

THE CORPORATION OF THE TOWN OF PRESCOTT

BY-LAW NO. 39-2020

A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL AND ITS COMMITTEES AND TO REPEAL BY-LAW 42-2014

Being a by-law to govern the proceedings of Council and its Committees and to repeal By-Law 42-2014

WHEREAS section 238 (2) of the *Municipal Act, 2001*, as amended, requires every council and local board to adopt a procedural by-law for governing the calling, place and proceedings of meetings; and

WHEREAS the Council of the Corporation of the Town of Prescott enacted By-Law 42-2014 being a by-law to govern the proceedings of council and its committees on January 5, 2015; and

NOW THEREFORE the Council of the Corporation of the Town of Prescott enacts as follows:

Definitions

1. The following definitions apply to this by-law:
 - i) “CAO” means the Chief Administrative Officer of the Corporation of the Town of Prescott.
 - ii) “Clerk” means the clerk of the Corporation of the Town of Prescott or his/her lawful designate.
 - iii) “Closed Meeting” means a meeting closed to the public as defined by the *Municipal Act*.
 - iv) “Committee of the Whole” shall mean a committee meeting held where all of Council is invited to discuss specific issues in greater detail.
 - v) “Council” means the Council of the Corporation of the Town of Prescott and includes the Mayor and Councillors. Members of Council shall be read in a like manner.

- vi) "Emergency" shall mean a sudden, generally unexpected occurrence demanding the immediate action of Council.
- vi) "Mayor" means the Mayor of the Corporation of the Town of Prescott.
- vii) "Presiding Officer" shall mean the Mayor or his/her alternate. Alternate shall mean the Deputy Mayor or a presiding mayor, duly appointed and acting in accordance with the provisions of this by-law.
- viii) "Quorum" shall be a majority of the total number of eligible voting members of the Council or committee, subject to subsection 7 of the *Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50*.
- ix) "Rules of Order" shall be rules to govern conduct during meetings of Council and its committees.

General Provisions

2. The rules and regulations contained in this by-law shall be observed in all proceedings of Council and shall be the rules and regulations for the order and dispatch of business in the Council provided that the rules and regulations herein may be suspended by a majority vote of the Council.
3. These rules of procedure shall also apply to all Committees, Sub-Committees, Ad-Hoc Committees, where applicable, and similar entities of which at least 50 percent of the members are also members of the Town of Prescott Council.
4. Where procedural matters of Council or Committees of Council are not provided for in this by-law and are governed by the *Municipal Act, 2001* and the *Municipal Conflict of Interest Act*, Robert's Rules of Order shall apply.
5. Meetings of Council shall be held at the Council Chambers adopted and used by council from time to time for such purpose.
6. **Inaugural Meeting**
The Inaugural Meeting of Council shall take place on the first weekday on or following November 15th at 6:00 p.m. The inaugural meeting shall be conducted in accordance with Schedule "A".
7. **Regular Meetings**
The next and each succeeding regular meeting of Council shall be held on the first and third Monday of each month commencing at 6:00 p.m., unless council by resolution directs otherwise.

During the months of July and August, one regular meeting of Council shall be held at 6:00 p.m. on a Monday of the month determined by Council.

8. Regular Meeting Day a Holiday

When the day for a regular meeting of Council is a public or civic holiday, the Council shall, unless the Council decides otherwise, meet at the same hour and place on the next day which is not a public or civic holiday.

9. Notice of Regular Meetings

Public notice of all regular meetings of Council and the Committee of the Whole shall be by means of posting on the municipal website at least forty-eight (48) hours in advance of the meeting. Notice for cancellation of a meeting shall also be made on the municipal website in the same location as that used for the posting of meeting notices.

10. Notice of Special Meetings

The Mayor may at any time summon a special meeting of Council on forty-eight (48) hours' notice to the members of Council or, upon receipt of a petition of the majority vote of Council, the Clerk shall summon a special meeting for the purpose and at the time mentioned in the petition. Forty-eight (48) hours' notice of all special meetings of Council shall be given to the members through the Clerk's office. The only business to be dealt with at a special meeting shall be that which is listed in the notice of the meeting.

11. Notice to members of Council may be given by delivering a notice personally to a member by leaving such notice at his/her residence, or place of business, or by facsimile transmission to such residence or place of business, or by electronic mail to such residence or place of business, or by telephone.

12. Notwithstanding Section 10 of this by-law, the Mayor may, in the event of an emergency, call a special meeting of Council without giving 48 hours' notice of the meeting providing that the Clerk has diligently tried to advise all members of Council immediately upon being advised by the Mayor of his/her intention to hold a special meeting.

13. Meetings Open to the Public

1) Subject to Section 14, the meetings of Council shall be open to the public and no person shall be excluded therefrom except for improper conduct.

2) The Mayor or Chair may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting if the Mayor or Chair is satisfied that evidence exists to support expulsion or exclusion and states the reason for the expulsion or exclusion.

3) For the purposes of Subsections (1) and (2), "improper conduct" means conduct that obstructs in any way the deliberations and/or proper action of Council, and includes but is not limited to conduct that negatively affects the observance of order and decorum among Members and the attending public.

4) The exercise of authority and stated reason under Subsection (2) shall be recorded in the meeting minutes.

14. Closed Meetings

- 1) Council may, by resolution, close a meeting or part of a meeting to members of the public if the subject matter to be 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 for the purposes of the municipality;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, affecting the municipality, including matters before administrative tribunals;
 - (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which the Council is authorized by statute to hold a closed meeting;
 - (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
 - (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
 - (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

- 2) Council shall, by resolution, close a meeting or part of a meeting to members of the public where the subject matter to be considered is:
 - (a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*; or
 - (b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman and/or Meetings Investigator.

- 3) A meeting of Council may also be closed to members of the public if the following conditions are both satisfied:
 - (a) The meeting is held for the purpose of educating or training the members;
and
 - (b) At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council.

- 4) A motion to close a meeting or part of a meeting to the public shall state:
 - (a) the fact of the holding of the closed meeting; and
 - (b) the general nature of the matter to be considered at the closed meeting by reference to the specific issue to be considered at the closed meeting.
- 5) Where a meeting or part of a meeting is closed to the public, all persons not specifically invited to remain by Council shall retire from the meeting.
- 6) A vote shall not be taken during a meeting or part of a meeting that is closed to the public where to do so would be in contravention of any Act.
- 7) Upon resuming in open session, the Mayor shall state:
 - (a) The matters which were considered; and
 - (b) Confirmation that no motions were carried in camera other than procedural motions or directions to staff.

15. Confidential Information

Members shall keep confidential any information:

- i) Disclosed or discussed at a meeting or part of a meeting that is closed to the public;
- ii) That is received in confidence verbally in preparation of the closed meeting.

16. Recording of Closed Meetings

All closed meetings of Council shall be video recorded for the purposes of any closed meeting investigation. Only one copy of the video recording will be kept in a secured location.

17. Enquiries Regarding Closed Meetings

The response of Members to enquiries about any matter dealt with by Council or Committee at a closed meeting shall be “no comment” as the matter was dealt with in a closed session, or words to that effect. No Member shall release or make public any information considered at a closed meeting or discuss the content of such a meeting with persons other than Members or relevant staff members.

18. Violating Confidentiality of Closed Meetings

Any intentional or inadvertent violation of the provisions set out in Sections 14, 15 and 17 of this by-law shall be subject to consequences as set out in the Code of Conduct for Members of Council and Local Boards.

19. Absence of Mayor & Quorum

In the case of the absence of the Mayor at a meeting of Council, or he/she refuses to act or his/her office is vacant, the Deputy Mayor shall act in his/her place and the Deputy Mayor shall have all the rights, powers, privileges, and authority of the Mayor, while so acting in this capacity.

20. As soon after the hour fixed for the holding of the meeting of council, and a quorum is present, the Mayor shall assume the duties of the presiding officer and call the meeting to order. If no quorum is present one-half hour after the time appointed for the meeting of Council or committee, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next meeting.

21. In case the Mayor or Deputy Mayor does not attend within 15 minutes after the time appointed for a meeting of Council, the Clerk shall call the members to order and an acting head of Council shall be appointed from among the members present. He/She shall preside until the arrival of the Mayor or Deputy Mayor, and while so presiding the acting head of Council shall have all the powers of the Mayor.

22. Electronic Participation in Meetings

As per Section 238(3.1) of the *Municipal Act, 2001*, members of Council, of a local board or of a committee of either of them, can participate electronically in a meeting.

A member of Council, of a local board or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time.

A member of Council, of a local board or of a committee of either of them can participate electronically in a meeting that is open or closed to the public. Members will be responsible to take all reasonable measures to ensure security in the event they participate electronically in a closed meeting.

A member of Council, of a local board or of a committee of either of them must notify the Chair of the meeting and the Clerk, or their designate, prior to the meeting if they wish to participate via electronic means. Approval for individual members to participate electronically will be granted by the Chair.

Electronic meetings that are not closed to the public under Section 239(2) of the *Municipal Act, 2001*, will be open to the public via technological means, when physical attendance by the public is not possible. All other applicable meeting notice provisions will remain for electronic meetings.

When all members are participating electronically in a meeting, motions shall not be required to be made in writing.

When all members are participating electronically in a meeting, all votes shall be recorded. Each member present, including the presiding officer, except a member who is disqualified from voting by any Act, shall announce his/her vote verbally when called in alphabetical order by the Clerk, and the Clerk shall record each member's name and vote.

Conduct and Proceedings at Council Meetings

23. Duties of the Presiding Officer

It shall be the duty of the presiding officer:

- i) to open the meeting of Council by taking the position of presiding officer and calling the members to order;
- ii) to announce the business before the Council in the order in which it is to acted upon;
- iii) to receive and submit, in the proper manner, all motions presented by the members of Council;
- iv) to put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result;
- v) to decline to put to vote motions which infringe the rules of procedures;
- vi) to restrain the members, within the rules of order, when engaged in debate;
- vii) to enforce on all occasions the observance of order and decorum among the members;
- viii) to call by name any member persisting in breach of the rules of order of Council, thereby ordering him/her to vacate the Council chamber;
- ix) to receive all messages and other communications and announce them to Council;
- x) to authenticate, by his/her signature when necessary, all by-laws, resolutions, and minutes of Council;
- xi) to inform Council, when necessary or when referred to for the purpose, in a point of order or usage;
- xii) to represent and support Council, declaring its will, and implicitly obeying its decisions in all things;
- xiii) to ensure that the decisions of Council are in conformity with the laws and bylaws governing the activities of Council;
- xiv) to adjourn the meeting when the business is concluded;
- xv) to adjourn the meeting without question in the case of grave disorder arising in the Council chamber.

24. Regular Agenda

Any member of Council may file in writing, by hand-delivering a written request, by facsimile or by electronic mail with the Clerk an item for inclusion in the agenda by 12:00 p.m. on the Wednesday preceding the meeting.

- 25.** The business of Council shall be taken up in the order in which it stands upon the agenda unless otherwise decided by Council.

26. The agenda may be amended as directed by the presiding officer and approved by a majority vote of Council.
27. The Clerk shall have prepared for the use of members at the regular meetings of Council an agenda under the following headings:

(a) Declarations of Interest

A member of Council shall disclose any conflict of interest at this time, as defined in the *Municipal Conflict of Interest Act*, with respect to an item on the agenda.

(b) Delegations

Delegations must register with the Clerk by 12:00 p.m. on the Wednesday preceding the Council meeting. He/she shall provide to the Clerk the completed prescribed form in writing by hand-delivering a written request, by facsimile or by electronic mail his/her name, reason for the delegation and, if he/she is representing any organization, the name of the agency or other such body.

Delegations that have not registered must notify the Clerk in writing by hand-delivering a written request, by facsimile or by electronic mail prior to the start of the meeting of Council. Before any unregistered delegation is heard, the presiding officer shall seek the consent of a majority vote of Council.

Each delegation is allowed one spokesperson and shall be limited to one appearance at either Council or Committee of the Whole. Each delegation will be allowed a maximum of 10 minutes to address Council. At Council's discretion, this time may be reduced or extended. The delegation may speak to a specific item only once unless additional information is being presented. If additional persons request to speak, they do so only with the permission of the presiding officer.

The inclusion of a delegation on the Council agenda shall be determined on a first-come basis and be limited to two delegations per meeting. Priority will be given to residents and business owners of the Town of Prescott. The Clerk shall give regard to the length of the agenda when reducing or eliminating the delegations at that meeting.

Delegations shall not:

- i) address members directly without permission;
- ii) interrupt any speaker or action of the members, or any other person addressing the members;
- iii) display or have in their possession picket signs or placards in the Council chambers;
- iv) speak disrespectfully to any person;
- v) use offensive words;
- vi) disobey a decision of the presiding officer;

- vii) enter into cross debate with other delegations, members of the general public, staff members, or the presiding officer.

The Clerk or designate may direct that a deputation be received by the Committee of the Whole on a particular matter rather than addressing Council directly.

No motions shall be made as a result of comments made during a delegation.

(c) Minutes of Previous Meetings

Minutes shall only record the following:

- i) place, date and time of meeting;
- ii) the names of the presiding officer, Council members present, Council members absent, senior appointed officers present;
- iii) any corrections and the adoption of the minutes of prior meetings;
- iv) all other proceedings of the meeting without note or comment
- v) the time of the adjournment.

It shall be the duty of the Clerk to ensure that the minutes of the last regular meeting, and all special meetings held more than five days prior to the regular meeting, together with the agenda prepared in accordance with this by-law, are available to members at least by 4:30 p.m. on the Thursday preceding the meeting.

(d) Communications and Petitions

Every communication, including a petition to be presented to Council, shall be legibly written or printed, and shall not contain any obscene or improper matter or language, and shall be signed by at least one person, giving his/her name and address, and filed with the Clerk who shall deal with them as follows:

- i) where, in the opinion of the Clerk, the subject matter of any communication is properly within the jurisdiction of Council, such communication or petition shall be placed on the agenda for the next regular meeting of Council;
- ii) where, in the opinion of the Clerk, the subject matter of any communication is properly within the jurisdiction of the Committee of the Whole, a special committee or an ad hoc committee, such communication shall be referred directly to the appropriate committee without prior reference to Council;
- iii) where, in the opinion of the Clerk, the subject matter of any communication is of a routine administrative nature, such communication shall be referred to the appropriate department head without prior reference to Council or any committee.

Any letter, petition, or other communication intended to be presented to council shall be filed with the clerk not later than 12:00 p.m. on the Wednesday preceding the Council meeting.

(e) Consent Reports

All matters listed under Consent Reports are to be considered routine and will be enacted by one motion. Should a member wish an alternative action from the proposed recommendation, the member shall request that the item be moved to the "Reports" section of the agenda.

This section shall also include the general Council information package, listed under separate cover.

(f) Reports

Any reports from other committees, boards, or commissions may be reported by the Council-appointed representative.

Reports from all committees, boards, or commissions received by the Clerk before 12:00 p.m. on the Wednesday preceding the Council meeting will be included in the agenda and circulated to all members of Council. The order of receiving the reports shall be:

- i) Committee Reports
- ii) Mayor
- iii) Outside Committees, Boards, and Commissions
- iv) Staff

(g) Resolutions

Every matter listed under Resolutions shall be dealt with individually and consecutively numbered.

(h) By-Laws

- i) Every by-law shall be listed on the agenda by an identifying number, followed by a brief description of the intent of the by-law.
- ii) No by-law, except a by-law to confirm the proceedings of Council, shall be presented to Council unless the subject matter has been considered by the Committee of the Whole.
- iii) Notwithstanding subsection ii above, new by-laws of an urgent nature, requiring an immediate decision shall be considered.
- iv) Each by-law shall be adopted in a single motion.
- v) Upon accepting a motion to approve a by-law listed on the agenda, the Chair shall announce first, second and third reading of the by-law, pausing at the third reading to determine if there are any questions or discussions by the members, before putting final approval of the by-law to a vote.
- vi) Every by-law may be debated, subject to amendment, and may be deferred or referred to a committee or staff for further consideration.
- vii) Every by-law passed by Council shall be signed by the Mayor and the Clerk, sealed with the seal of the Corporation.

viii) The proceedings at every regular and special meeting of Council shall be confirmed by by-law, so that every decision, unless required by an Act, Regulation or By-law, of Council at that meeting and every resolution passed thereat shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.

(i) New Business

New business will be introduced in the following order:

- i) motions of which prior notice was given;
- ii) items to be introduced and referred to administration for reports;
- iii) a matter deemed to be urgent;

(j) Notices of Motion

Notice of all new motions shall be given in writing and read during a regular meeting and shall include the name of the mover and advise that the motion described therein will be added to the next regular meeting agenda as a proposed resolution.

The motion may be an amendment or repeal of a by-law, a change in Council's established policy, a new by-law or resolution or policy or procedure, an action for Council to consider, or the revocation or amendment of a resolution or Council passed at a prior meeting.

A notice of motion shall be not be debated until the next regular meeting.

(k) Mayor's Proclamations

The Mayor shall inform members of Council about any proclamations he/she has made, or shall be making prior to the next regular meeting of Council.

(l) Media Question Period

The media will be allowed to ask questions of members of Council but shall not be permitted to enter into debate with the member. All questions shall be directed to the member through the presiding officer. All questions must relate to business of that particular meeting.

(m) Adjournment

When any meeting of Council reaches three hours in length, the presiding officer shall declare the meeting adjourned, unless a motion is received to postpone the adjournment hour to a stated time and receives the majority consent of Council. Items listed in the agenda of prior meetings which have not been disposed of by Council shall be noted and repeated on each subsequent agenda until disposed of by Council.

Presentation and Disposition of Motions

Main Motions

28. Motions shall be called in the order in which they appear on the agenda and must be signed by a mover and a seconder. All motions made must be in the affirmative.
29. All main motions shall be in writing.
30. When called by the presiding officer, the mover of the motion shall state the names of members moving and seconding the motion and read the motion. A motion so put shall be considered the main motion.
31. A motion in respect of a matter, the resolution of which is beyond the jurisdiction of council, shall not be in order.
32. After a motion has been duly moved, seconded, and read, it shall immediately be open to debate or amendment. The mover shall have the opportunity to make the introductory remarks.
33. Any member of Council may request that any motion under debate be repeated by the presiding officer for the benefit of clarification, but not so as to interrupt a member while speaking.

Secondary Motions

34. When a main motion is under debate, it shall be in order for any member to present the following secondary motion:
 - (a) **Withdrawal**

A motion to withdraw:

 - i) need not be in writing;
 - iii) shall only be put forward by the mover of the main motion;
 - iv) shall receive disposition prior to any other secondary motion being presented;
 - v) shall not be debatable.
 - (b) **Refer**

A motion to refer a matter under debate:

 - i) need not be in writing;
 - ii) shall receive disposition of Council before the main motion;
 - iii) shall state the committee, ad hoc committee, special committee, board, commission, or appointed official to which the matter shall be referred;
 - iv) shall preclude all amendments of the main question until it is decided;
 - v) shall be debatable.

(c) Defer

A motion to defer:

- i) need not be in writing;
- ii) shall receive disposition of Council before the main motion;
- iii) shall state the specific date upon which the motion shall again be put;
- iv) shall be debatable.

(d) Divide

A motion to divide:

- i) shall be presented in writing;
- ii) shall receive disposition of Council before the main motion;
- iii) shall be in order only when the motion to be divided contains two or more separate and distinct proposals;
- iv) shall be debatable.

(e) Amend

A motion to amend:

- i) shall be presented in writing;
- ii) shall receive disposition of Council before the main motion;
- iii) shall not be amended more than once, provided that further amendment may be made to the main motion;
- iv) shall be relevant to the main motion received;
- v) shall not be received proposing a direct negative to the main motion;
- vi) may propose a separate and distinct disposition of the main motion;
- vii) shall be put in reverse order to that in which it was moved;
- viii) shall be debatable.

35. Once debate has finished and all secondary motions have been received, the presiding officer shall put to vote all such secondary motions in the following order:

- i) to withdraw
- ii) to refer
- iii) to defer
- iv) to divide
- v) to amend

36. A motion to defer, to refer, or to withdraw shall negate all other secondary motions.

37. All secondary motions shall be resolved prior to the disposition of the main motion.

38. Adjournment

A motion to adjourn the meeting:

- i) shall not be in order when a member is speaking;
- ii) shall not be in order during the verification of a vote;
- iii) need not be in writing;
- iv) if resolved in the affirmative, Council shall immediately rise and no further Council proceedings shall take place until the next meeting of Council, and the presiding officer shall note the time of adjournment;
- v) if resolved in the negative, Council shall resume its debate at the point immediately prior to the point at which the motion to adjourn was moved;
- vi) shall not be debatable.

Reconsideration of a Motion

39. A motion for reconsideration shall not be in order if Council is made aware that the question or by-law has been implemented resulting in legally binding commitments as of the date the motion to reconsider is moved.

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

A motion to reconsider shall be considered lost unless a majority of the members present vote therefore. No more than one motion for reconsideration of any question or bylaw shall be permitted.

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

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

Voting on Questions

43. After a question is put by the presiding officer, no member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared. Each member shall occupy his/her seat and remain in his/her seat until the result of the vote has been announced by the presiding officer.

44. A separate vote shall be taken upon each proposal contained in a motion divided by resolution of Council.

45. A member not physically present at the time the question is put by the presiding officer shall not be entitled to vote on that question.

46. The presiding officer shall not engage in the debate unless to clarify a point of fact. The presiding officer may make comment on the motion at the close of debate followed immediately by the putting of the question.
47. Each member of Council present, including the presiding officer, unless disqualified from voting by any Act, shall vote on each and every question put by the presiding officer.
48. Unless a recorded vote is requested, the manner of determining the decision of council on a question shall be by show of hands. Failure to so vote by a member who is not otherwise disqualified shall be deemed to be a negative vote.
49. **Recorded Vote**
Where a vote is taken for any purpose and a member requests before, prior, or immediately after the taking of the vote that the vote be recorded, each member of Council present, including the presiding officer, except a member who is disqualified from voting by any Act, shall announce his/her vote verbally when called in alphabetical order by the clerk, and the clerk shall record each member's name and vote.
50. **Majority Vote**
Unless otherwise stipulated by statute or stated herein, the question shall be deemed to be carried in the affirmative by a majority vote of the members of Council present including the presiding officer.
51. The presiding officer shall announce verbally the decision of Council and shall sign all resolutions carried in the affirmative, save and except those motions that need not be in writing.

General Rules of Conduct and Debate

52. Conduct of Members During Council Meetings

No member shall:

- i) wear inappropriate attire to any regular Council meeting;
- ii) speak disrespectfully of any other person;
- iii) use offensive words or unparliamentary language;
- iv) speak on any subject other than the subject under debate or contained in the report, communication, or item of business unless otherwise requested by the presiding officer to do so;
- v) criticize any decision of Council except for the purpose of moving that a question be reconsidered;
- vi) disobey the rules of Council, or a decision of the presiding officer, or Council on questions of order or privilege, or upon the interpretation of the rules of Council;
- vii) leave or make a disturbance when the presiding officer is putting a question.

- 53.** If a member persists in any such disobedience after having been called to order by the presiding officer, the presiding officer may forthwith put the question: That the member be ordered to leave his/her seat for the duration of this meeting. Such question shall be decided immediately by vote of Council without debate, amendment, or adjournment.

54. Code of Conduct for Members of Council and Local Boards

Members must adhere to the established standards of conduct set out in the Code of Conduct for Members of Council and Local Boards.

55. Time Limited

No member, without leave of Council, shall speak to the same question or in reply for longer than five minutes.

56. Speak Only Once and Reply

No member, without leave of Council, shall speak more than once to the same question except that a reply shall be allowed to be made only by the member of Council who has presented the main motion.

57. Order of Speaking

Every elected or appointed official or delegation, excluding the presiding officer, shall address his/her remarks to the presiding officer. When two or more persons wish to speak, the presiding officer shall designate the person who has the floor.

58. Members Speaking

When a person is speaking, no other person shall pass between him and the presiding officer, or interrupt that person except a member raising a point of order or privilege.

- 59. Council Area**
No person shall approach the Council area during a meeting of Council without permission of the presiding officer, or Council upon reference.
- 60. Electronic Devices**
All electronic devices shall be turned off or set to silent mode during the proceedings of all meetings unless being used for Council business.
- 61. Suspension of Rules**
Any procedure adopted by this by-law may be suspended with the consent of a majority of the members of Council present.
- 62. Seating of Members**
The order of seating of the members of Council shall be determined alphabetically regarding the member's surname.
- 63. Deputy Mayor**
Council shall annually appoint by by-law Deputy Mayor appointments for the year. Three Council members shall be appointed per year as Deputy Mayor on an alphabetical basis.

Committees of Council

General Rules for all Committees

- 64.** The authority of any committee is limited to the making of recommendations to Council, unless expressly authorized to do otherwise by law. No decision to take any action or do anything other than administrative in nature shall be recognized as emanating from any committee. All committee recommendations shall be referred to Council before becoming effective.
- 65.** The jurisdiction, term, membership, and support staff assigned to any committee shall be as stipulated in the appropriate by-law establishing the committee.
- 66.** The Mayor shall be an ex-officio member of all committees and may state his/her opinion on all questions before the committee and vote on all questions, but shall not be counted in the formation of a quorum.
- 67.** A simple majority of the members of a committee present at the committee meeting shall be sufficient to adopt a recommendation.
- 68.** For the purpose of this section, all references to the presiding officer, Clerk, members of Council, and Council contained herein shall be read as presiding officer, secretary, members of the committee, and committee respectively. The rules governing the procedure of Council and the conduct of members of

Council unless otherwise specifically stated herein shall be observed in a committee meeting insofar as they are applicable.

69. A motion shall require a seconder.
70. A motion shall not be required to be in writing.
71. A motion shall be considered a motion to recommend and not a question to be decided on and implemented, unless it is an administrative directive.
72. The presiding officer shall vote on all motions, but in no circumstance shall the presiding officer be permitted an additional vote to resolve a tie.
73. Members will only speak on an issue which is before Council and when requested by the Chair to do so. When discussing or debating an issue at a regular meeting, members will only be allowed to speak once on a subject matter stating their intention to either support the motion or defeat the motion. Members will only be allowed to speak again on the issue to clarify a point that they made if asked to do so by the Chair or another member to request clarification on a point raised by another member.
74. The agenda may be amended as directed by the presiding officer and approved by a majority vote of Council. The amendment need not be printed and circulated prior to the meeting.
75. Members of Council may attend and participate in discussion or debate at any committee meeting, but shall not be allowed to vote unless they are appointed members of the committee (ie. Committee of the Whole). Staff members shall not be permitted to vote unless specified in the terms of reference of the committee.

Committee of the Whole:

76. The members of the Committee of the Whole shall be all members of Council, including the Mayor.
77. Committee of the Whole meetings may be held at any time at the call of the Mayor or acting Mayor in accordance with sections 8 and 9 of this by-law. If the Committee of the Whole meeting is held during a meeting of Council, a verbal motion shall be required and carried in the affirmative that the Council meeting be temporarily adjourned and that Council move into a Committee of the Whole meeting. A verbal motion to reconvene to open Council shall also be required prior to re-commencing the Council meeting.
78. A member or members present shall report to Council the proceedings of the Committee of the Whole meeting at the next subsequent meeting of council. Notwithstanding, if the Committee of the Whole is held during a Council meeting, the presiding officer shall report immediately upon the resumption of the Council meeting.

79. A Committee of the Whole agenda will be made up of the following classifications and a presiding officer will be assigned to each:

- i) Finance & Corporate Services
 - Accessibility Reporting
 - Policy Development
 - Corporate Contracts

 - Finance
 - Governance Issues
 - Human Resources
 - Information Technology
 - Town records and communications

- ii) Operations
 - Facilities
 - Public Works
 - Parks & Recreation, Tourism
 - Waste Management
 - Roads & Sidewalks
 - Bridges
 - Fleet
 - Street signage and lighting

- iii) Economic Development, Building, By-Law, Planning & Heritage
 - Economic Development Actives
 - By-law Enforcement
 - Building Permit Process
 - Official Plan
 - Planning & Zoning
 - Community Improvement Program
 - Heritage
 - Tourism Development – Economic Development related

- iv) Water & Wastewater
 - Water Distribution
 - Water Treatment
 - Urban Storm Management
 - Wastewater Collection
 - Wastewater Treatment

- v) Protective Services & Community Liaison
 - Policing
 - Fire Department
 - Emergency Planning
 - Liaison to Outside Boards and Committees

- vi) Capital & Projects
 - Capital & Project Planning
 - Capital & Project Reporting

80. Each presiding officer shall be recommended by the Mayor and confirmed annually by by-law of Council after consultation with all members of Council.
81. The clerk shall be the secretary of the Committee of the Whole. The clerk shall record the minutes of the meetings and prepare such minutes as a report to Council and distribute such reports to all members of Council.
82. Items on the agenda which have not been dealt with shall be repeated on each subsequent agenda until resolved or removed from the agenda by resolution and shall be listed under Deferred Items. Items listed under Deferred Items shall be reviewed quarterly by Council.

Ad Hoc and Special Committees

83. The Mayor or Council may recommend, at any time, the establishment of a special committee or ad hoc committee to study, evaluate, negotiate, investigate, prepare a special report, or make recommendations for the resolution of a specific matter or issue.
84. A motion to establish an ad hoc or special committee shall contain the general nature of the issue or issues, the persons appointed to the committee, and the terms of reference of the committee.
85. An ad hoc or special committee shall be automatically dissolved once its work is complete and recommendations have been reported to Council, or upon the dissolution by Council of such committee, or at the end of the term of the Council.

Amendments to Procedural By-Law

86. 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 at a previous regular meeting of Council.
87. This by-law shall be reviewed annually.
88. The waiving of the notice referred to in section 82 of this by-law by Council is prohibited.

Severability

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

Repeal

90. By-Law 42-2014 is hereby repealed.

Effective Date

91. This by-law shall come into force and take effect upon final passage.

READ A FIRST AND SECOND TIME THIS 5th DAY OF OCTOBER, 2020.

Mayor

Clerk

READ A THIRD AND FINAL TIME AND PASSED THIS 5th DAY OF OCTOBER, 2020.

Mayor

Clerk

SCHEDULE "A"
Inaugural Meeting

	Agenda Item:	Rules:	Conducted By:
i	Call to Order	<p>The first meeting of the new Council in the year of a Municipal Election shall be on the first weekday on or following November 15th at 6:00 p.m.</p> <p>The Clerk shall notify all Members at least one (1) week in advance of the meeting as to time and date.</p>	Clerk
ii	Singing of "O Canada"		
v	Oath of Office for All Members of Council		
vi	Mayor Assumes the Chain of Office	The Chain of Office is placed on the newly elected Mayor and the Mayor takes the Chair.	Clerk
	Mayor's Inaugural Remarks and Introduction of Special Guests		Mayor
vii	Councillor Remarks	Each Councillor, in alphabetical order may give opening remarks.	Mayor
x	Adjournment until Regular Meeting	Verbal Motion.	Mayor