



THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO. 2021-98

**A BY-LAW TO GOVERN THE PROCEEDINGS OF MEETINGS OF TOWN COUNCIL
AND ITS APPOINTED COMMITTEES, AND TO REPEAL BY-LAW 2021-09**

WHEREAS Section 238 of the *Municipal Act, S.O. 2001*, as amended, requires that every council and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS Bill 197, COVID Economic Recovery Act, 2020 was passed by the legislature on July 21, 2020, amending the *Municipal Act, S.O. 2001* to repeal the existing rules for electronic participation and substituting rules that permit Council to amend its procedures to allow a member of council or local board of the Town, or a committee of either of them to participate electronically in a meeting to the extent and manner set out in the by-law;

AND WHEREAS Council deems it expedient and necessary to repeal and replace By-Law 2021-09 to consolidate all approved procedural by-law changes;

**NOW THEREFORE, the Council of the Corporation of the Town of Wasaga Beach
HEREBY ENACTS as follows:**

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PART 1 - PURPOSE AND PRINCIPLES

1.01 Purpose

- a) This by-law shall be used to guide the order and dispatch of business of the Council, *Committee of the Whole*, Coordinated Committee, and of Advisory Committees and Ad hoc Committees with the necessary modifications, unless otherwise provided.

1.02 Principles

- a) Each *member* has the right to:
- one vote, subject to the declaration of pecuniary interest;
 - information to help make decisions, unless otherwise prevented by law;
 - an efficient meeting; and
 - be treated with respect and courtesy.

PART 2 - DEFINITIONS AND APPLICATION

2.01 Definitions

‘Act’ means the *Municipal Act, 2001, chapter 25*, as amended;

‘Acting Mayor’ means in the absence of the *Mayor*, the Deputy Mayor or in the absence of the *Mayor* and Deputy Mayor, those present shall elect amongst themselves, an *Acting Mayor* for the *meeting*, or until the *Mayor* or Deputy Mayor are present.

‘Ad Hoc Committee’ means a committee formed by Council for a specific task or objective, and dissolved after the completion of the task or achievement of the objective, or upon decision of Council that it is no longer required.

‘Advisory Committee’ means a special purpose committee established by Council to provide recommendations, advice and information to Council through the delegated Section Committee

‘By-Law’ means an enactment, in a form approved by Council, passed for the purpose of giving effect to decisions or proceedings of Council.

‘CAO’ means the Chief Administrative Officer of The *Corporation* of the Town of Wasaga Beach.

‘Chair’ means the person appointed to preside over a *meeting*, and includes the *Mayor* or *Acting Mayor* in the case of Council or *Committee of the Whole*; or any *member* of a Committee appointed to serve as Chair, *Co-Chair* (or Vice Chair).

‘Clerk’ means the Clerk of The *Corporation* of the Town of Wasaga Beach, or his or her designate.

‘Closed Session’ or ‘Closed Meeting’ or ‘In-Camera’ means a *meeting*, or part of a *meeting* of Council or a Committee, which is closed to the public as permitted by the *Municipal Act, 2001, as amended*.

‘Co-Chair’ means the *member* of a Committee as appointed by the Committee to act as the Chair in absence of the Chair, or when the Chair steps down to act as a *member*.

‘Code of Conduct’ means the adopted policy of conduct in force for *members* of *Council* and *local boards*

‘Committee’ means any advisory committee, ad hoc committee, *Coordinated Committee*, *Committee of the Whole* or other committee, subcommittee, board, or similar entity.

‘Committee of the Whole’ means a committee comprised of all *Members* of *Council* that reports directly to *Council*.

‘Confirming By-Law’ means a by-law passed at the conclusion of *Council meetings* confirming the actions taken at a *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 and every one of them had been the subject-matter of a separately enacted by-law.

‘Consent Agenda’ means all items listed within a portion of an agenda to be approved by one resolution.

‘Coordinated Committee’ means the *Coordinated Committee* of the Council of the Town of Wasaga Beach comprised of the sections of Community Services, General Government, Public Works and Development Services or such other section as may be established by Council from time to time.

‘Corporation’ means The Corporation of the Town of Wasaga Beach.

‘Council’ means the *Council* of the Corporation of the Town of Wasaga Beach.

‘Defer’ means to postpone until later in the same *meeting* or to the next *meeting* of the same body, or to a *meeting* of the same body that is specified in the *motion* to defer.

‘Deputation’ or ‘Delegation’ means a person or persons intending to address the *Council* or *Committee* in a matter under the delegated authority of said body.

‘Electronic Participation’ means participation in a Meeting from a remote location by such electronic means or service as determined and provided by the Clerk, and “participate electronically” has a corresponding meaning.

‘Local board’ means a municipal service board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of the Town, excluding a school board, a conservation authority, and a public library board.

‘Majority’ means more than 50 percent of the total *Members* present and not prohibited by statute from voting.

‘Mayor’ means the elected Head of Council, or in the absence of the *Mayor*, the *Deputy Mayor*.

‘Meeting’ means any regular, special or other *meeting* of a council, of a local board or of a *committee* of either of them, where,

- a) a *quorum* of *members* is present, and
- b) *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*

‘Member’ means a person elected or appointed as a *member* of the Town Council, including the *Mayor*, or appointed *member* of a *Committee* or Board, as it may apply.

‘Municipality’ means The *Corporation* of the Town of Wasaga Beach.

‘Motion’ means a formal proposal that certain actions be taken.

‘Notice of Motion’ means an advance notice to *members* of a matter on which Council will be asked to take a position.

‘Pecuniary Interest’ means a direct or in-direct *pecuniary interest* within the provisions of the *Municipal Conflict of Interest Act, 1990, chapter M.50*, as amended.

‘Public Consultation’ or **‘Public Information Session’** means a session held for the purpose of obtaining information from or relaying information to the public on a matter of municipal importance.

‘Question Period’ means the point in time during a *Council meeting* that *members* of the public may attend to address *members* with a question of an item on the Agenda.

‘Quorum’ means more than 50 percent of the total *members* of the assembly and not prohibited by statute from voting.

‘Recorded Vote’ means documenting in the minutes of a *Council meeting* the name of each *member* and their vote on a matter or question, in favour, opposed, or absent pursuant to Section 246.1 of the Act.

‘Refer’ means to *refer* or assign a specific matter or item to a *Committee*, Section, staff or *member* for further consideration and/or action.

‘Rules of Procedure’ means the rules and regulations provided in this By-Law, and where this By-Law is silent, the rules and regulations provided in Robert’s Rules of Order.

‘Point of Order’ refers to a *motion* made at a *meeting* which seeks an immediate ruling on an alleged violation of the *rules of procedure*.

‘Point of Privilege’ refers to an urgent *motion* made at a *meeting* which seeks an immediate ruling on an alleged violation of the rights or privileges of *members* as a whole, or in regards to a negative personal remark.

‘Special Meeting’ means a *meeting* of *Council* or *Committee* that is arranged outside of the normal *meeting* schedule to deal with specific item(s) of business, and includes meetings held for emergency purposes.

‘Town’ means The *Corporation* of the Town of Wasaga Beach.

2.02 Application

- a) The *Rules of Procedure* established in this *by-law* must be observed in the proceedings of all *meetings* of *Council* and *Committees* and shall be the rules and regulations for the management of business.
- b) Notwithstanding subsection 2.02 a), the rules and regulations contained in this *By-Law* may be suspended by a two-thirds (2/3) vote of the *Council Members* present, providing that the suspension does not contravene the requirements of the *Municipal Act, 2001* or any other statute. The suspension shall only apply to the procedure(s) or rule(s) which are stated and only during the *meeting* in which the motion to suspend was introduced.
- c) No amendment or repeal of this *By-Law* or any part thereof shall be considered at any *Meeting* unless notice of proposed amendment or repeal has been given at a previous *Meeting* of *Council*, *Committee of the Whole*, or *Coordinated Committee*.
- d) Despite the provisions of this *By-Law*, nothing in this *By-Law* shall be construed as giving authority to any *Committee* or *Council Member* to direct or interfere with the performance of any work for the *Town* and the staff in charge shall be subject only to his or her superior as established in the formal organizational structure of the *Town*.
- e) In the absence of adopted customized *rules of procedure*, all advisory, special purpose or sub-*committees* and *local boards* under the jurisdiction of the *Town* of Wasaga Beach may use the rules of order, debate and relevant provisions of this *by-law* to govern the calling and proceedings of *meetings*.
- f) The *Clerk* shall be responsible to interpret the *rules of procedure* under this *by-law* in accordance with the principles as set out in Part 1 of this *by-law*.
- g) All points of order or procedure for which rules have not been provided in this *by-law* and its appendices shall be decided by the *Chair* in accordance, as far as is reasonably practicable, with the rules of parliamentary procedure as contained in Robert's Rules of Order.

PART 3 - DUTIES & ROLES

3.01 Duties of the Head of Council (Mayor)

It is the duty of the *Mayor* to:

- carry out the responsibilities described in the *Municipal Act, 2001* and any other statute;

- represent and support the *Council* and its decisions in all matters;
- authenticate, by signature, all *by-laws*, and minutes of *Council*; and
- preside over all *Council* and *Committee of the Whole* meetings, unless unavailable, in which case the *Acting Mayor* shall be the *Chair*.

3.02 Duties of Members of Council

It is the duty of each *member* of *Council* to:

- carry out the responsibilities described in the *Municipal Act*, 2001 and any other statute;
- come prepared to every *meeting* by having read all the material supplied, to facilitate discussion and the determination of action at the *meeting*;
- uphold the *by-laws* and policies of the Town of Wasaga Beach;
- deliberate on the business submitted to *Council*;
- vote on all motions unless prohibited from voting by law; and
- observe and respect the *Rules of Procedure* at all *meetings*.
- adhere to Part 6 of this by-law pertaining to conduct at all *meetings*.

3.03 Duties, Authority and Power of the Chair

It is the duty of each *member* assuming the role of *Chair* of any *meeting* of *Council*, *Committee of the Whole*, or Section of *Coordinated Committee* to:

- open the *meeting* by taking the *Chair*, calling the *members* to order as soon as the time fixed for holding the *meeting* occurs and a *quorum* is present, and to adjourn the *meeting* if no *quorum* exists after 15 minutes past the time fixed for holding a *meeting*;
- announce the business before the assembly in the order in which it is to be acted upon;
- ensure that all items of business listed on the agenda are addressed and that the *meeting* progresses with due efficiency;
- receive and put to a vote in the proper manner, all Motions presented, and to announce the result;
- decline to put to vote motions which infringe upon the rules of order or are beyond the jurisdiction of the assembly;
- preserve and enforce the rules of order, and ensure all *members* abide by the rules of order when engaged in debate;

- call by name any *member* persisting in a breach of the rules of order, thereby ordering such *member* to vacate the *meeting* place;
- rule on any *Points of Order* and *Points of Privilege* raised by *members*;
- maintain on all occasions the observance of order and decorum among the *members* and *members* of the public;
- where it is not possible to maintain order, adjourn the *meeting* without the necessity of any *Motion* being put, to a time named by the *Chair*;
- expel or exclude any person who is guilty of improper conduct at a *meeting*;
- represent and support *Council* and/or *Committee* and/or Section of Coordinated *Committee*, declaring its will, and implicitly obeying its decisions in all things;
- receive all messages and other communication and announce them to the assembly if necessary;
- ensure that decisions of the assembly are in conformity with the laws governing the activities of the assembly;
- authenticate by signature when necessary all resolutions, *by-laws* and minutes; and,
- adjourn the *meeting* without question when the business is concluded.

3.04 Chair – Absence

- a) In the event of the *Mayor's/Chair's* absence, illness, or refusal to act as *Mayor/Chair*, the *Deputy Mayor/Vice Chair* shall chair the *meeting*;
- b) In the absence of the *Mayor/Chair* and the *Deputy Mayor/Vice Chair*, at the outset of a *meeting*, the *Clerk/Committee Secretary* shall call the *meeting* to order 15 minutes after the time fixed for the *meeting* and ask *members* in attendance to elect a *member* to chair the *meeting*. The elected *member* chairs the *meeting* until the *Mayor/Chair* or *Deputy Mayor/Vice Chair* arrives or the *meeting* is adjourned;
- c) The *Acting Chair* shall have all the rights, responsibility and authority of the *Mayor/Chair*, while so doing.

3.05 Duties of the Clerk

It is the duty of the *Clerk* to:

- carry out the responsibilities described in the *Municipal Act, 2001*;
- record, without note or comment, all resolutions, decisions and other proceedings of the *Council*;
- record the name and vote of every *member* voting on any matter or question if required;

- assemble and produce *meeting* agendas and manage agenda deadlines;
- keep the originals or copies of all *by-laws* and of all minutes;
- perform the other duties required under this *By-Law* or under any other *Act*;
- provide guidance to the *Chair* on procedural matters; and
- authenticate, by signature when necessary, all *By-Laws* and Minutes

3.06 Duties of the Administration–Staff

It is the role of the staff of the municipality, under the leadership of the Chief Administrative Officer to:

- implement *Council's* decisions and establish administrative practices and procedures to carry out *Council's* decisions;
- undertake research and provide advice to *Council* on the policies and programs of the municipality; and
- carry out other duties required under this *By-law*, or any statute.

PART 4 - MEETINGS

4.01 General Provisions

- a) Except as provided in this *by-law* and by statute, all *Meetings* shall be open to the public.
- b) The *Mayor* may, with appropriate notice, postpone or cancel any regular *Council* or *Committee meeting*, if in consultation with the *Clerk*, it has been determined that there are insufficient agenda items for the *meeting* or if it appears that inclement weather or like occurrence or an emergency situation will prevent the *members* from attending, or when social distancing is recommended by public health officials.
- c) Where an item of business scheduled for an agenda may require extraordinary time provisions, the *Mayor* may authorize an earlier commencement time for the *meeting* and the *Clerk* shall notify all *members* and provide public notice as soon as possible.
- d) The *Mayor* shall chair each *meeting* of *Council* and *Committee of the Whole*.
- e) *Meetings of Advisory Committees, Ad Hoc Committees, and Coordinated Committee* shall be chaired by the *member* appointed as such. The *Mayor* is *ex-officio* on all committees.
- f) In the event that agenda material prepared for regular or *special meetings* of *Council*, *Committee of the Whole*, or other *Committees* of *Council*, has not been completed prior to the adjournment of the *meeting*, all unfinished business will be

considered at a reconvened session to be held on the date identified by the *members* prior to the adjournment of the *meeting*.

4.02 Public Notice of Meetings

- a) Notice of the date and time of all regular or *special meetings* of the *Council*, *Committee of the Whole*, and *Coordinated Committee* may be advertised in the local newspaper, and shall be posted on the *Town* website no less than 48 hours prior to the *meeting*.
- b) Notwithstanding the above, notice of *special meetings* held for emergency purposes or meetings held during a time where an emergency has been declared to exist in all or part of the Town of Wasaga Beach, in accordance with the *Emergency Management and Civil Protection Act* shall be given as soon as practicable.

4.03 Inaugural (First) Meeting of Council

- a) The Inaugural (First) *meeting* of the new *Council* shall be held on the Thursday following the Election of a new *Council*
- b) The agenda of the Inaugural *meeting* shall be limited to inauguration activities and appointment of *members* to various boards and committees, and any items the *Clerk* determines to be reasonable or necessary.

4.04 Regular Meetings of Council

- a) Unless otherwise decided by *Council*, Regular *Meetings* of *Council* shall be held in the *Council* Chambers at *Town* Hall, 30 Lewis Street, Wasaga Beach, generally on the fourth Thursday of the month at 2:00pm, according to the schedule set annually and approved by *Council*.
- b) Notwithstanding the above, the *Clerk* in consultation with the Mayor, may schedule the Regular *meeting* to begin at a time prior to 2:00pm, should the *meeting* of *Council* include a *Closed Meeting*.
- c) *Council* has the authority to amend any *Meeting* schedule at any time by resolution of *Council*, as required, without an amendment to this *by-law*.

4.05 Special Meetings

- a) The *Mayor* may at any time call a *special meeting* of *Council* or *Committee* or upon receipt of a petition of the *majority* of *members*. The *Clerk* shall call a *special meeting* of *Council* or *Committee* for the purpose and at the time and date specified in the petition.
- b) No Business may be transacted at a *special meeting* other than that specified in the notice, petition, and/or agenda.

4.06 Committee of the Whole

- a) *Council members* may meet as *Committee of the Whole* to consider policy and corporate issues not included in the mandate of a section of *Coordinated Committee*, or any other matter it decides.
- b) Unless otherwise decided by *Council*, *Committee of the Whole meetings* shall be held at *Town Hall*, 30 Lewis Street, Wasaga Beach, generally on the third Thursday of the month at 9:00am, according to the schedule set annually and approved by *Council*.
- c) *Committee of the Whole* has the authority to amend the *meeting* schedule at any time by resolution, as required, without amendment to this *by-law*.

4.07 Coordinated Committee of Council

- a) Unless otherwise decided by *Council*, *Coordinated Committee Meetings* shall be held at *Town Hall*, 30 Lewis Street, Wasaga Beach, generally on the second Thursday of the month, starting at 9:00 a.m.
- b) *Meetings*, including date and time, of *Coordinated Committee of Council* may also be as established by the *Clerk* in consultation with the *CAO*, where necessary, to accommodate corporate operations and *meeting* schedules.
- c) The *Coordinated Committee of Council* shall be divided into the following sections:
 1. General Government - responsible for Administration, Finance, and Municipal Law Enforcement & Licensing.
 2. Community Services - responsible for Fire and Emergency Services, Facilities, Recreation and Special Events, Chamber of Commerce, policing, Ministry of Natural Resources.
 3. Development Services - responsible for planning, building and development, and economic development matters.
 4. Public Works - responsible for parks, public works, environmental and transportation matters.
- d) *Council* shall appoint a *Chair* and *Co-Chair* to each Section of *Coordinated Committee* for the first two years of the four year term, terminating at the last *meeting* in December at the end of the two year term; the *Chair* and *Co-Chair* positions will be reappointed at that time by *Council* for the remaining two years of the four-year term - the *Chair* will become the *Co-Chair* and the *Co-Chair* will become the *Chair*.
- e) *Coordinated Committee* has the authority to amend its *Meeting* schedule at any time by resolution, as required, without an amendment to this *by-law*.
- f) If *Council* is required by Legislation to hold a Hearing or give interested parties an opportunity to be heard before doing any action, passing a *By-Law* or making a

decision, *Council* may delegate that responsibility to a *Committee* of *Council*. Hearings shall be scheduled at the beginning of said section and shall be chaired by the appointed *Chair* of the section of *Coordinated Committee* to which the Hearing pertains to.

- g) If the *Committee* of *Council* holds a Hearing or gives interested parties an opportunity to be heard, *Council* is not required to do so.
- h) The *Committee* shall provide its recommendations to *Council* after which *Council* may pass the *By-Law* or make the decision.
- i) In the case where a matter is urgent and decision or recommendation is required of *Committee*, a report regarding subject matter categorized under one section may be brought to another section of *Coordinated Committee*.

4.08 Call to Order/Quorum

- a) At the scheduled *meeting* time, and as soon as there is a *quorum* present, the *Chair* shall call the *members* to order.
- b) Unless there is a *quorum* present within fifteen minutes after the scheduled *meeting* time, the *Council* or *Committee* shall stand adjourned.
- c) In the absence of the *Mayor* for *Council* and *Committee of the Whole*, the *Deputy Mayor* shall call the *members* to order. In the absence of both, the *Clerk* shall call the *members* to order and the *members* shall choose a *chair* from those present who shall preside over the *meeting* until the arrival of the *Mayor* or *Deputy Mayor*.
- d) In the absence of the *Chair* of any section of *Coordinated Committee*, the *Vice Chair* shall call the *members* to order, In the absence of the *Chair* or *Vice Chair* of any section of *Coordinated Committee*, the *Clerk* shall call the *members* to order, and the *members* shall choose a *Chair* from the *members* present who shall preside over the *meeting* until the arrival of the *Chair* or *Vice Chair*.
- e) If during the course of a *meeting*, *quorum* is lost, the *meeting* shall be adjourned.

4.09 Closed Meetings

- a) In accordance with the provisions of the *Municipal Act, 2001*, a *meeting* or part of a *meeting* of the *Council* or its *Committees* may be closed to the public if the subject matter being considered pertains to:
 - a) the security of the property of the municipality or local board;
 - b) personal matters about an identifiable individual, including municipal or local board employees;
 - c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - d) labour relations or employee negotiations;

- e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) a matter in respect of which a council, board, committee or other body may hold a closed *meeting* under another *Act*;
 - h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
 - i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
 - k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
 - l) a request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that *Act*;
 - m) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act.
 - n) educational or training sessions, if the following are both satisfied:
 1. The *meeting* is held for the purpose of educating or training the *members*; and
 2. At the *meeting*, no *member* discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council or Committee
- b) Prior to holding a closed *meeting*, *Council* or *Committee* shall state by resolution in an open *meeting*:
1. The fact that the *Council* or *Committee* is convening into *closed session*; and
 2. The general nature of the matter(s) to be considered

- c) The *Clerk* and/or their designate shall attend all closed *meetings* and record the proceedings, including procedural *motions* and direction given to staff, without note or comment.
- d) The *Clerk* shall distribute all confidential reports and material for closed *meetings* in sealed envelopes. All copies of confidential reports and materials are to be returned to the *Clerk* immediately following the *meeting* and then destroyed.

4.10 Livestreaming and Recording

- a) In accordance with the *Municipal Act, 2001*, minutes of *meetings* are to be recorded without note or comment by the *Clerk* or designate. The approved written minutes shall be the official record of all *meetings*.
- b) *Meetings of Council, Committee of the Whole, and Coordinated Committee* will be livestreamed and/or recorded, and published to a *Town* social media platform as a service to the public.
- c) Notwithstanding subsection 4.10 b), the *Town* shall not be responsible should technical difficulties prevent the recording of any *meeting*, or a portion thereof.
- d) Recordings published to any social media platform are part of the public realm and as such are subject to alteration by individuals that access such recordings with no municipal control over such alterations. The *Town* assumes no liability associated with any alterations that are made to published recordings.
- e) *Closed session Council meetings* shall be audio recorded.

PART 5 - AGENDAS

5.01 Council and Committee Agendas

- a) The *Clerk* or designate shall have prepared all *Council* and *Committee* agendas, generally using headings as listed in Appendix A.
- b) The business of *Council* or *Committee* shall be taken up in the order in which it stands on the agenda, unless otherwise decided by the *Chair*, the *Council* or *Committee*.
- c) The *Clerk* may prepare an addendum to the agenda to deal with urgent matters or provide supplementary information to items of business listed on the agenda.
- d) An item of business not listed on the agenda is not permitted to be introduced at a *meeting* unless authorized by a two-thirds vote of the *members* present.

5.02 Submission of Agenda Information

- a) All information to be included on Agendas shall be delivered to the *Clerk's* Office, or designated *Committee* Secretary, by the deadline designated by the Clerk for the scheduled *meeting*.

- b) Notwithstanding the above section 5.02 a), visual presentations that are for information only, or supplemental to a report on the agenda are not required to be included in the agenda, subject to the approval of the *CAO* and/or *Clerk*.
- c) It shall be the *Clerk's* responsibility to ensure *Council, Committee of the Whole* and *Coordinated Committee* agendas are distributed to *members* of *Council* and/or *Committees* and Operating Departments, prior to the scheduled *meeting* with adequate time to review.
- d) Agendas for *meetings* of *Council, Committee of the Whole, Coordinated Committee*, and other *Committees* and *meetings* of *Council* shall be posted as soon as practicable on the *Town's* website, and no later than 24 hours preceding the scheduled *meeting*.
- e) Notwithstanding the above, agendas for meetings held for emergency purposes, or for meetings held during a time where an emergency has been declared to exist in all or part of the Town of Wasaga Beach, in accordance with the *Emergency Management and Civil Protection Act* shall be posted as soon as practicable.

5.03 Disclosure of Interest & General Nature Thereof

- a) It is the responsibility of each *member* to identify and disclose any *pecuniary interest* on any item or matter before the *Council* or *Committee*, in accordance with the provisions of the of interest legislation currently in effect.
- b) Where a *member* has any *pecuniary interest*, direct or indirect, in any matter and is present at a *meeting* of the *Council* or *Committee* at which the matter is the subject of consideration, the *member* shall:
 1. prior to any consideration of the matter at the *meeting*, disclose the interest and the general nature thereof;
 2. not take part in the discussion of or vote on any question with respect to the matter; and
 3. not attempt in any way before, during and/or after the *meeting* to influence the voting on any such question.
- c) Where a *meeting* is not open to the public, in addition to complying with the requirements of subsection 5.03 b), the *member* shall forthwith leave the *meeting* for the part of the *meeting* during which the matter is under consideration.
- d) Where the interest of a *member* has not been disclosed by reason of his/her absence from the particular *meeting*, the *member* shall disclose the interest and otherwise comply at the first *meeting* of *Council* or *Committee*, as the case may be, attended by the *member* after the particular *meeting*.
- e) The *Clerk* shall record the particulars of any disclosure of *pecuniary interest* made by the *member(s)* and such record shall appear in the minutes of that particular *meeting*.

5.04 Adoption of Minutes

- a) Minutes shall record:
1. the place, date and time of meeting;
 2. the name of the *Chair* and the record of the attendance of the *members*;
 3. declarations of *pecuniary interest*;
 4. the *motions* considered and votes taken by *Council and Committee*; and
 5. except as provided elsewhere in this *by-law*, all the other decisions or authorized actions without note or comment;
- b) *Closed Session* minutes shall record:
1. the place, date and time of meeting;
 2. the names of the *Chair* and the record of the attendance of the *members* and any other attendees;
 3. a description of the substantive and procedural matters discussed, including specific reference to any documents considered
 4. the *motions* considered and votes taken by *Council and Committee*; and
 5. all directions given.

The minutes of each *Council and Committee meeting* shall be presented to *Council* at the next *regular meeting* for confirmation, and may be adopted by one main *motion*.

5.05 Deputations, Presentations, Petitions and Public Meetings

Deputations

- a) The *Clerk* shall be empowered to refer requests made of *Council* for a *deputation* to the appropriate *Committee or ,Council meeting* as he/she deems necessary.
- b) The request for a *deputation* must be in writing and must describe the subject matter on which the person wishes to address the *Council/Committee*.
- c) Denial of Deputation Requests: The *Clerk* shall deny a request for a *Deputation* where:
1. the subject matter that the person wishes to address or the outcome that the person seeks from the *Council/Committee* is not within the *Town's* authority;
 2. the person wishes to address the *Council/Committee* to request financial support for a purpose which falls within the criteria of the *Town's* established financial assistance policy, unless requested by *Council* to appear;

3. the subject matter involves litigation or potential litigation with the *Town*, or any matter before the court;
 4. the subject matter has already been presented within the previous twelve (12) months to the *Council/Committee* by the Deputant or an organization to which they belong, unless new information is being presented;
 5. the Deputant wishes to have a prior decision of *Council* reconsidered;
 6. the *Council* or *Committee* has made the decision and/or a recommendation of the *Mayor* and/or *CAO* to deny the request; or
 7. the Deputant wishes to address a matter which was the subject of the *Town Council* (Public Meeting) under the *Planning Act*.
- d) When a request for a *Deputation* has been denied, the *Clerk* shall provide the reason(s) to the individual making the request, *members* of *Council/Committee* and the *CAO*.

Scheduling Deputations:

- e) Wherever possible, the *Deputation* shall be scheduled for the appropriate session of *Council* or *Committee*, considering the subject matter of the *Deputation*.
- f) A maximum of two (2) *deputations/presentations/public meetings* may take place per *meeting*. The *Clerk*, the *CAO* and/or *Chair/Mayor* will determine if additional *deputations/presentations/public meetings* will be permitted on the Agenda.

Information to Deputant:

- h) The *Clerk* shall provide the Deputant with information outlining the *Deputation* process.

Rules for the Deputant:

- i) Printed material to be distributed shall be provided to the *Clerk's* department on the Wednesday prior to the *meeting* of the *Deputation*, in accordance with the *Clerk's* Agenda practices. Power Point or other presentation media are to be provided to the Clerk prior to the *meeting* in order to ensure arrangements are made for the proper display of the presentation. The material shall be free of statements or any material considered contrary to the Human Rights Code, or any other statute, *by-law* or policy of the *Town* of Wasaga Beach.
- j) Each *deputation* shall be limited in speaking to a maximum of ten (10) minutes.
- k) Each *deputation* shall be limited to a maximum of two (2) speakers.
- l) *Deputations* shall restrict comments to the subject matter outlined in their request for *Deputation*, and as stated on the Agenda.
- m) Where several *Deputations* are scheduled on the same topic, the *Chair* may request that the *Deputations* subsequent to each preceding *Deputation* only bring forward new information.

- n) All comments from the Deputant shall be directed through the *Chair* without the use of offensive language or behavior, and the Deputant shall comply with all rules of conduct contained in this *by-law*.
- o) In responding to questions from *members*, the Deputant shall not enter into Debate or question *members* or staff.
- p) Where a Deputant disregards any one or more of the rules of this *By-Law*, the *Chair* shall advise the Deputant of the error, remind him or her of the rules, and request that he or she adhere to the rules; or if the Deputant repeatedly ignores the rules, the *Chair* may call an end to the *Deputation*.
- r) Where a Deputant repeatedly disregards any one or more of the rules, the *Chair* may immediately order the Deputant to leave the *meeting* place.
- s) If the Deputant refuses to leave the *meeting*, he or she may be escorted from the building.
- t) *Council/Committee* may, at its discretion, prohibit anyone from making *Deputations* for any period of time.

Presentations

- a) All requests for Presentations to all *meetings* of *Council* and *Committees* must be made in writing to the *Clerk* prior to the finalization of the Agenda and prior to the scheduled *meeting* at which the person wishes to appear.
- b) The subject matter of the Presentation must meet the definition of Presentation described in this *By-Law*.
- c) The *Clerk* shall schedule the Presentation and provide the Presenter with the appropriate information.
- d) Rules for *Deputations* also apply to Presentations, with the exception of Time Limits.

Petitions

- a) All petitions are to be received by *Council*.
- b) All petitions must be the original copy, legibly written, typed or printed and signed by at least one person. The *Clerk* will list petitions received prior to the finalization of the Agenda. All petitions received after this time will be held over for consideration at a subsequent *meeting* of *Council* unless the petition directly relates to items of business on the agenda.
- c) Petitions must include the reason for the petition and the individual/group presenting the petition to *Council* and shall include the lead petitioner's printed name and local address, and written signature.
- d) Once presented with a petition, *Council* may request by *motion*, that it be received for information, or referred to a particular staff or *Committee*.

- e) Debate is not permitted except in the context of a *motion* already on the *Council* agenda.

Public Meetings

- a) Items brought forward under the *Municipal Act* and/or the *Planning Act* or any other Act will be dealt with by *Council* or *Committee* provided that all advertising and notices have been completed and the holding of the said Public Meeting will be in conformity with the said Act(s).
- b) Generally, only two (2) Public Meetings per *meeting* will be permitted. Rules for *Deputations* also apply to Public Meetings, with the exception of time limits, and any other applicable legislative provisions.

5.07 Unfinished Business

All agenda items prepared for a previous *meeting* agenda that have not been completed at the *meeting*, will be presented at a future *meeting* under Unfinished Business. Items may be removed as they are completed, or by the *Clerk*, in consultation with the CAO and *Mayor*.

5.08 Correspondence

The agenda includes those pieces of external correspondence addressed to *Council*, the *Mayor*, the *Clerk* or any other staff *member* that are intended to be brought to the formal attention of the *Council*, and may be received for information, or referred.

5.09 Consent Agenda

- a) Items of business which are, in the opinion of the *Clerk*, generally routine in nature and would not require debate, shall be listed as consent items and may be approved collectively by a single *motion*.
- b) A *member* may make brief comments to a consent item prior to the consideration of the adoption of the matters listed, however, if a *member* wishes to debate or amend the recommendation of an item; the item shall be removed from the *consent agenda* list and dealt with as a separate item.

5.10 Committees, Boards & Staff Reports

- a) *Coordinated Committee/Committee of the Whole* Minutes:
 1. Minutes of *Coordinated Committee* and *Committee of the Whole meetings* and the recommendations contained therein, shall be copied and circulated on the Agenda for *Council*.
 2. Upon introduction of the *motion* to adopt the minutes, the *Committee Chair* or *Co-Chair* will have an opportunity to speak to the minutes.
 3. Upon adoption, all recommendations contained therein are adopted and are authorized.
 4. A *member* of *Council* may request to amend the *motion* adopting the minutes of a *Coordinated Committee* or *Committee of the Whole* to

separately vote on an item, which is contained in the minutes. Said request should be provided to the *Clerk* prior to the *meeting*. The remainder of the minutes and the recommendations contained therein will be voted on, save and except the item voted on separately, and shall be noted on the *motion* accordingly.

- b) Other Committees and Board Minutes
 - 1. Minutes from Other *Committees* and Boards shall be copied and circulated with the applicable Section Agenda and be received and/or adopted.
 - 2. *Members of Council* may give a report on their attendance at Advisory and other *Committees* they represent on behalf of *Council*.
- c) Reports Requested from Municipal Staff
 - 1. Requests for reports from Departments, when made at a *meeting of Council, Committee of the Whole* or *Coordinated Committee*, shall be by *majority* decision of the assembly and directed to the Chief Administrative Officer, who shall give direction to the appropriate Departments, through the distribution of the Resolution.
 - 2. Reports to *Council* – reports may be presented directly to *Council* if approved by the CAO, when the matter contained in the report is of an urgent nature and cannot be delayed by presenting to a regular *Coordinated Committee meeting* or *Committee of the Whole*

5.11 Community Announcements

At a Regular *Council Meeting*, *Members of Council* shall be permitted a maximum of two minutes each in order to make statements which are intended for the purpose of sharing information about events/activities/functions and general work of *members* and such updates shall not be reflected in the minutes of the *meeting*.

5.12 Notices of Motion

- a) At a Regular *Council Meeting*, *Members of Council* may give notice of their intent to introduce a *motion* at an upcoming *Coordinated Committee Meeting, Committee of the Whole* or *Meeting of Council*.
- b) *Notices of Motion* shall be in writing and delivered to the *Clerk's Office* before noon on the day of the *meeting of Council*. The *Clerk* shall provide the *motion* to the *Mayor/Chair* to be read into the record. No Secunder is required. The Notice is not debatable.
- c) Where it is deemed impractical or not in the best interests of the *Town* to delay consideration, the *notice of motion* may be considered by *Committee* or *Council* upon it's introduction by an affirmative vote of two-thirds of the voting *members* present.

5.13 By-Laws and Confirmatory By-Law

- a) Every *by-law* shall be in writing and shall require only one reading prior to being passed by a *majority* vote of *Council*.
- b) Unless separated at the request of a *member*, all *by-laws* proposed for adoption shall be passed collectively by a single *motion*.
- c) Every *by-law* passed by *Council* shall signify the date of passage and be signed by the *Mayor* and the *Clerk* and sealed with the seal of the *Corporation*.
- d) A *by-law* shall be passed for each regular or special *Council meeting* to confirm the proceedings thereof.
- e) The *Clerk* shall be authorized to make minor corrections to any *by-law* resulting from technical or typographical errors prior to the *by-law* being signed.

5.14 Calling of Committee Meetings

The *Clerk*, or designate will announce the date, time and place of any *Coordinated Committee*, *Committee of the Whole* or *Council meeting* currently scheduled to be held prior to the next Regular *Meeting of Council*.

5.15 Question /Comment Period

- a) Question/Comment Period - A fifteen (15) minute session wherein persons in attendance at a Regular *Meeting of Council* have an opportunity to ask a question or make a comment specifically pertaining to a Staff Report, Coordinated Committee Report, or By-law on the agenda for consideration by *Council*. Comments will be received for *Council* consideration but will not be discussed or debated at this time.
- b) Persons wishing to ask a question or make a comment must sign up at the meeting place prior to 10 minutes of the meeting start time, with their first and last name, street address, and item number of staff report or by-law.
- c) Questions/Comments must be specific to a Staff Report, Coordinated Committee Report or By-law on the Agenda for approval and are limited to a maximum of 5 minutes per person.
- d) In the event a large number of people in attendance sign up to ask a question or make a comment, a time limit per individual may be imposed at the discretion of the *Chair*.
- e) Where the subject matter on the list is deemed not to pertain to a Staff Report, Coordinated Committee Report or By-law, the Mayor shall not invite the member of the public to address Council during the Question/Comment period.
- f) Where in the opinion of the *Chair*, a person fails to adhere to the rules of conduct under 6.03 of this by-law, the privilege to participate in any future Question/Comment Periods may be revoked, at the discretion of the *Chair*.

5.16 Adjournment

- a) The *meeting* will be adjourned by the *Mayor/Chair*.
- b) No item of business may be dealt with at a *Council* or *Committee Meeting* after 10:00 p.m., unless the *Chair* presents a *Motion* to extend the hour. Two-thirds vote required to continue.
- c) If a two-thirds vote is not achieved to extend the *meeting, Council* or *Committee* will move to adjournment. The unfinished items will be deferred to the next regularly scheduled *meeting* to be noted under Unfinished Business.

PART 6 - CONDUCT AT MEETINGS

6.01 Council and Committee Members

- a) *Council members* shall govern themselves according to *Council's* Code of Conduct and Council-Staff Relations Policy.
- b) The *Mayor* or *Chair* shall preserve order and rule on points of order and privilege.
- c) Every *member* desiring to speak shall indicate so in order to be recognized by the *Mayor* or *Chair*, and upon being recognized, shall remain seated in his or her place and address themselves to the *Mayor* or *Chair*.
- d) A *member* called to order by the *Mayor* or *Chair* shall immediately cease further comment and may appeal the call to order to the *Council* or *Committee*. The *Council* or *Committee*, if appealed to, shall decide on the case without debate and by way of a *majority* vote of the *members* present. If there is no appeal, the decision of the *Mayor* or *Chair* shall be final.
- e) No *member* shall, without leave of the *Council* or *Committee*:
 1. speak to an issue for more than five (5) minutes;
 2. use offensive words or speak disrespectfully of the *Mayor, Members of Council, Committee, staff* or the public;
 3. speak on any subject other than the subject under debate;
 4. speak in contempt of any decision of the *Council* or *Committee*;
 5. leave his or her seat or make any noise or disturbance while a vote is being taken or until the result is declared; or,
 6. disobey the rules or decisions of *Council* or a decision of the *Mayor* or *chair* on points of order or privilege, or upon the interpretation of the *Rules of Procedure*.

- f) Where a *member* has been called to order by the *Mayor* or *chair*, for disregarding the *rules of procedure*, and the *member* persists such conduct, the *Mayor* or *chair* may order such *member* to vacate the *meeting* place.
- g) Where a *member* has been ordered to vacate the *meeting* place, in case of adequate apology being made by the *member*, they may be permitted to take their seat by way of *majority* vote of the *members* present.

6.02 Points of Order or Privilege

a) *Point of Order*

A *member* may raise a *point of order* at any time, whereupon the *Mayor* or *chair* shall:

1. interrupt the matter under consideration;
2. ask the *member* raising the *point of order* to state the substance of and the basis for the *point of order*; and
3. rule on the *point of order* immediately without debate by *Council* or *Committee*.

A *Member* of *Council* or committee may appeal the ruling of the *Mayor* or *Chair* to *Council* or *Committee* which will then decide on the appeal, without debate, by way of a *majority* vote of the *members* present. If there is no appeal, the decision of the *Mayor* or *chair* shall be final.

b) *Point of Privilege:*

A *member* may raise a *point of privilege* at any time if he or she considers that their integrity, the integrity of *Council* or the *Committee* as a Whole or staff has been impugned, whereupon the *Mayor* or *chair* shall:

- 1) interrupt the matter under consideration;
- 2) ask the *member* raising the *point of privilege* to state the substance of and the basis for the *point of privilege*; and
- 3) rule on the *point of privilege* immediately without debate by *Council* or *Committee*.

A *Member* of *Council* or *Committee* may appeal the ruling of the *Mayor* or *Chair* to *Council* or *Committee* which will then decide on the appeal, without debate, by way of a *majority* vote of the *members* present. If there is no appeal, the decision of the *Mayor* or *Chair* shall be final.

6.03 Conduct of Public

- a) Members of the public in attendance at a *meeting*, shall not:
 1. address *Council* or *Committee* without permission;

2. bring food or beverage, with the exception of water, into the *meeting* room unless so authorized;
 3. engage in any activity or behaviour or make any audible noise that could affect the *Council* or *Committee* deliberations; or
 4. bring any signs or placards into the *meeting* room unless so authorized.
- b) No person, except *Members of Council* and appointed officials of the *Town*, shall be permitted to come within or behind the horseshoe during a *meeting* of the *Council* or *Committee* without the permission of *Council* or *Committee*.
- c) No person shall make detrimental comments, or speak ill of, or malign the integrity of staff, the public, *Mayor*, *Members of Council* or *Committee*.
- d) Where in the opinion of the *Chair* a person fails to adhere to the rules of conduct in this by-law, the privilege of attending any and/or all meetings of Council or Committee may be revoked, at the discretion of the *Chair*.

6.04 Electronic Devices

- a) Electronic devices must be placed on an inaudible setting during any *meeting*, other than any electronic devices used to facilitate member participation in meetings.

6.05 Electronic Participation

- a) *Members* may participate in an open or closed electronic meeting of council, a local board, Committee of the Whole, Coordinated Committee, and a subcommittee or advisory committee, subject to the following circumstances and requirements:
- i. Any period of time during which an emergency declaration exists in all or part of a municipality by the *Mayor* or the Province of Ontario under sections 4 or 7.0.1 of the Emergency Management and Civil Protection Act.
 - ii. When in the opinion of the *Mayor*, in consultation with the Clerk or Chief Administrative Officer (CAO), it is optimal to hold an electronic meeting; or that the holding of an in person physical meeting is not advisable or safe due to any declared emergency, weather event, attendance at conferences that may result in a quorum not being achieved; or where recommendations of the Province of Ontario or the Chief Medical Officer of Health of Ontario, or the Medical Officer of Health of Simcoe Muskoka District Health Unit (SMDHU), that physical distancing between persons is necessary; or by an applicable law enforcement agency, such as the Ontario Provincial Police, or roads authority, that travel should be limited.
 - iii. When a *Member* requests to participate electronically for any other reason that, in the opinion of the *Mayor*, may permit electronic participation, and the Clerk shall receive 24 hours notice.

- b) Notwithstanding the above, should the subject matter of a closed meeting be highly sensitive in the opinion of the *Mayor*, in consultation with the Clerk or CAO, the meeting shall not be permitted to be held electronically.
- c) *Members* participating in a Meeting electronically shall have the same rights and responsibilities as if he or she were in physical attendance, including the right to vote; and will count towards a quorum of members.
- d) It is the responsibility of each *Member* to ensure confidentiality is maintained at all times during closed meetings.
- e) In the event of technical failure during a meeting, a recess may be called of no more than ten (10) minutes to allow staff to reinstate the electronic participation. If a member can no longer participate by electronic means, it will not affect the validity of the meeting or decisions made.
- f) Should quorum be lost at any time, the meeting will adjourn and be reinstated at the call of the chair, or the business remaining re-scheduled.
- g) All Meetings conducted wholly or partially via Electronic Participation shall follow the protocol for electronic participation established by the Clerk from time to time.
- h) Members of the public participating in meetings in accordance with this by-law may request to participate electronically. The request shall be received by the Clerk 24 hours in advance of the meeting.

6.06 Rules of Debate/Speaking

- a) Any *member* desiring to speak to any *motion* shall signify the intent in such manner as the *Chair* may direct, and shall refrain from speaking until the *Chair* has recognized him/her.
- b) When a *member* has been recognized by the *Chair* to speak, the *member* shall direct his/her questions or comments to the *Chair* and speak only to the matter under consideration.
- c) The *Chair* shall recognize the *members* who wish to speak in the order that they come to his/her attention.
- d) When a *member* is speaking, no other *member* shall interrupt, except to raise a *Point of privilege* or *Point of order*.
- e) A *member* shall not speak more than once to the same *motion* until all other *members* have had the opportunity to speak to the matter for the first time, except for the purpose of providing an explanation of a material part of his/her speech which may have been misunderstood and in doing so he/she shall not introduce new matters. No *member* shall speak to the same *motion* more than twice without the leave of *Council* or *Committee*.
- f) A *member* shall not speak to the same *motion*, or in reply, for longer than five minutes, without leave of *Council* or *Committee*.

- g) A *member* shall be restricted to asking questions related directly to the matter under discussion.
- h) The *Chair* may answer questions and comment in a general manner but if he/she wishes to speak to the matter under discussion, he/she shall withhold his/her comments until the conclusion of the debate after all other *members* have had an opportunity to speak to the matter.

PART 7 - VOTING AT OPEN MEETINGS

7.01 Motions

- a) After a *motion* has been moved and seconded, it shall be deemed to be in the possession of *Council* or *Committee*. *Council* or *Committee* may consent to the withdrawal of the *motion* at any time before amendment or decision.
- b) *Council* or *Committee* shall not debate any *motion* until it has been moved and seconded. When a *motion* has been seconded, it may upon request, be read or stated by the *Mayor*, *Chair* or *Clerk* at any time during the debate.
- c) Whenever the *Mayor* or *Chair* is of the opinion that an amending *motion* is contrary to the main *motion*, the *Mayor* or *Chair* shall apprise the *members* thereof immediately. A *Member* of *Council* or *Committee* may appeal the ruling of the *Mayor* or *Chair* to *Council* or *Committee*. If there is no appeal, the decision of the *Mayor* or *Chair* shall be final. The *Council* or *Committee*, if appealed to, shall vote on the *motion* without debate and its decision shall be final.
- d) A *motion* in respect of a matter which is not within the jurisdiction of the *Council* or *Committee* shall not be in order. The *Mayor* or *Chair* in consultation with the *Clerk* will determine if the matter is within the jurisdiction of *Council* or *Committee*.
- e) When a *motion* is under consideration no other *motion* shall be received unless it is a *motion*:
 1. to refer the *motion* to *Committee*, *Council*, staff or any other person or body. Such a *motion* to refer:
 - a. is open to debate;
 - b. is amendable; and
 - c. shall preclude amendment or debate of the preceding *motion*.
 2. to amend the *motion*. Such a *motion* to amend:
 - a. is open to debate;
 - b. shall not propose a direct negative to the main *motion*;
 - c. shall be relevant to the main *motion*;
 - d. is subject to only one further amendment, and any amendment more than one must be to the main *motion*; and

- e. if more than one, shall be put in the reverse order to that in which they were moved, and shall be decided or withdrawn before the main *motion* is put to the vote.
3. to *defer* the *motion* to another time. Such a *motion to defer*:
 - a. is not open to debate;
 - b. is not subject to amendment; and
 - c. applies to the main *motion* and any amendments thereto under debate at the time the *motion to defer* is made.
 4. to adjourn the *meeting*. Such a *motion to adjourn*:
 - a. is not open to debate;
 - b. is not subject to amendment; and
 - c. shall always be in order.
 5. to call a vote on the *motion*. Such a *motion to call a vote on the motion*:
 - a. cannot be amended;
 - b. cannot be proposed when there is an amendment under consideration;
 - c. when resolved in the affirmative, shall be forwarded by voting on the *motion*, without debate or amendment;
 - d. when resolved in the negative, shall be followed by resumption of debate; and
 - e. shall always be in order.
- f) Once all *motions* relating to the main *motion* have been dealt with, and once the main *motion* is put, there shall be no further discussion or debate and the *motion* shall be immediately voted on.
 - g) Any *motion* on which there is a tie vote shall be deemed to be defeated.
 - h) A failure to vote by a *member* who is present at the *meeting* at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.
 - i) When a *motion* under consideration concerns two or more matters, each matter may be voted on separately upon the request of any *member*, using the original mover and seconder of the *motion*.
 - j) Appendix B – Motions Table shall form part of this *by-law* and describes the characteristics of commonly used *motions*.

7.02 Recorded Votes

- a) All votes during *meetings* of *Council*, *Committee of the Whole* and *Coordinated Committee* shall be recorded in the minutes.

- b) The manner of determining the decision of committee or *Council* shall be by a show of hands of all members. In the case of remote audio participation, the member shall state their vote when prompted to do so.
- c) The *Chair* shall call the vote, first calling for those voting in favour of the motion, then for those voting in opposition, and finally for those abstaining, if necessary. (refer to 7.01 h) abstaining when qualified to vote is considered voting in opposition)
- d) The *Chair* shall announce the names of those voting in opposition and the names of those who abstain, and the Clerk or designate shall record the votes.
- e) Upon the taking of any vote, if all the members present and eligible to vote when the vote is taken vote unanimously, the chair may direct the clerk to record the vote accordingly.
- f) When an electronic voting system is in use, all votes shall be entered in accordance with the system procedure.
- g) *Members* having declared a conflict of interest shall be excluded from the vote and noted as such.

7.03 Reconsideration

- a) Any proposal to reconsider, amend or rescind a previous decision of *Council* made within its current term shall require a *motion* of reconsideration.
- b) A *motion* to reconsider a previous decision of *Council* made earlier in the *meeting*:
 1. may be presented at any time prior to the *meetings*' adjournment by any *member* who voted on the prevailing side;
 2. shall not be in order in regards to a decision of indefinite postponement; and
 3. shall require an affirmative vote of the *majority* of the *members* present.
- c) A *motion* to reconsider a previous decision of *Council* at a subsequent *meeting*:
 1. may only be introduced by a *member* who was present at the *meeting* and who voted on the prevailing side or who was not present at the *meeting* when the decision was made;
 2. shall be introduced as a *notice of motion* in accordance with this *by-law* for consideration; and
 3. shall require an affirmative vote of two-thirds vote of the *members* present
- d) Debate on a *motion* for reconsideration shall be confined to reasons for or against reconsideration.
- e) Discussion of the previous decision shall not be in order until the *motion* to reconsider has been adopted.

- f) Where the *motion* to reconsider is decided in the affirmative, reconsideration of the previous decision of *Council* shall become the next order of business unless the *motion* to reconsider included direction to postpone reconsideration to a definitive date.
- g) During the term of *Council*, a *motion* to reconsider shall not be permitted more than once with regard to a previous decision of *Council* nor shall a vote to reconsider be reconsidered.

PART 8 - EFFECTIVENESS AND INDEMNIFICATION

- a) *By-Law* 2021-09 and all amendments to the same are hereby repealed in their entirety, and where the provisions of any other *by-law*, resolution or action of *Council* area inconsistent with the provisions of this *by-law*, the provision of this *by-law* shall prevail.
- b) Severability: If any article, section, subsection, paragraph, clause or sub-clause, or any of the words contained in this *By-Law* is held wholly or partially illegal, invalid or unenforceable by any court or tribunal of competent jurisdiction, the remainder of this *By-Law* shall not be affected by the judicial holding, but shall remain in full force and effect.
- c) This *By-Law* shall come into force and take effect upon passing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23rd DAY OF FEBRUARY, 2021.

Nina Bifulchi, Mayor

Dina Lundy, Clerk

APPENDIX A – Agenda Items List

Agendas are prepared generally under the following headings:

Council Meeting Agenda

- Call to Order
- Disclosure of Pecuniary Interest
- Adoption of Council Minutes
- Deputations, Presentations, Petitions and Public Meetings
- Question/Comment Period
- Unfinished Business
- Correspondence
- Committees, Boards & Staff Reports
- Community Announcements
- Notices of Motion
- Motion Where Notice Has Been Given
- By-Laws and Confirmatory By-Law
- Calling of Committee Meetings
- Closed Session (as required)
- Reports from Closed Session (as required)
- Adjournment

Committee of the Whole Agenda

- Call to Order
- Disclosure of Pecuniary Interest
- Deputations, Petitions, Presentations and Public Meetings
- Unfinished Business
- Consent Agenda
- New Business
- Closed Session (as required)
- Reports from Closed Session (as required)
- Adjournment

Coordinated Committee of Council Agenda

- Call to Order
- Disclosure of Pecuniary Interest
- Committee Sections
 - a) Deputations, Petitions, Presentations and Public Meetings
 - b) Unfinished Business
 - c) Other Agency Reports
 - d) Consent Agenda
 - i) Departmental Staff Reports
 - e) Accounts
 - f) Other Matters
- Closed Session (as required)
- Reports from Closed Session (as required)
- Adjournment

Advisory Committees of Council Agenda

The Committee Secretary shall have prepared and printed for the use of the *members* at *Advisory Committee* meetings, an Agenda under the following headings:

- Call to Order
- Disclosure of Pecuniary Interest
- Minutes of Last Meeting
- Deputations/Presentations
- Unfinished Business
- Sub-Committee Reports, if any
- New Business
- Items for Future Meetings
- Date of Next Meeting
- Closed Session (as required)
- Reports from Closed Session (as required)
- Adjournment

APPENDIX B - Motions Table

Motion	Debatable	Non-debatable	Amendable	Non-amendable	Special Rule
Adjourn		X		X	Section 5.16
point of privilege		X		X	Section 6.02, Chair Rules*
point of order		X		X	Section 6.02, Chair Rules*
call a vote on the motion		X		X	Section 7.01
motion to amend	X		X		Section 7.01
defer		X		X	Section 7.01
refer	X		X		Section 7.01
extend meeting beyond 10:00 p.m.	X			X	2/3 of the members present
reconsideration	X			X	*section 7.03
appeal the chair's ruling		X		X	*section 7.01 c)
Suspend the Rules of Procedure		X		X	*section 2.02 b) 2/3 of entire Members of Council (5)

*A point of order/privilege is ruled on by the Mayor/Chair. Any member may appeal the Chair's ruling which must then be decided by a *majority* vote of the members present without debate.