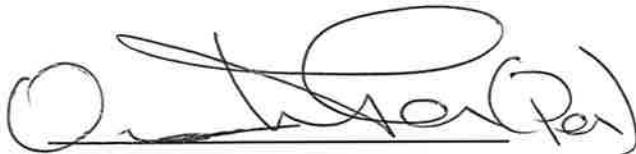
That By-law Number 19-029, and all subsequent amending by-laws be repealed in their entirety and replaced with this By-law.

12. Effective Date

This By-law shall become effective upon the date of final passing thereof.

Read A First, Second And Third Time And Finally Passed This 11th Day Of January, 2023.


Jim Harrison, Mayor


Josh Machesney, City Clerk