



## The Corporation of the Town of Wasaga Beach

### **By-law No. 2023-119 (Consolidated – as amended)**

#### **PROCEDURE BY-LAW**

#### **A by-law to govern the proceedings of Council**

Consolidation		
Amendment	By-law No.	Adoption Date
Amendment No. 1	By-law No. 2024-20	March 14, 2024

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**THE CORPORATION OF THE TOWN OF WASAGA BEACH**

**BY-LAW NO. 2023-119**

**BEING A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL AND  
COMMITTEE MEETINGS**

**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** the Council of The Corporation of the Town of Wasaga Beach desires that its governance processes and procedures facilitate, to the greatest extent possible, the understanding and participation of its citizens in the effective conduct of the Corporation's business; and

**WHEREAS** the Council of The Corporation of the Town of Wasaga Beach now deems it advisable to enact a new By-law to govern the proceedings of Council, the conduct of its Members and the calling of meetings, and to provide for procedures and statutory requirements and to repeal Procedural By-law 2023-15;

**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 in meetings of *Council* and *Standing Committees*. All Boards and Committees of the Town are expected to adopt procedures regarding the calling and conduct of *meetings*, and in the absence of such procedures, these rules shall apply.

### 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

**'Abstain'** means a *member* who is lawfully entitled to vote but chooses not to exercise their right to vote on a matter. When a *member* abstains from a vote without declaring a pecuniary interest they will be counted as opposed to the motion.

**'Act'** means the *Municipal Act, 2001, chapter 25*, as amended.

**'Acting Chair'** means a designate *member* appointed by the *members* to preside over a meeting in whole or in part.

**'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*.

**'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* in the case of *Council* or *Committee of the Whole*; or any *member* of *Council* or a *Committee* otherwise appointed to serve as *Acting 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.

**'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*, *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 each *Council meeting* confirming the actions of *Council* take at that *meeting*.

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

**'Corporation'** means The *Corporation* of the Town of Wasaga Beach.

**'Council'** means the *Council* of the *Corporation* of the Town of Wasaga Beach.

**'Council Requested Staff Report'** means a matter assigned to a staff member by *Council* to be brought forward as a report for further consideration and/or action.

**'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 *Council* or *Committee* in a matter under the delegated authority of said body.

**'Deputy Mayor'** shall mean that *member* of *Council* elected to assume the responsibilities of the Mayor/Chair at *meetings* in the Mayor's absence.

**'Electronic Participation'** means participation in a *meeting* from a remote location by such electronic means or service as determined and provided by the *Clerk*, in accordance with the provisions of the *Municipal Act, 2001* as amended. "Participate electronically" has a corresponding meaning.

**'Emergency'** shall mean:

- i. a situation or impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the force of nature, a disease or other health risk, an accident or an act whether intentional or not; and/or

- ii. any period of time during which an emergency declaration has been made by the Mayor or the Province under the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9.

**'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.

**"Point of Order"** means a matter that a *member* considers to be a departure from or contravention of the rules, procedures and/or generally accepted practices of Council, which seeks an immediate ruling on an alleged violation of the *rules of procedure*.

**'Point of Privilege'** means a matter that a *member* considers to impugn their integrity or the integrity of Council, Committee of the Whole, a Committee, or staff which seeks an immediate ruling on an alleged violation of the rights or privileges of *members* as a whole.

**'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.

**“Public Meeting”** means a *meeting* or a portion of a *meeting* held pursuant to the requirements of a statute, regulation or by-law to hold a public meeting to hear representations on a matter from any member of the public who attends the Public Meeting.

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

**‘Refer’** means to *refer* or assign a specific matter or item to a *Committee*, 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.

**‘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 and regulations contained in this by-law shall be the rules and regulations for the order and dispatch of business in *meetings* of Council and Committee. All boards and committees of the Town are expected to adopt procedures regarding the calling and conduct of meetings, and in the absence of such procedures, these rules shall apply.
- 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 *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) 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*.
- d) 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*.
- e) 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 Chair* shall so preside.

### **3.02 Duties of the Deputy Mayor**

It is the duty of the *Deputy Mayor* to

- In the absence of the Mayor, shall act in the Mayor's place and shall preside at *Council* and *Committee of the Whole* meetings with all powers and obligations of the Mayor.
- In the absence of the Mayor and Deputy Mayor, the Clerk shall call the meeting to order and, if quorum is present, the *members* thereof shall choose an *Acting Chair* from amongst the *members* present and such *Acting Chair*, during such absence has all the powers of the Mayor.

### **3.03 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 all sections of this *By-law* pertaining to conduct at all *meetings*.

### **3.04 Duties, Authority and Power of the Chair**

It is the duty of each *member* assuming the role of *Chair* of any *meeting* of *Council* or *Committee of the Whole* 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 of the Whole*, declaring it's will, and implicitly obeying it's 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.

- If the Chair desires to leave the Chair for the purpose of taking part in the debate or otherwise, they will call on the Deputy Mayor, or in the absence of the Deputy Mayor, on another *member*, to fill their place until resuming the Chair.

### **3.05 Duties of the Clerk**

It is the duty of the *Clerk* to:

- The Clerk will be present at all meetings of *Council* and *Committee of the Whole*;
- 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 CAO 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.

### **3.07 Absence of Member**

- a) The office of a *member of Council* shall become vacant if the *member* is absent from the meetings of council for three (3) successive months, unless the leave of absence is authorized by a resolution of *Council*.
- b) Subsection 3.07 (a) of this by-Law shall not apply to a *member of Council* who is absent for twenty (20) consecutive weeks or less if the absence is a result of the *member's* pregnancy, the birth of the *member's* child or the adoption of a child by the member in accordance with Subsection 259(1.1) of the Act. In such event, the member shall provide the Clerk with written notice of the leave of absence in

accordance with the “Pregnancy and Parental Leave for Members of Council Policy”, as amended or replaced from time to time.

## **PART 4 COMMITTEES OF COUNCIL**

### **4.01 Standing Committees of Council**

- a) Council has one regular standing Committee called the Committee of the Whole that will be scheduled by the Clerk as needed when larger discussion or public input is required. Items for consideration at Committee of the Whole include but is not limited to, budget, workshops and training.
- b) All Councillors are *members* of the Standing Committee and the Mayor acts as presiding officer.
- c) Recorded votes are not permitted at a Standing Committee.

### **4.02 Advisory and Ad Hoc Committees**

- a) Council may, at any time, establish a *committee* to advise Council on matters within their jurisdiction.
- b) Members of the *committees* will be appointed by Council at the recommendation of the Selection Committee for Advisory Committees.
- c) Composition of *Advisory* and *Ad Hoc Committees* will be outlined in their terms of reference approved by Council.
- d) *Meetings of Advisory Committees and Ad Hoc Committees* shall be chaired by the *member* appointed as such. The *Mayor* is ex-officio on all committees.
- e) *Advisory and Ad Hoc Committee* minutes will be placed on the Council agenda for receipt. Any items requiring Council consideration will be placed on the Council agenda under the “Recommendations Arising from Boards and Committees” section.

## **PART 5 - MEETINGS**

### **5.01 General Provisions**

- a) Except as provided in this *By-law* and by statute, all *meetings* shall be open to the public.
- b) Where circumstances warrant, the Clerk may, in consultation with the Mayor and/or CAO, cancel a meeting. Where possible notice of cancellation will be given to the Members and staff by e-mail or telephone. Public notice of the cancellation will be provided by way of the Town’s website and/or posting a written notice at Town Hall. The business of the cancelled meeting shall be considered at the next regularly scheduled meeting, or at a special meeting called in accordance with this by-law.

- 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) In the event that agenda 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 deferred to the next regularly scheduled meeting to be noted under Unfinished Business.

### **5.02 Public Notice of Meetings**

- a) The Clerk will provide notice to the public of all meetings of Council by posting the annual schedule of meetings on the Town's website. Notice of the date and time of *special meetings* of Council or *Committee of the Whole* 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 urgent or emergency purposes or *meetings* held during a time where an emergency has be 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.
- c) Notice which is substantively given but which is irregular or not otherwise in strict compliance with this By-law will not invalidate the holding of a meeting or any action taken at a meeting.

### **5.03 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*, which is to be the first Thursday following the commencement of the term of *Council*, pursuant to the *Municipal Elections Act*, 1996, c. 32, Sch.
- 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.

### **5.04 Regular Council Meetings**

- 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 second Thursday and fourth Thursday of the month at 10:00 a.m. and shall correspond with the same week as County Council, according to the schedule set annually and approved by *Council*, except
  - i) As otherwise specified in this by-law
  - ii) during the months of January, July, August and December

- iii) where amended, as per schedule approved by Council to accommodate Member attendance at Conferences or to avoid conflicts with significant events;
- b) *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*.

### **5.05 Special Meetings**

- a) The *Mayor* may at any time call a *special meeting* of *Council* or *Committee of the Whole* or upon receipt of a petition of the *majority of members*. The *Clerk* shall call a *special meeting* for the purpose and at the time and date specified in the petition.
- b) The determination of meeting type (Council or Committee of the Whole), shall be made by the *Clerk*, in consultation with the *Mayor* and/or *CAO*, and shall take into consideration the nature of the business to be considered.
- c) Notice will be provided by the *Clerk* in accordance with the notice provisions of this by-law.
- d) No business may be transacted at a *special meeting* other than that specified in the notice or agenda.

### **5.06 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 the Committee of the Whole and Council* will be livestreamed and/or recorded, and published to a *Town* social media platform as a service to the public.
- c) Notwithstanding subsection 4.06 (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.

## **PART 6 - AGENDAS**

### **6.01 Council Agendas**

- a) Council agendas shall be generally formatted as listed in Appendix A, but modifications to the matters to be included or to the order of business may be made by the *Clerk* without requiring amendment to this by-law.
- b) The business of *Council* 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.

### **6.02 Submission of Agenda Information**

- a) All information to be included on agendas shall be delivered to the *Clerk's Office*, by the deadline designated by the *Clerk*.
- b) Notwithstanding the above section 6.02 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 that *Council* agendas are distributed to *members* of *Council* prior to the scheduled *meeting* with adequate time to review.
- d) Agendas for *meetings of Council*, and other *Committees* and *meetings of Council* shall be posted as soon as practicable on the *Town's* website, and no later than 48 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, shall be posted as soon as practicable.

### **6.03 Committee of the Whole Session**

- a) When a matter is considered during the *Committee of the Whole* session, the staff recommendation will be visible and, where applicable, a revised recommendation proposed by the *member* referring the item to the *Committee of the Whole* session. The mover and seconder shall have an opportunity to speak first to the recommendation.
- b) After the *Committee of the Whole* session has finished its deliberations, its recommendations and findings shall be presented for formal adoption by *Council*. *Council* shall adopt those recommendations and by-laws considered by the *Committee of the Whole* session in an omnibus motion, which deems those recommendations to be resolutions and by-laws, as applicable, of *Council*.
- c) The *Council* may determine from time to time such procedures for the governing of *Committee* meetings as may be determined necessary for the effective conduct and administration of the operations of the *Committee of the Whole* session.
- d) The *Mayor* may turn the chair over to any member to preside over a specific *Committee of the Whole* session. While presiding, that Chair has the same powers of the Head of Council with respect to the conduct of the meeting.

#### **6.04 Call to Order and 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* or *Committee of the Whole*, the *Acting Chair* shall call the *members* to order. In the absence of the prior designation of an *Acting Chair*, the *Clerk* shall call the *members* to order and the *members* shall choose an *Acting Chair* from those present who shall preside over the *meeting* until the arrival of the *Chair* or any previously designated *Acting Chair*.
- d) If during the course of a *meeting*, *quorum* is lost, the *meeting* shall be adjourned.

#### **6.05 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:
  - i) Prior to any consideration of the matter at the *meeting*, disclose the interest and the general nature thereof;
  - ii) Not take part in the discussion of or vote on any question with respect to the matter; and
  - iii) 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 6.05 b), the *member* shall forthwith leave the *meeting* for the part of the *meeting* during which the matter is under consideration.
- d) The Clerk will record the particulars of any disclosure of pecuniary interest made by *members* of Council or Committees in the minutes of that *meeting* and update the Pecuniary Interest Registry. The Registry will be available for public inspection.

#### **6.06 Land Acknowledgement**

- a) *Meetings of Council, Committee of the Whole or Committees* may be opened with a Land Acknowledgement where appropriate at the discretion of the *Chair*, and this acknowledgement may be provided by any member or *Council*, Staff, or invited guests as determined by the *Chair*.

## **6.07 Approval of the Agenda**

- a) *Council* shall approve the agenda as provided by the Clerk's Department.
- b) The *Clerk*, in consultation with the CAO has the discretion to add item(s) to the agenda under Approval of the Agenda section, after the addendum has been posted to the *Town's* website, where the *Clerk* is of the opinion that the matter is sufficiently urgent to violate the fundamental principle of providing the prescribed public notice, and the Late Submission item(s) should meet one of the following time-sensitive conditions:
  - i. Provide additional information to an existing agenda item;
  - ii. Required to meet government/agency deadlines;
  - iii. Delay would have legal or financial implications; or
  - iv. *Council/Committee* direction.
- c) All items, received after the addendum has been posted, must be approved by the *Clerk* before consideration by *Council* during Approval of the Agenda.
- d) *Council* shall consider the Late Submission item(s) during Approval of the Agenda and these items require a two- thirds majority vote of *Council* to be added.
- e) Items approved for addition shall be added to their respective areas of the agenda with a notation to indicate that the item has been added.
- f) Items added under this section may be tabled or *deferred* to allow for adequate public notice.
- g) Whenever possible, the *Clerk* shall endeavor to circulate late submission items and supporting documentation to *Council*, Town Staff and the media by posting them on the Town Website as soon as practical, preferably in advance of the regular *meeting*.

## **6.08 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 *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*.
- c) Denial of Deputation Requests: The *Clerk* shall deny a request for a *deputation* where:
  - i) The subject matter that the person wishes to address or the outcome that the person seeks from the *Council* is not within the *Town's* authority;

- ii) The person wishes to address the *Council* 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;
- iii) The subject matter involves litigation or potential litigation with the *Town*, or any matter before the court;
- iv) The subject matter pertains to an insurance claim;
- v) Administrative complaints that have not been reported and investigated through the appropriate process or policy;
- vi) The matter, or any portion thereof, is contrary to the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*;
- vii) 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;
- viii) The Deputant wishes to have a prior decision of *Council* reconsidered;
- ix) The *Council* or *Committee* has made the decision and/or a recommendation of the *Mayor* and/or *CAO* to deny the request; or
- x) The Deputant wishes to address a matter which was the subject of the *Town Council* (Public Meeting) under the *Planning Act*, or where a public meeting is scheduled or soon to be scheduled.

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* and the *CAO*.

Scheduling Deputations:

- e) Wherever possible, the *deputation* shall be scheduled for the appropriate session of *Council*, considering the subject matter of the *deputation*.
- f) Requests to delegate regarding an item on the Council or Committee agenda must be submitted in writing to the Clerk by 4 p.m. on the day before the meeting.
- g) If a delegate requests to speak regarding a matter not listed on the agenda they must provide the Clerk with a written submission outlining their request by 12 p.m. on the Wednesday a week prior to before the Council meeting.

Information to Deputant:

- h) The *Clerk* shall provide the deputant with information outlining the *deputation* process.

Rules for the Deputant:

- i) Printed/electronic material to be distributed shall be provided to the *Clerk's* department by 12 p.m. on the Wednesday of the week prior to the *meeting* of the *deputation*, in accordance with the *Clerk's* agenda practices. 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 to a maximum of ten (10) minutes for an item not listed on the agenda and five (5) minutes for an item on the agenda.
- 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 will 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*.
- q) Where a deputant repeatedly disregards any one or more of the rules, the *Chair* may immediately order the deputant to leave the *meeting* place.
- r) If the deputant refuses to leave the *meeting*, he or she may be escorted from the building.
- s) *Council* may, at its discretion, prohibit anyone from making *deputations* for any period of time.

**Presentations**

- a) Presentations addressing matters relevant to the *Town* and seeking to provide information, or receive input from *Council*, or *Committee* will be permitted from any local board or similar authority including relevant agencies, boards, commissions as well as other levels of government and *Town* staff.

- b) Presentations also include those appearing before Council to accept an award or receive recognition from the Town.
- c) Those wishing to make a presentation must provide a written submission to the Clerk by 12 p.m. on the Wednesday a week prior to the meeting, outlining the name(s), title(s), etc. of those making the presentation and clearly stating the subject matter of the presentation.
- d) The *Clerk* shall schedule the presentation and provide the presenter with the appropriate information.
- e) Rules for *deputations* also apply to presentations, with the exception of time limits. Time limits for presentations shall be at the discretion of the Clerk.

### **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.
- f) Time limits to present petitions shall be at the discretion of the Clerk.

### **Public**

### **Meetings**

- a) Public Meetings will be placed on the agenda provided that all advertising and notices have been completed and the holding of the said public *meeting* will be in conformity with legislation.
- 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.

## **6.09 Consent List**

- a) All staff reports, correspondence items and minutes of Boards and Committees will be considered as a *consent agenda*. The Chair will allow *members* to remove items from the section of the agenda before voting on the remainder of the items.
- b) All items listed in the *consent agenda* are subject to a single motion that is neither debatable, nor amendable. A member may make a brief comment regarding a consent item prior to the consideration of the motion, however, if an item requires further discussion, debate, or an amendment it must be removed from the consent agenda and placed in the Matters for Consideration section of the agenda.
- c) A *member's* request to refer an item to 'Matters for Consideration' is neither optional nor debatable. For greater clarity, each *member* has the right to have a matter referred and considered by *Council*.
- d) Correspondence received from members of the public will be circulated to *Council* and Staff by the Clerk's Department. A briefing note may be provided where time permits, and this correspondence may be added to the agenda at the request of any member of *Council*.
- e) Communications intended to be presented to *Council* or a *Committee* must be legible, signed by the author(s), include their address and must not contain any defamatory allegations, or impertinent or improper information. The *Clerk* may refuse communications that do not comply with this section.
- f) Communications shall be provided to the *Clerk* by 12:00 noon on the Wednesday, the week prior to the regular meeting date. The sender is responsible for clearly identifying if the communication is confidential and the nature of that confidentiality.
- g) Communications are generally considered public documents and are therefore subject to the *MFIPPA*.

## **6.10 Council Requested Staff Reports**

- a) All *Council Requested Staff Reports* shall require a mover and a seconder and shall be introduced during the *Reports Referred to Staff* section of the agenda.
- b) Once a *Council Requested Staff Report* is provided in accordance with this by-law, the *Clerk* shall automatically add it to the next regular meeting agenda, where it shall appear as *Council Requested Staff Report* and will remain on the list until such time as it has been presented and considered.

- c) No more than 4 items shall be assigned to a single Director or the CAO at any given time. Once an item has been presented to Council for consideration, it shall be removed from the Council Request Staff Report section.

### **6.11 Notices of Motion**

- a) A Notice of Motion is a statement of intention to introduce a motion at a future *meeting*. A Notice of Motion is not debatable.
- b) A Notice of Motion may be given by any *member* during the appropriate part of a meeting of Council. The item will be added to the agenda of the next regularly scheduled Council meeting.
- c) Where it is deemed necessary to not delay the consideration, a notice of motion may be considered by Council immediately upon its introduction by a successful two-thirds vote of the *members* present.
- d) After having provided a Notice of Motion, the *member* shall prepare and submit a memorandum including information on the item and the proposed motion to the Clerk by Thursday at 12 p.m. the week before the Council meeting so that it can be included on the agenda.
- e) Memorandums submitted to the Clerk by the prescribed time will be permitted on the agenda even if notice was not provided at the previous meeting. The memorandum will act as notice and the item will be discussed at the regular meeting of Council.

### **6.12 Closed Session**

- 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:
  - i) The security of the property of the municipality or local board;
  - ii) Personal matters about an identifiable individual, including municipal or local board employees;
  - iii) A proposed or pending acquisition or disposition of land by the municipality or local board;
  - iv) Labour relations or employee negotiations;
  - v) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
  - vi) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - vii) A matter in respect of which a council, board, committee or other body may hold a closed *meeting* under another *Act*;

- viii) 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;
- ix) 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;
- x) 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
- xi) 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.
- xii) 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;
- xiii) An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act.
- xiv) Educational or training sessions, if the following are both satisfied:
  - The *meeting* is held for the purpose of educating or training the *members*; and
  - 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*:

- i) The fact that the *Council* is convening into *closed session*; and
- ii) 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* electronically or via any means deemed secure by the *Clerk*. The Clerk will collect and destroy all confidential material or request that any confidential information circulated electronically be deleted and removed from Member's devices/access immediately following the *meeting*.

### **6.13 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.

### **6.14 Adjournment**

- a) The *meeting* will be adjourned by the *Mayor/Chair*.
- b) If the meeting is required to be adjourned before all business items have been considered, the unfinished items will be deferred to the next regularly scheduled *meeting* to be noted under Unfinished Business.

## **PART 7 - CONDUCT AT MEETINGS**

### **7.01 Council and Committee Members**

- a) *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*:
  - i) Speak to an issue for more than five (5) minutes;
  - ii) Use offensive words or speak disrespectfully of the *Mayor*, *Members* of *Council*, *Committee*, staff or the public;

- iii) Speak on any subject other than the subject under debate;
- iv) Speak in contempt of any decision of the *Council* or *Committee*;
- v) Leave his or her seat or make any noise or disturbance while a vote is being taken or until the result is declared; or,
- vi) 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*.
- vii) Engage in private conversation while in a *meeting* or use electronic devices including cellular phones, portable devices and computers for the purposes of facilitating or engaging in private discussion with regard to any matter on the agenda and/or any matter under debate at a *meeting*, except for the purpose of communicating with the Clerk.
- viii) Use electronic devices except for the purpose of viewing the *meeting* agenda during closed session
- ix) Use electronic devices including cellular phones, portable devices and computers in a manner which interrupts or is disruptive to the proceedings of the Council.

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.

## **7.02 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:

- i) Interrupt the matter under consideration;
- ii) Ask the *member* raising the *point of order* to state the substance of and the basis for the *point of order*; and
- iii) Rule on the *point of order* immediately without debate by *Council* or *Committee*.
- iv) 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:

- i) Interrupt the matter under consideration;
- ii) Ask the *member* raising the *point of privilege* to state the substance of and the basis for the *point of privilege*; and
- iii) Rule on the *point of privilege* immediately without debate by *Council* or *Committee*.
- iv) 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.

### **7.03 Conduct of Public**

- a) Members of the public in attendance at a *meeting*, shall not:
  - i) Address *Council* or *Committee* without permission;
  - ii) Bring food or beverage, with the exception of water, into the *meeting* room unless so authorized;
  - iii) Engage in any activity or behaviour or make any audible noise that could affect the *Council* or *Committee* deliberations; or
  - iv) 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*.

## **7.04 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.

## **7.05 Electronic Participation**

a) *Members* may participate in an open or closed electronic meeting of *Council*, a *local board*, *Committee of the Whole* 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 (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.

## **7.06 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 8 - VOTING AT OPEN MEETINGS**

### **8.01 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*:
  - i) 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*.
  - ii) 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.
  - iii) 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.
  - iv) 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.
  - v) 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*.

## **8.02 Recorded Votes**

- a) When a *member* requests, immediately prior to the taking of the vote, that the vote be recorded, the Clerk shall call the names of all the *members* present in alphabetical order to vote, unless a *member* has declared a pecuniary interest, and except that the Mayor shall vote last. Each *member* shall answer "yes" or "no" to the motion. The result of the recorded vote shall be announced by the Clerk and the name of each *member* who voted and the manner in which they voted shall be recorded in the minutes.
- b) Recorded votes are only permitted in Council meetings and only on main motions.
- c) Recorded votes will be taken for every item listed under the "Matters for Consideration Section of the Council Agenda. The Clerk shall call the name of each member present in alphabetical order to vote, unless a member has declared a pecuniary interest, and except that the Mayor shall vote last. Each member shall answer "yes" or "no" to the motion. The results of the recorded vote shall be announced by the Clerk and the name of each member who voted and the manner in which they voted shall be recorded in the minutes.

**(Amended by By-law 2024-20)**

## **8.03 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*:
  - i) May be presented at any time prior to the *meetings'* adjournment by any *member* who voted on the prevailing side;
  - ii) Shall not be in order in regards to a decision of indefinite postponement; and
  - iii) 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*:
  - i) 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;
  - ii) Shall be introduced as a *notice of motion* in accordance with this *by-law* for consideration; and
  - iii) 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 9 – ADMINISTRATION

- a) The *Clerk* shall have the authority and direction to execute administrative amendments of this by-law.

## PART 10 - EFFECTIVENESS AND INDEMNIFICATION

- a) *By-Law 2023-15* 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 14th DAY OF DECEMBER, 2023.**

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Brian Smith, Mayor

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Nicole Rubin, Clerk

Office@Consolidation

## **APPENDIX A – Agenda Items List**

Agendas are prepared generally under the following headings:

### **Committee of the Whole and Council Meeting Agendas**

#### **Council Meeting Agenda**

- Call to Order
- Land Acknowledgment
- Proclamations
- Disclosures of Pecuniary Interest
- Adoption of Agenda
- Approval of Minutes
- Statutory Public Meetings
- Presentations
- Delegations
- Government Relations
- Staff Reports
- Correspondence Items
- Minutes of Boards & Committees
- Matters for Consideration
- Recommendations Arising from Boards and Committees
- Council Requested Staff Reports
- Notices of Motions/Motions
- Closed Session
- Rise and Report from Closed Session
- By-laws
- Adjournment

#### **Committee of the Whole Agenda**

- Call to Order
- Land Acknowledgement
- Disclosure of Pecuniary Interest
- Approval of the Agenda
- Presentations
- Deputations
- Staff Reports
- Matters for Consideration
- Adjournment

## **Special Council Agenda**

Call to Order  
Land Acknowledgement  
Disclosure of Pecuniary Interest  
Approval of the Agenda  
Presentations  
Deputations,  
Staff Reports  
Matters for Consideration  
Closed Session (as required)  
By-laws  
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  
Land Acknowledgement  
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
Adjourn		X		X
Point of Privilege		X		X
Point of Order		X		X
Call a Vote on the Motion		X		X
Motion to Amend	X		X	
Defer		X		X
Refer	X		X	
Reconsideration	X			X
Appeal the Chair's Ruling		X		X
Suspend the Rules of Procedure		X		X

\*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.