



THE CORPORATION OF THE TOWNSHIP OF KING

BY-LAW NUMBER 2023-029

A BY-LAW TO ESTABLISH RULES AND REGULATIONS TO GOVERN THE PROCEDURE  
OF MEETINGS OF THE COUNCIL OF THE TOWNSHIP OF KING  
AND ITS COMMITTEES AND LOCAL BOARDS

**WHEREAS** Section 238(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, (the “Municipal Act”) requires every municipality to pass a Procedure By-law for governing the calling, place and proceedings of Meetings;

**AND WHEREAS** Section 238(2) of the *Municipal Act*, requires that the Procedure By-law shall provide for public notice of Meetings;

**AND WHEREAS** it is Council’s desire to follow a process of municipal governance that reflects an open, transparent government;

**NOW THEREFORE** the Council of the Corporation of the Township of King **HEREBY ENACTS AS FOLLOWS:**

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# 1 PURPOSE AND APPLICATION

## 1.1 Title

- 1.1.1 This by-law may be referred to as the “Procedural By-law”, “Procedure By-law”, or “Rules of Procedure”.

## 1.2 Application

- 1.2.1 The rules of procedure contained in this by-law shall be observed in all proceedings of Council, Committees, and Local Boards, and shall be the rules and regulations for the order and dispatch of business.

## 1.3 Principles

- 1.3.1 Principles of openness, transparency, and accountability to the public guide the Township’s decision-making process. In context of Council, Committee and Local Board proceedings, these are accomplished by:
- a) Ensuring the decision-making process is understood by the public and other stakeholders.
  - b) Providing access to information and opportunities for input by the public and other stakeholders consistent with the requirements of this Procedural By-law and other statutory requirements.
  - c) Exercising and respecting individual and collective roles and responsibilities provided for in this Procedural By-law and other statutory requirements.

## 1.4 Accessibility

- 1.4.1 Adequate provisions shall be made by the Clerk or Recording Secretary to ensure the place of Meetings, agenda and minute formats, communications, and conduct of Meetings are accessible, to ensure maximum participation.

# 2 DEFINITIONS

## 2.1 In this Procedural By-law:

- 2.1.1 **“Ad Hoc Committee”** means a Committee constituted by Council from time to time to act on a temporary basis or singular issue and shall be discontinued by Council resolution when its recommendations upon the specified initiative or matter have been provided and further recommendations are no longer required.
- 2.1.2 **“Advisory Committee”** means a Committee constituted by Council from time to time to act in an advisory capacity to Council on operational and strategic matters.
- 2.1.3 **“Agenda”** means a list of all items prepared by the Clerk or Recording Secretary to be considered, and such Agenda is published and made available to the public.
- 2.1.4 **“Alternate Member”** means a Member of Council appointed by the Mayor to temporarily serve on the Upper-Tier Council.
- 2.1.5 **“Chair”** means the person presiding at a Meeting in accordance with the provisions of this Procedural By-law governing the Meeting.

- 2.1.6 “Chief Administrative Officer” or “CAO”** means the Chief Administrative Officer of the Township of King, or their designate.
- 2.1.7 “Clerk”** means the Clerk of the Township of King, or their designate.
- 2.1.8 “Closed Session”** means a Meeting or part of a Meeting closed to the public when the subject matter considered complies with section 239 of the *Municipal Act*.
- 2.1.9 “Committee”** means any Ad Hoc Committee, Task Force, or Advisory Committee established by Council from time to time.
- 2.1.10 “Council”** means the Council of the Corporation of the Township of King consisting of the Mayor and six (6) Councillors.
- 2.1.11 “Deputy Mayor”** means a Member of Council appointed to act from time to time in the place of the Mayor.
- 2.1.12 “Deputation” or “Deputant”** means a person or group who has made a written request to address Council on a subject which is not on the Agenda.
- 2.1.13 “Electronic Participation”** means a Member participating in a Meeting remotely using audio or video conferencing.
- 2.1.14 “Local Board”** means a Local Board defined by the *Municipal Act*.
- 2.1.15 “Majority”** means for the purpose of voting, unless otherwise specified, more than half the Members of the Council, Committee or Local Board present at the vote and not prohibited by statute from voting, determined as follows:
- a) Majority of 7 Members equals 4
  - b) Majority of 6 Members equals 4
  - c) Majority of 5 Members equals 3
  - d) Majority of 4 Members equals 3
- 2.1.16 “Meeting”** means any regular, special or other Meeting of Council, Committee or Local Board, where: (*Municipal Act*, s. 238(1))
- 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.
- 2.1.17 “Member”** means a person who is either elected as a Member of Council or is non-elected and appointed by Council to a Committee or Local Board.
- 2.1.18 “Municipal Act”** means the *Municipal Act, 2001*, Chapter 25, S.O., 2001, as amended.
- 2.1.19 “Quorum”** means the number of Members required for the legal conduct of business of Council, a Committee or Local Board. In the case of Council Meetings, quorum is four (4) Members.
- 2.1.20 “Recording Secretary”** means the Clerk or other designated employee to record the proceedings of Council, Committees or Local Boards.

- 2.1.21 “Speaker”** means a Member of the public who wishes to speak to or submit comments to Council on an item included in the Council Agenda.
- 2.1.22 “Task Force”** means a Committee constituted by Council from time to time to act on a temporary basis or singular issue and shall be discontinued by Council resolution when its recommendations upon the specified initiative or matter have been provided and further recommendations are no longer required.
- 2.1.23 “Two-Thirds Majority Vote”** means an affirmative vote of at least two-thirds of the Members present at the vote and not prohibited by statute from voting, determined as follows:
- a) Two-thirds of 7 Members equals 5
  - b) Two-thirds of 6 Members equals 4
  - c) Two-thirds of 5 Members equals 4
  - d) Two-thirds of 4 Members equals 3
- 2.1.24 “Upper Tier Council”** means the Council of the Regional Municipality of York.

### **3 COUNCIL MEETINGS**

#### **3.1 Place of Meetings**

- 3.1.1 All Meetings of Council shall be held in the Council Chambers at the King Township Municipal Centre (or at another location within the Township or an adjacent municipality as authorized by the Clerk) or through electronic means and/or a combination of both.

#### **3.2 Inaugural Meeting**

- 3.2.1 Following a regular municipal election, the Inaugural Meeting of Council shall be held no later than thirty-one (31) days after the new term of office commences, on such a date, at such time and place as determined by the Clerk and approved by Council through the annual Meeting schedule. (*Municipal Act, s. 230 and Municipal Elections Act, s. 6*)

#### **3.3 Regular Meetings**

- 3.3.1 The next and each succeeding Meeting of Council shall be held on a date and time as established in the annual Meeting schedule prepared by the Clerk and approved by Council.
- 3.3.2 No Regular Meetings of Council shall be held in the months of July and August.

#### **3.4 Public Planning Meetings**

- 3.4.1 Public Planning Meetings of Council shall consider matters where a Public Planning Meeting is required to hear applications under the *Planning Act*.
- 3.4.2 Dates and times of Public Planning Meetings held pursuant to the *Planning Act* are included in the annual Meeting schedule.

### **3.5 Special Meetings**

- 3.5.1 The Mayor or CAO may at any time call a Special Meeting of Council.
- 3.5.2 Upon receipt of a petition signed by the majority of the Members of Council, the Clerk shall call a Special Meeting of Council, for the purpose and at the time mentioned in the petition. (*Municipal Act, s. 240*)
- 3.5.3 No business other than that stated on the Agenda shall be considered at a Special Meeting except with the majority consent of all Members present.
- 3.5.4 The Clerk shall give all Members written notice of a Special Meeting of Council at least 48 hours before the time appointed for such Meeting.
  - a) The above provision requiring 48 hours notice shall not apply if there is unanimous consent of the Members to hold a Special Meeting of Council on less than 48 hours notice.

### **3.6 Working Session Meetings**

- 3.6.1 The Mayor or CAO may at any time call a Working Session Meeting of Council for Members to discuss issues in an informal manner. Except for procedural matters, no motions are passed.
- 3.6.2 Members of the public shall not be permitted to speak at Working Session Meetings of Council.
- 3.6.3 The Clerk shall give all Members written notice of a Working Session of Council at least 48 hours before the time appointed for such Meeting.

### **3.7 Closed Session Meetings**

- 3.7.1 For rules regarding Closed Session Meetings refer to section 9 of this Procedural By-law.

### **3.8 Emergency Meetings**

- 3.8.1 The Mayor may, at anytime, call an Emergency Meeting of Council to be held, without notice, to deal with an emergency or extraordinary situation, including issues that may urgently affect the health or safety of residents.
- 3.8.2 The Clerk shall notify all Members of the Meeting as soon as possible and in the most expedient manner available.
- 3.8.3 The Clerk shall attempt to notify the public of emergency Meetings and publish an Agenda as soon as possible and in the most expedient manner available.
- 3.8.4 No business other than the business dealing directly with the emergency shall be transacted at the Meeting.
- 3.8.5 The Emergency Meeting of Council may be held at any convenient location within or outside the Township. (*Municipal Act, s. 236(1)*)

### **3.9 Public Notice of Council Meetings**

- 3.9.1 Public notice for regularly scheduled Meetings of Council shall be deemed to be given by making the Agenda available by posting it on the Township website on the Thursday preceding the regularly scheduled Meeting. Additionally, the Meeting dates, times and locations will be published on the Township's Meeting Calendar website, and where permitting, on the Township's Community Page in the local newspaper.
- 3.9.2 Notice of Public Planning Meetings shall be provided in accordance with the *Planning Act*, as amended, or other statute or regulation that establishes requirements to provide public notice, including publishing a notice on the Township website and where required, a notice in the local newspaper.
- 3.9.3 Notice for all other Meetings shall be posted on the Township Website at least 48 hours preceding the Meeting and where time permits, notice may be published in the local newspaper.

### **3.10 Cancellation or Postponement of Council Meetings**

- 3.10.1 If the Clerk becomes aware of a circumstance that would hinder the calling of, or attendance at a Meeting, the Chair and Members shall be notified and notice to cancel and/or reschedule the Meeting to an alternate time, date and/or location shall be issued on the Township website, and where time permits, in the newspaper, and at the main entrance of the Meeting location.

### **3.11 Failure to Meet Notice Provisions**

- 3.11.1 Failure to meet the notice provisions for a Meeting provided in this by-law shall not affect the validity of holding the Meeting nor any action taken at the Meeting.

## **4 ROLES AND RESPONSIBILITIES**

### **4.1 Chair**

- 4.1.1 Every Meeting shall be presided by a Chair. In the case of Council Meetings, the Mayor, or their designate shall preside. In the case of a Committee or Local Board, a duly appointed Chair, or if unavailable the Vice-Chair, shall preside.
- 4.1.2 The Chair shall:
  - a) Announce the business in order in which it is to be acted upon.
  - b) Receive and submit, in the proper manner, all motions presented by the Members.
  - c) Put to vote all motions and questions which are moved and seconded; or necessarily arise in the course of proceedings, to announce the result.
  - d) Decline to put to vote motions which infringe the rules of procedure.
  - e) Restrain the Members when engaged in debate in accordance with the rules of debate.
  - f) Enforce on all occasions the observance of order and decorum among the Members and all persons in attendance.
  - g) Authenticate, by their signature, all minutes and/or by-laws as applicable.

- h) Inform Members, when necessary, on a point of order or privilege as set out in this By-law.
  - i) Adjourn or recess the Meeting in case of grave disorder arising in the Meeting room.
  - j) If deemed appropriate, engage any person in the gallery to provide special insight into a matter under consideration.
- 4.1.3 In the case of the absence of the Chair for any reason, or in the event that the Chair is unable to act due to a pecuniary interest, or when the office of the Head of Council is vacant, the Deputy Mayor or Vice-Chair, as the case may be, shall act in place of the Chair and shall have all the rights, powers and authority of the Chair while doing so.
- 4.1.4 In the absence of the Chair and Vice Chair of a Committee or Local Board, the Members shall elect an Acting Chair during the Meeting and they shall discharge the duties of Chair during the Meeting or until the arrival of either the Chair or Vice Chair.

## **4.2 Deputy Mayor**

- 4.2.1 The Deputy Mayor shall be composed of all Council Members with alternating appointments. The Clerk shall provide and circulate a schedule for the rotation of the Deputy Mayor at the beginning of each term of Council for the entire term of Council, as follows:
- a) Each Councillor shall hold the position of Deputy Mayor for eight (8) consecutive months throughout the term of Council, beginning with Ward 1.
  - b) Councillors shall notify the Clerk of any exchanges of their appointment months with another Councillor due to an unforeseen absence.
  - c) The Deputy Mayor shall act in the absence of the Mayor in the following circumstances:
    - i. When the Office of Mayor is vacant.
    - ii. When the Mayor is absent due to illness, or scheduling conflict.
    - iii. When the Mayor is unable to attend a function and the Deputy Mayor has been requested to attend on the Mayor's behalf.
    - iv. When the Mayor refuses to act.
    - v. When the Mayor declares a conflict of interest.
- 4.2.2 The Deputy Mayor has, and may exercise all the rights, powers, and authority of the Mayor as Head of Council in the Mayor's absence, as defined in section 241 and 242 of the *Municipal Act*. (*Municipal Act s. 241 and s. 242*)
- 4.2.3 In the absence of the Deputy Mayor for any reason, the next sequential Ward Councillor shall take the place of the absentee. In the case of Ward 6, the rotation shall revert to Ward 1.

### **4.3 Alternate Member to Upper-Tier Council**

- 4.3.1 The Mayor may appoint a Council Member as an Alternate Member of the Upper-Tier Council. This Alternate Member is to act in place of the Regional Councillor when the Regional Councillor is unable to attend a Meeting of the Upper-Tier Council for any reason, subject to the following limitations: (*Municipal Act, s. 268*)
- a) No more than one (1) Alternate Member may be appointed during the term of Council.
  - b) Notwithstanding (a), if the seat of the appointed Alternate Member becomes vacant, Council may appoint another Member as an alternate Member for the remainder of the term of Council.
  - c) Council may not appoint an alternate for the Alternate Member.
  - d) When acting in their capacity as an Alternate Member on the Upper-Tier Council, the Alternate Member shall adhere to all policies, procedures, practices, and codes of conduct established by the Upper-Tier Council.

### **4.4 Absence of Member**

- 4.4.1 Members are encouraged to notify the Clerk or Recording Secretary in advance of a Meeting when the Member is aware that they will be absent from any Meeting.
- 4.4.2 No Member of Council shall be absent from the Meetings of Council for three (3) successive months without being authorized to do so by a resolution of the Council. (*Municipal Act, s. 259(1)(c)*)
- a) Section 4.4.2 does not apply to a Member of Council who is absent because of the Member's pregnancy, the birth of the Member's child, or the adoption of a child by the Member. (*Municipal Act, s. 259(1.1)*)
- 4.4.3 Section 4.4.2 does not apply to Members of Committees or Local Boards, as attendance rules are in accordance with their respective Terms of Reference.

## **5 QUORUM AND ELECTRONIC PARTICIPATION**

### **5.1 Quorum is Majority of Members**

- 5.1.1 A majority of Members of Council is necessary to form a quorum of Council. A majority of appointed Members of a Committee or Local Board is necessary to form a quorum of that Committee or Local Board. (*Municipal Act, s. 237*)

### **5.2 Quorum Required to Call Meeting to Order**

- 5.2.1 As soon after the time fixed for the holding of the Meeting and a quorum is present, the Chair shall call the Meeting to order.

### **5.3 No Quorum**

- 5.3.1 If no quorum is present within fifteen minutes (15) minutes after the time appointed for a Meeting, the Clerk or Recording Secretary shall call the roll and record the names of the Members present and the Meeting shall stand adjourned until the next regular Meeting or until a special Meeting is called.



## **5.4 Quorum During Conflict of Interest Declaration**

- 5.4.1 Where one or more Members of Council, Committee or Local Board have declared a conflict of interest, and the remaining number of Members do not constitute a quorum by their numbers, then, despite any other general or special Act, the remaining number of Members shall be deemed to constitute a quorum, provided such number is not less than two.

## **5.5 Counting Towards Quorum**

- 5.5.1 Any Member who is participating electronically in a Meeting shall be counted in determining whether or not a Quorum is present at any point in time. (*Municipal Act, s. 238(3.3)(a)*)
- a) Further to the above, electronic participants must have their camera on and will only count towards Quorum when visible onscreen, unless prevented due to technology limitations, and this has been communicated to all Meeting Members.
- 5.5.2 In-person participants will only count towards Quorum while physically present in the Meeting room.
- 5.5.3 Any Member may participate electronically in a Meeting that is open or closed to the public. Members shall have all the same rights and responsibilities as if they were in physical attendance, including the right to vote. (*Municipal Act, s. 238(3.3)(b)*)

## **5.6 Electronic Participation**

- 5.6.1 All Members of Council, a Committee or a Local Board, including the Chair, may participate electronically at a Meeting.
- 5.6.2 For staffing and scheduling purposes, any Member who is participating electronically is encouraged to notify the Clerk or Recording Secretary at least one (1) day prior to the Meeting.
- 5.6.3 Where the only matter on an Agenda is a matter to be considered in Closed Session, the live streaming of the Meeting is not required.

## **5.7 Presenters, Deputants, and Speakers May Participate Electronically**

- 5.7.1 Presenters, deputants, and speakers may participate electronically in a Meeting, by submitting their request to the Clerk, in accordance with the protocols and submission deadlines outlined in this Procedural By-law.

## **5.8 Types of Electronic Participation**

- 5.8.1 Electronic participation in a Meeting shall be conducted by way of electronic means, including, but not limited to, audio teleconference, video teleconference, or by means of the internet, following instructions provided by the Clerk in order to ensure that a Meeting may proceed in the most transparent and successful manner under the current timelines and circumstances.

## **5.9 Technical Issues**

- 5.9.1 Members are to advise the Clerk or Recording Secretary, when possible, if a connection issue occurs that would hinder the Member's ability to participate electronically.

- 5.9.2 If there are technical issues with the live streaming portion of the Meeting, such as a complete outage, the Meeting may continue. Information Technology staff shall notify the Chair and Clerk or Recording Secretary at any point during the Meeting where issues arise with the live streaming that affect the public's ability to watch. Information Technology staff will attempt to resolve the outage of the live stream and notify the Chair and Clerk or Recording Secretary once connection is re-established.

## **5.10 Clerk May Establish Electronic Participation Protocols**

- 5.10.1 The Clerk may establish and maintain additional protocols with respect to electronic participation as needed.

# **6 ORDER OF BUSINESS**

## **6.1 Regular Meetings**

- 6.1.1 The order of business for Regular Meetings of Council shall generally be as follows:

- a) Call to Order
- b) Roll Call
- c) Introduction of Addendum Items
- d) Approval of Agenda
- e) Declarations of Pecuniary Interest
- f) Mayor's Comments
- g) Adoption of Minutes
- h) Presentations and Deputations
- i) Determination of Action Items Requiring Separate Discussion
- j) Approval of Action Items Not Requiring Separate Discussion
- k) Action Items Requiring Separate Discussion
- l) Communications
- m) Notices of Motion
- n) Motions for Which Notice Has Been Given
- o) New Business
- p) Closed Session (if applicable)
- q) Business Arising from Closed Session (if applicable)
- r) By-laws
- s) Confirmation By-law
- t) Adjournment

## **6.2 Public Planning Meetings**

- 6.2.1 The order of business for Public Planning Meetings of Council shall generally be as follows:

- a) Call to Order

- b) Roll Call
- c) Introduction of Addendum Items
- d) Approval of Agenda
- e) Declarations of Pecuniary Interest
- f) Mayor's Comments
- g) Adoption of Minutes
- h) Public Planning Meeting
- i) Confirmation By-law
- j) Adjournment

### **6.3 Closed Meeting of Council**

6.3.1 The order of business for Closed Session Meetings of Council shall generally be as follows:

- a) Call to Order
- b) Introduction of Addendum Items
- c) Approval of Agenda
- d) Declarations of Pecuniary Interest
- e) Consideration of Items
- f) Confirmation By-law
- g) Adjournment

### **6.4 Other Meetings**

6.4.1 The order of business for any other Meeting shall be taken up in the order that is listed on the agenda by the Clerk or Recording Secretary, unless otherwise decided by a majority of the Members.

## **7 PROCEEDINGS**

### **7.1 Agenda**

- 7.1.1 Prior to each Meeting, the CAO and Clerk, or Recording Secretary, with the assistance of senior staff, shall prepare an Agenda of all the business to be brought before such Meeting.
- 7.1.2 The Clerk or Recording Secretary may add, delete, or modify Agenda item headings to facilitate the orderly conduct of a Meeting, where required.
- 7.1.3 Members and appropriate staff shall be notified by email by the Clerk or Recording Secretary as soon as the agenda is posted on the Township website.

### **7.2 Call to Order**

- 7.2.1 As soon as there shall be Quorum present, after the time fixed for the Meeting, the Chair shall call the Members to order.

### **7.3 Introduction of Addendum Items**

- 7.3.1 Addendum items for the agenda are to be avoided where possible, however, where necessary, as determined by the Clerk and CAO, additional items will be included and circulated to Members by email, as well as posted on the Township website as soon as possible, and noted as addendum items on the Agenda.

### **7.4 Approval of Agenda**

- 7.4.1 A motion to approve the agenda as presented, or as amended, shall be passed by Council, Committee or Local Board.

### **7.5 Declaration of Pecuniary Interest**

- 7.5.1 Every Member of Council, Committee or Local Board as defined by the *Municipal Conflict of Interest Act*, as may be amended, shall comply with the provisions of the *Municipal Conflict of Interest Act*.
- 7.5.2 Section 8 contains additional provisions regarding declarations of pecuniary interest.

### **7.6 Mayor's Comments**

- 7.6.1 The Mayor may provide public comment or notice about upcoming special events or community issues within the Township.

### **7.7 Adoption of Minutes**

- 7.7.1 The draft minutes of the last Meeting(s) shall be listed on the Agenda for adoption.
- 7.7.2 At a Meeting, the Chair shall ask if there are any objections to the minutes, and shall immediately or after correction or change, declare the minutes adopted, or adopted as amended.
- 7.7.3 Minutes which have been adopted shall be signed by the Chair and Clerk or Recording Secretary, and the record shall be retained in accordance with the Records Retention By-law, and under the control of the Clerk or Recording Secretary.
- 7.7.4 The Clerk or Recording Secretary shall cause minutes to be taken for all Meetings of Council, Committees and Local Boards, which shall include:
  - a) The place, date and time of the Meeting;
  - b) The name of the presiding officer and the record of attendance of the Members; should a Member enter after the commencement of or leave prior to adjournment, the time shall be noted; and
  - c) All other proceedings without note or comment. (*Municipal Act, 228(1)(a)*)

### **7.8 Presentations**

- 7.8.1 Presentations of awards to Council, staff or Members of the community may be scheduled on an Agenda.
- 7.8.2 Presentations invited by the Township or Council, such as, consultants, other level of governments or agencies, etc. are generally for information purposes.
- 7.8.3 The time limit for a presentation shall be established at the discretion of the Clerk.
- 7.8.4 After hearing the presentation, Council shall resolve to:

- a) Receive the presentation for information only; or
- b) Refer the matter to staff.

## **7.9 Deputations**

- 7.9.1 Persons wishing to appear as a Deputant and present before Council on an item that is not listed on the Council Agenda and has not been considered by Council within twelve (12) months prior to the requested date of Deputation, shall submit a detailed written request to the Clerk by 12 p.m. noon, twelve (12) days prior to the Regular Meeting.
- 7.9.2 A Deputation shall be limited to a maximum of ten (10) minutes, following which the Members may ask questions of the Deputant.
  - a) The time limit may be extended only by a unanimous vote of Council, but under no circumstances shall any Deputation exceed fifteen (15) minutes. The Deputation shall be permitted to put questions only to the Chair.
- 7.9.3 Deputations shall deal with municipal issues that are within Council's jurisdiction.
- 7.9.4 For matters which are more properly within the responsibility of Township staff, the Clerk shall notify the requestor that their deputation will not be listed on the agenda, and shall direct the requestor to the appropriate Township department; the Deputant shall not be listed on an agenda until staff have had the opportunity to address the matter.
- 7.9.5 Deputants wishing to provide any written or presentation material, including any material for presentation as a portion of their address, must provide it to the Clerk no later than 12:00 p.m. (noon) on the day of the Meeting.
- 7.9.6 Members shall be permitted to ask questions to obtain additional information or seek clarification from the Deputant.
- 7.9.7 After hearing the deputation, Council shall resolve to:
  - a) Receive the deputation for information only; or
  - b) Refer the matter to staff.

## **7.10 Determination of Action Items Requiring Separate Discussion**

- 7.10.1 Each Council Member shall be given an opportunity to request individual action items be pulled for separate discussion, debate, and vote.
- 7.10.2 In the event a Council Member declares a conflict of interest on an action item or if a Speaker request has been received on that action item, it shall be dealt with separately under Actions Items Requiring Separate Discussion.
- 7.10.3 Prior to the Action Items Not Requiring Separate Discussion being adopted, a Council Member may take an opportunity to provide a brief comment to staff regarding the action item that they do not wish to speak to but would like to acknowledge.
- 7.10.4 Members of the public may speak to any action item.

## **7.11 Approval of Action Items Not Requiring Separate Discussion**

- 7.11.1 The balance of items remaining, and the recommendations contained therein, which have not been extracted for separate discussion, shall be adopted in one motion.

## **7.12 Action Items Requiring Separate Discussion**

- 7.12.1 All action items that have been identified for separate discussion of Council, shall be placed under Action Items Requiring Separate Discussion for discussion, debate, and vote.

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

- 7.13.1 A Member of the public wishing to speak to an Action Item or a Motion for Which Notice Has Been Given on the Agenda shall submit their request to the Clerk by 12 p.m. noon on the day of the Meeting by email, telephone or prescribed form.
  - a) The time limit may be extended only by a unanimous vote of Council, but under no circumstances shall any Deputation exceed fifteen (15) minutes. The Deputation shall be permitted to put questions only to the Chair.
- 7.13.2 The Chair will extract an action item under “Determination of Action Items Requiring Separate Discussion” should a speaker register to speak to that item. The speaker shall be called upon by the Chair and be heard at the time the report is considered by Council.
- 7.13.3 Speakers are permitted to speak on a matter up to ten (10) minutes. If there is a group of Speakers taking the same position on a report, they are encouraged to select a spokesperson to express their views.

## **7.14 Communications and Written Correspondence**

- 7.14.1 Written correspondence addressed to Council shall be delivered to the Clerk.
- 7.14.2 Written correspondence must include a clear statement or purpose and at least one (1) person’s contact information.
- 7.14.3 Anonymous correspondence shall not be acknowledged by the Clerk.
- 7.14.4 If in the opinion of the Clerk, the correspondence contains any obscene or improper matter or language, the Clerk shall decide whether to acknowledge the correspondence.
- 7.14.5 Written submissions pertaining to matters on the agenda shall be circulated by the Clerk, or their designate, by email to Members, the CAO, and appropriate Directors. The Clerk shall verbally address correspondence related to an item on the Agenda under Addendum Items and these shall form part of the minutes.
- 7.14.6 All requests for endorsements or resolutions from other York Region municipalities and agencies shall be circulated by the Clerk, or their designate, by email to Members, CAO, and appropriate Directors. Any Member may request to the Clerk that such communication item be placed on the next Regular Council agenda under Communications for discussion.
- 7.14.7 Requests for endorsements or resolutions from municipalities outside of York Region will only be circulated by email to Member’s of Council at the Clerk’s discretion.

## **7.15 Staff Communications**

7.15.1 Staff communications may be presented to Council in the form of a memorandum and is for information only. These communications do not contain any recommendations and are not required to be related to an item on the agenda. These communication items may be called for discussion; however, no decisions shall be made other than a request for further information, or a direction to staff that a report be prepared for a future Meeting.

7.15.2 Members of the public are not permitted to speak to Staff Communications.

## **7.16 Notices of Motion**

7.16.1 Any motion may be introduced through a Notice of Motion in the following ways:

- a) At a Regular Meeting, a Member of Council may provide verbal notice of their intention to provide a motion to be included in the agenda for the next scheduled Regular Council Meeting, if not otherwise specified. The verbal notice shall include the general purpose of the proposed motion. A seconder is required, and the motion is not debatable at the time of the notice being given; or
- b) No later than seven (7) days preceding the Regularly Scheduled Meeting of Council, a Council Member may submit a written copy of the motion, which must be seconded, to the Clerk for publishing on the next Regular Meeting of Council.

7.16.2 No Members of the public shall be permitted to speak on a notice of motion.

## **7.17 Motions for Which Notice Has Been Given**

7.17.1 It is the duty of the Member of Council who provided verbal notice to submit the written proposed motion to the Clerk by 12 p.m. noon seven (7) days prior to the Regular Meeting, for inclusion on the agenda.

7.17.2 The CAO or staff may be requested to comment on the motion raised in this section, but no staff report shall be prepared unless the motion is referred to staff for a further report.

7.17.3 Members of the public shall be permitted to speak on a motion for which notice has been given.

## **7.18 New Business**

7.18.1 Members may introduce any matter or motion during the New Business portion of the Meeting, subject to the following guidelines:

- a) Members are encouraged to raise operational matters prior to the Meeting through the CAO or appropriate Director;
- b) Members are discouraged from raising substantive policy matters, in particular consideration of corporate policies or By-laws;
- c) Providing a notice of motion is encouraged; and,
- d) Motions without prior notice may be considered under New Business if the matter is:
  - i. A statutory time requirement;
  - ii. An emergency; or

iii. Time sensitive.

7.18.2 Any New Business that results in a direction to staff shall require a motion and formal vote.

7.18.3 Members may announce upcoming events within their respective Wards, offer congratulations to Members of their community, or to advise of newsworthy items. Announcements and comments under New Business are not recorded in the minutes.

## **7.19 Closed Session**

7.19.1 Council shall approve a motion to move into Closed Session. For rules regarding Closed Session, refer to Section 9 of this Procedural By-law.

## **7.20 Business Arising from Closed Session**

7.20.1 Council may approve and adopt any recommendations arising from Closed Session.

## **7.21 By-laws**

7.21.1 Every by-law shall receive first, second and third reading in a single motion, unless a Member wishes to discuss the contents of a by-law, or if a Member has declared a pecuniary interest in the matter, at which time the subject by-law shall be removed from the motion and dealt with in a separate single motion.

7.21.2 All amendments to any by-law approved by Council shall be deemed to be incorporated into the original by-law and the Clerk shall be responsible for correctness of any by-laws should they be amended at a Council Meeting.

7.21.3 Every by-law adopted by Council is done so under the seal of the Corporation of the Township of King and signed by the Mayor and Clerk, or their designates and the record shall be retained in accordance with the Records Retention By-law, and under the control of the Clerk.

## **7.22 Confirmation of Proceedings By-law**

7.22.1 Council shall enact a by-law to confirm the proceedings of the Council Meeting immediately prior to the motion to adjourn.

7.22.2 The proceedings at every Meeting shall be confirmed by By-law so that every decision of Council and every resolution passed at that Meeting shall have the same force and effect as if each and every one of them had been the subject of a separate Bylaw duly enacted.

## **7.23 Adjournment**

7.23.1 If all matters in the order of business have concluded on the Meeting's Agenda, the Chair may adjourn the Meeting.

7.23.2 Members may vote to adjourn a Meeting at any time.

## **7.24 Length of Meetings**

7.24.1 The Chair shall declare all Regular Meetings of Council adjourned at 11:00 p.m., unless Council passes a motion to extend the Meeting, in which the motion shall state a proposed time for adjournment, but cannot be later than 12:00 a.m.



## **7.25 Proclamation Requests**

- 7.25.1 Proclamations from charitable, non-profit, or other organizations shall be acknowledged by the Clerk (not issued by Council) with an email copy distributed to Council.

## **7.26 Public Record**

- 7.26.1 All written communications about a matter on a public agenda that the Clerk or Recording Secretary receives shall form part of the public record.
- 7.26.2 Personal information and opinions in communications are part of the public record unless the author of the communication requests the removal of their personal information when submitting it.

# **8 DECLARATIONS OF PECUNIARY INTEREST**

## **8.1 Member to Comply with Municipal Conflict of Interest Act**

- 8.1.1 Every Member of Council, Committee or Local Board as defined by the *Municipal Conflict of Interest Act*, as amended, shall comply with provisions of the *Municipal Conflict of Interest Act*.

## **8.2 Declaration of Pecuniary Interest and General Nature Thereof**

- 8.2.1 Where a Member has any pecuniary interest, direct or indirect, in any matter and is present at a Meeting of Council, Committee or Local Board, at which the matter is the subject of consideration, the Member: (*Municipal Conflict of Interest Act, s. 5(1)*)
  - a) Shall, at the beginning of the Meeting and/or prior to any consideration of the matter at the Meeting, disclose the interest and the general nature thereof; and
  - b) Shall not take part in the discussion of, or vote on any question in respect of the matter; and
  - c) Shall not attempt in any way whether before, during or after the Meeting to influence the voting on any such question.

## **8.3 Member May Leave Open Meeting**

- 8.3.1 Any Member declaring a pecuniary interest may, at their discretion, leave the open Meeting until the matter has been dealt with in relation to which the interest has been declared. If the Member leaves the open Meeting, the Clerk or Recording Secretary, shall record in the minutes the name of the Member and their departure and return time to the Meeting.

## **8.4 Member Shall Leave Closed Session Meeting**

- 8.4.1 Notwithstanding Section 8.3.1, when the Meeting is in Closed Session, a Member who previously declared a pecuniary interest shall forthwith leave the Closed Session or part of the Closed Session Meeting during which the matter in relation to which the interest has been declared is under consideration. The Clerk or Recording Secretary shall record in the Minutes the name of the Member and their departure and return time to the closed Meeting. (*Municipal Conflict of Interest Act, s. 5(2)*).

## **8.5 Declaration by Member Absent from Prior Meeting**

- 8.5.1 Where the interest of a Member has not been disclosed by reason of the Member's absence from a Meeting, the Member shall disclose the interest at the first Meeting upon their return, as the case may be, attended by the Member after the Meeting during which the matter was considered. (*Municipal Conflict of Interest Act, s. 5(3)*)

## **8.6 Recording in Minutes**

- 8.6.1 Every declaration of interest and the general nature thereof made shall, where the Meeting is open to the public, be recorded in the minutes of the Meeting by the Clerk or Recording Secretary as the case may be. (*Municipal Conflict of Interest Act, s. 6(1)*)
- 8.6.2 Every declaration of interest made, but not the general nature of that interest, shall, where the Meeting is not open to the public, be recorded in the minutes of the next Meeting that is open to the public. (*Municipal Conflict of Interest Act, s. 6(2)*)

## **8.7 Written Statement**

- 8.7.1 At a Meeting at which a Member discloses an interest under the *Municipal Conflict of Interest Act*, or as soon as possible afterwards, the Member shall file a written statement of the interest and its general nature with the Clerk or Recording Secretary, as the case may be. (*Municipal Conflict of Interest Act, s. 5.1*)

## **8.8 Public Registry of Declarations**

- 8.8.1 A public registry of all declarations of pecuniary interest is maintained and published by the Clerk on the Township website. (*Municipal Conflict of Interest Act, s. 6.1*)

## **8.9 Advice to Members**

- 8.9.1 Members shall not request the Clerk, Recording Secretary, Township Solicitor, or any Township staff to provide advice or comment on whether a Member has a conflict of interest.
- 8.9.2 The Integrity Commissioner shall be made available to Members to seek advice in writing if required.

## **8.10 Code of Conduct**

- 8.10.1 The Code of Conduct for Members establishes a general standard to ensure that all Members share a common basis for acceptable conduct, and to which all Members are expected to adhere to and comply with.

# **9 CLOSED SESSION**

## **9.1 Motion for Closed Session**

- 9.1.1 A Meeting or part of a Meeting may go into Closed Session by the passing of a motion which shall state:
- a) The fact of holding the Closed Session.
  - b) The general nature of the matters to be considered during the Closed Session.
  - c) The listed allowance as provided in Section 239 of the *Municipal Act*.

- d) The time at which the Meeting moved into Closed Session.

## **9.2 Media and Public Shall Leave Closed Session**

- 9.2.1 Upon passage of a motion to go into Closed Session all Members of the media and the public shall be required to leave the Meeting, unless the Meeting Members can relocate to another room.

## **9.3 Limitation on Subject Matters**

- 9.3.1 A Meeting or part of a Meeting may be closed to the public if the subject matter being discussed has regard for: (*Municipal Act, s. 239(2) (a) to (k)*)
  - 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.

## **9.4 Other Closed Session Matters**

- 9.4.1 A Meeting or part of a Meeting shall be closed to the public if the subject matter being considered is: (*Municipal Act, s. 239(3) (a) and (b)*)
  - a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the Council, Board, Commission or other body is the head of an institution for the purposes of that Act; or

- b) an ongoing investigation respecting the municipality, a Local Board or a municipally controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13 (1) of the *Municipal Act*, or the investigator referred to in subsection 239.2 (1) of the *Municipal Act*.

## **9.5 Education or Training Sessions**

9.5.1 A Meeting may be closed to the public if the following conditions are both satisfied: (*Municipal Act*, s. 239(3.1))

- a) The Meeting is held for the purpose of educating or training the Members.
- b) At the Meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee.

## **9.6 No Votes in Closed Session**

9.6.1 Except as provided for in section 239 of the *Municipal Act*, a Meeting shall not be closed to the public during the taking of a vote. Any matters considered during Closed Session shall be brought forward and voted upon when the Members rise from Closed Session.

## **9.7 Exceptions for Closed Session Votes**

9.7.1 As provided for under section 239(6)(b) of the *Municipal Act*, a vote may be taken during Closed Session if the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, Local Board or Committee of either of them or persons retained by or under a contract with the municipality or Local Board. (*Municipal Act*, 239(6)(b))

## **9.8 Location of Closed Session**

9.8.1 If the Meeting location does not provide for a level of confidentiality to provide for Closed Session deliberations, the Meeting may relocate in an alternate Meeting location.

## **9.9 Closed Session to Remain Confidential**

- 9.9.1 Subject to the *Municipal Act*, *Municipal Freedom of Information and Protection of Privacy Act*, and the *Code of Conduct* no current or previous Member shall disclose any personal information or other such information and nature which is or was the substance of deliberations of Council, a Committee or Local Board in Closed Session. Members shall not release, reproduce, copy, or make public any information or material considered at a Closed Session Meeting or discuss the content of such a Meeting with persons other than Members or relevant staff.
- 9.9.2 All Closed Session materials shall be returned to the Clerk or Recording Secretary after each Closed Session and shall be destroyed.

- 9.9.3 The Agenda or any other support items for consideration by Council, Committees or Local Boards in Closed Session shall not be released to the public in advance of the Closed Session, and release upon request from the public of such items after the Closed Session shall be subject to the *Municipal Freedom of Information and Protection of Privacy Act*.

## **9.10 Record of Meeting**

- 9.10.1 A Clerk or Recording Secretary shall record without note or comment all resolutions, decisions, and other proceedings at a Meeting of the body, whether it is closed to the public or not. (*Municipal Act, s. 239(7)*)

# **10 RECORDING, BROADCASTING OR STREAMING OF MEETINGS**

## **10.1 Audio or Visual Recording by the Township**

- 10.1.1 Meetings may be audio or video recorded, broadcast and/or streamed publicly by the Township, except for Closed Session Meetings, and where recorded, will be retained in accordance with the Township's Records Retention By-law.

## **10.2 Audio or Visual Recording by the Public**

- 10.2.1 Meeting attendees may record Meetings, except for Closed Session Meetings, providing that doing so is not disruptive to the Meeting or other attendees. It is strongly encouraged that the person informs the Clerk or Recording Secretary so as to ensure the proceedings are not interfered with.

# **11 COMMITTEES AND LOCAL BOARDS**

## **11.1 Establishment of Meeting Schedule**

- 11.1.1 A regular Meeting schedule shall be established, and such schedule or changes shall be published by the Clerk or Recording Secretary.

## **11.2 Ad Hoc Committees and Task Forces**

- 11.2.1 Council from time to time by resolution may establish such Ad Hoc Committees or Task Forces as it deems appropriate.
- 11.2.2 Ad Hoc Committees or Task Forces shall be discontinued by Council resolution when their recommendations upon the specified initiative or matter have been provided and further recommendations are no longer required.

## **11.3 Advisory Committees**

- 11.3.1 Council from time to time by by-law may establish such Advisory Committees as it deems appropriate to act in an advisory capacity to Council on specified operational and strategic matters.
- 11.3.2 An Advisory Committee shall be discontinued by by-law when its recommendations upon the specified initiative or matter have been provided and further recommendations are no longer required.

## **11.4 Local Boards**

- 11.4.1 Council from time to time by by-law establish such Local Boards as it deems appropriate to carry out those functions which Council may lawfully authorize such Local Boards to perform, pursuant to the statute authorizing the creation of the Local Board.
- 11.4.2 Local Boards shall only be discontinued by by-law, provided such Local Boards are not mandated by provincial legislation.

## **11.5 Special Meetings**

- 11.5.1 Special Meetings of Ad Hoc Committees, Task Forces, Advisory Committees and Local Boards may be called by the Chair or the Recording Secretary and notice shall be provided at least 48 hours in advance to Members and the public.

## **11.6 Cancellation or Postponement**

- 11.6.1 Meetings of Ad Hoc Committees, Task Forces, Advisory Committees and Local Boards may be cancelled or postponed by the Clerk, Recording Secretary, Chair or other assigned person where Quorum cannot be achieved, by resolution, or in the event of an emergency, and notice shall be posted on the Township website.

# **12 RULES OF DEBATE**

## **12.1 Members**

- 12.1.1 Every Member desiring to speak shall address the Chair.
- 12.1.2 When two (2) or more Members desire to speak, the Chair shall designate the Member who has the floor.
- 12.1.3 If a question on procedure shall arise during the course of a Meeting which is not provided for in this Procedural By-law, then it shall be determined by reference to Robert's Rules of Order, Newly Revised.
- 12.1.4 No Member shall speak on any other subject than on the subject matter at the time being considered.
- 12.1.5 Any Member may speak twice to the same question.
- 12.1.6 Any Member shall be permitted to speak twice for a maximum of ten (10) minutes, with a five (5) minute extension permitted on the unanimous vote of the Members. When a Member has concluded speaking, the Chair may call for questions for clarification to that Member. When all debate is concluded, the mover of the question shall have the opportunity to reply by way of a direct response to comments made in the debate or clarification of any points upon which they may have been misunderstood and shall be permitted to reply for a maximum of five (5) minutes. The Chair may permit a Member to speak more than twice on a matter.

# **13 POINTS OF ORDER AND PRIVILEGE**

## **13.1 Chair Shall Preserve Order**

- 13.1.1 The Chair shall preserve order and decide points of order and points of privilege.

## **13.2 Point of Order**

- 13.2.1 A Member may call attention to a violation of the rules of procedure by stating the point of order to the Chair, and the Chair shall then decide upon the point of order and advise the Members of their decision.
- 13.2.2 Thereafter, a Member shall only address the Chair for the purpose of appealing to the Council, Committee or Local Board from the decision of the Chair. If no Member appeals, the decision of the Chair shall be final. The Council, Committee or Local Board, if appealed to, shall decide the question without debate and its decision shall be final.

## **13.3 Point of Privilege**

- 13.3.1 Where a Member considers that their integrity or the integrity of the Council as a whole has been impugned, they may, on a point of privilege, rise with the consent of the Chair for the purpose of drawing the attention of the Council or Committee to the matter.
- 13.3.2 If the Chair determines that the matter is not a point of privilege, such determination shall be final and binding and shall not be subject to appeal to the Council, Committee or Local Board. If the Chair rules that the matter is a point of privilege, the Chair shall request the Member who made the offending remark to withdraw such remark. If the Member fails or refuses to withdraw the remark, the Chair may deal with such Member in accordance with section 17.1.1.(e).
- 13.3.3 If the Chair rises on, or is the subject of a point of privilege, the Deputy Mayor shall take the Acting Chair, and shall deal with the point of privilege involving the Chair.

# **14 MOTIONS**

## **14.1 General Rules**

- 14.1.1 Every motion, when duly moved and seconded, shall be open for discussion. The seconding of a motion does not imply that the seconder supports the motion put forward.
- 14.1.2 Any Member may request the division of any motion when, in the opinion of the Chair it is reasonable to do so.
- 14.1.3 After a motion has been moved and seconded, it shall be deemed to be in the possession of Council.

## **14.2 Mover and Secunder**

- 14.2.1 No business or matter shall be voted upon, unless a motion in respect thereof has been moved and seconded.

## **14.3 Motion Under Debate**

- 14.3.1 When a motion is under debate, no other motion may be considered except for the following motions, to be considered in the listed order of priority:
  - a) To extend the Meeting;
  - b) To adjourn;

- c) To recess;
- d) To table an item;
- e) To put the question to a vote or call the vote;
- f) To defer;
- g) To refer;
- h) To amend.

#### **14.4 Motion to Extend the Meeting**

14.4.1 A motion to extend the Meeting after five (5) hours is required with a majority vote.

#### **14.5 Motion to Adjourn**

14.5.1 A motion to adjourn means a motion to end a Meeting.

14.5.2 A motion to adjourn:

- a) Is not amendable or debatable; and
- b) Shall not be entertained while a Member is speaking or while a vote is in progress.

#### **14.6 Motion to Recess**

14.6.1 A motion to recess means to suspend a Meeting for a specific length of time.

14.6.2 A motion to recess when other business is before the Meeting:

- a) Shall specify the length of time of the recess; and
- b) Is not debatable and is only amendable with respect to the length of recess.

#### **14.7 Motion to Table**

14.7.1 A motion to table means to postpone a matter without setting a definite date for future discussion of a matter. A tabled motion that has not been decided by Council during the term of Council in which the motion was introduced is deemed to have been withdrawn.

14.7.2 A motion to table a matter:

- a) Shall not be amended or debated; and
- b) Applies to the motion and any amendments thereto under debate at the time when the motion to table was made.

14.7.3 It is the responsibility of Members of Council to reintroduce any tabled motions at a Meeting.

#### **14.8 Motion “To Put the Question to a Vote” or “To Call the vote”**

14.8.1 A motion “To Put the Question to a Vote” or “To Call the Vote” means to stop debate and immediately proceed to vote on the motion.

14.8.2 Any Member may request the Chair “To Put the Question to a Vote” or “To Call the Vote” by presenting a motion that the question “be put to a vote.” A motion to put the question to a vote:



- a) Immediately is put to a vote without debate;
- b) Requires a Two-Thirds Majority Vote to close debate.

#### **14.9 Motion to Refer to Staff**

- 14.9.1 A Motion to refer means to direct a matter under discussion by Council, a Committee or Local Board to a staff or another Committee for further examination or review.
- 14.9.2 A motion to refer a matter under consideration to staff:
  - a) Shall be open to debate and may be amended;
  - b) Shall include the terms on which the matter is being referred and the time at which it is to be returned;
  - c) Shall include the reasons for referral.
- 14.9.3 A motion to refer, until it is decided, shall preclude all amendments of the main motion.
- 14.9.4 This motion may be delayed by the Chair to permit Members on the speaking list to speak.

#### **14.10 Motion to Defer**

- 14.10.1 A motion to defer means to postpone all discussion on a matter until a future date or time, one which is established as part of the motion.
- 14.10.2 A motion to defer a matter to a certain time or date:
  - a) Shall be open to debate as to the advisability of its deferral; and
  - b) May be amended as to the time or date to which the matter is deferred.
- 14.10.3 This motion may be delayed by the Chair in order to permit Members on the speaking list to speak.

#### **14.11 Motion to Amend**

- 14.11.1 A motion to amend is not required until the main motion has been moved and seconded. Once the main motion has been moved and seconded, Council may apply a friendly amendment to the main motion with consent of the mover and seconder or provide a motion to amend if the friendly amendment is not agreed to by the mover or seconder.
- 14.11.2 A motion to amend:
  - a) Shall be relevant to the main motion;
  - b) shall not be directly contrary to or propose a direct negative to the main motion;
  - c) shall be debatable; and
  - d) shall not itself be amended more than once.
- 14.11.3 An amendment may propose the following actions to the main motion:
  - a) To add certain words;
  - b) To delete certain words;
  - c) To substitute certain words.

14.11.4 All amendments to a motion shall be put to vote before the motion.

14.11.5 There is no limit on the number of times which a main motion may be amended before it is put to vote. Only one amendment to a Motion to Amend is permitted.

14.11.6 After the motion to amend has been voted on, the main motion (as amended) shall, if no other amendment or subsidiary motion is proposed, be put to a vote.

#### **14.12 Withdrawal of Motion**

14.12.1 A request to withdraw a motion:

- a) May only be made by the mover of the motion
- b) Requires consent of the seconder of the motion;
- c) Is in order any time during the debate.

#### **14.13 Adoption in a Single Motion**

14.13.1 One or more items on an agenda may be adopted in a single motion.

#### **14.14 Reconsideration of a Council Decision**

14.14.1 A substantive question once decided shall not be brought up again at the same Meeting.

14.14.2 Any substantive question may be reconsidered within a twelve (12) month period if:

- a) The motion to reconsider is introduced by way of a Notice of Motion, is moved by a Member who voted in the majority of the substantive question and is seconded, provided said Member explains the reasons for changing their mind;
- b) Two-Thirds Majority Vote in favour of the motion to reconsider.

14.14.3 No question shall be reconsidered more than once during the term of Council.

14.14.4 A motion to reconsider shall not be reconsidered.

14.14.5 If a motion to reconsider is decided in the affirmative, reconsideration of the original motion shall become the next order of business unless the motion specifies a future definite date.

### **15 VOTING**

#### **15.1 Majority Vote Required to Pass a Motion**

15.1.1 Unless this Procedural By-law states otherwise, a motion passes when the majority of Members present vote in the affirmative.

#### **15.2 Calling of a Vote**

15.2.1 The Chair shall first ask for those in favour of a motion and then ask for those opposed. Each Member shall raise their hand to indicate their vote for or against the motion unless the Member has declared a conflict.

#### **15.3 All Members Must Vote**

15.3.1 Except as otherwise provided, every Member shall have one (1) vote.

## **15.4 Method of Vote**

- 15.4.1 Unless otherwise determined by the Chair, the method of voting shall be by a show of hands.
- 15.4.2 Other methods may be used at the discretion of the Chair such as by voice, standing or otherwise, but may not in any circumstance be in the form of a secret ballot.

## **15.5 Declaration of Outcome**

- 15.5.1 Upon the completion of the vote, the Chair shall declare whether the motion was carried or lost. If all Members vote in a similar manner, the Chair may, at their discretion, record the vote as being unanimous.
- 15.5.2 If a Member who has voted on a motion disagrees with the declaration of the Chair that the motion is carried or lost, the Member may, but only immediately after the declaration of the Chair, object to the Chair's declaration and require the Chair to call for another vote on the matter.

## **15.6 Tie Vote**

- 15.6.1 Any motion on which there is a tie vote shall be deemed to be lost, except where otherwise provided by any legislation. (*Municipal Act, s. 245*)

# **16 RECORDED VOTES**

## **16.1 Request for Recorded Vote**

- 16.1.1 A Member shall request a recorded vote immediately before or after the taking of the vote of a motion.

## **16.2 Clerk's Responsibilities**

- 16.2.1 After a recorded vote is requested, the Clerk or Recording Secretary shall:
  - a) State the name of the Member asking for the recorded vote and read out the motion, if required.
  - b) Call the name of each Member, beginning with the requestor of the recorded vote, and continuing sequentially by Ward number onward in the case of Council (returning to Ward 1 after Ward 6), or alphabetically by Member's name in the case of a Committee or Local Board, except for Members who have declared a pecuniary interest, and calling of the Chair is last. As called, each Member will announce their vote openly.
  - c) At the conclusion of the vote, the Clerk or Recording Secretary will announce the outcome of the vote and record each Member's vote in the minutes.
- 16.2.2 A failure to vote by a Member who is present at the Meeting at the time of the recorded vote and who is qualified to vote shall be deemed to be a negative vote. (*Municipal Act, s. 246(2)*)

# **17 DECORUM AND CONDUCT**

## **17.1 Decorum and Conduct of Members**

- 17.1.1 No Members shall:

- a) Speak disrespectfully of the Reigning Sovereign, of any Member of the Royal Family, of the Governor-General of Canada, of the Lieutenant-Governor of any Province, or any Member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.
- b) Use offensive words or unparliamentary language in or against the Council, Committee or Local Board or against a Member, or any officer or employee of the Township.
- c) Speak on any subject other than the subject in debate.
- d) Criticize any decision of the Meeting except for the purpose of moving in accordance with the provisions that the question be reconsidered.
- e) Disobey the Rules of Procedure or a decision of the Chair or of the Council, Committee or Local Board on questions of order or procedure or upon the interpretation of the Rules of Procedure; and in case a Member persists in any such disobedience after having been called to order by the Chair, the Chair shall forthwith order them to vacate the Chamber in which the Meeting is being held, but if the Member apologizes they may, by vote of the Council, Committee or Local Board, be permitted to retake their seat.

## **17.2 Expulsion for Misconduct**

17.2.1 The Chair may expel any person for improper conduct at a Meeting. (*Municipal Act*, s. 241(2))

# **18 GENERAL PROVISIONS**

## **18.1 Suspension of Procedures**

18.1.1 The procedures contained in this Procedural By-law may be temporarily suspended by Two-Thirds Majority Vote of the Members.

## **18.2 Robert's Rules of Order**

18.2.1 Where a procedure has not been established in this Procedural By-law, Council, Committee or Local Board shall refer to Robert's Rules of Order, Newly Revised, for guidance.

## **18.3 Administrative Authority of the Clerk**

18.3.1 The Clerk is authorized to amend by-laws, minutes and other Council and Committee documentation for technical, typographical or other administrative errors and omissions for the purpose of ensuring an accurate and complete record of proceedings.

18.3.2 The Clerk is authorized to create and amend an annotated version of the Procedural By-law from time to time, to assist Members in complying with rules as enforced and interpreted.

## **18.4 Legislation**

18.4.1 Any references to the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, or sections thereof shall be interpreted in accordance with the *Municipal Act*, and amendments thereto.

18.4.2 In the event of any conflict between any provisions of this By-law, the *Municipal Act*, 2001, S.O. 2001, c.25 as amended shall prevail.

### **18.5 Severability**

18.5.1 If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, it should not affect the validity of this By-law as a whole or any other part thereof and the remainder of the By-law shall be valid and shall remain in force and effect.

### **18.6 Repeal**

18.6.1 By-laws 2018-060, 2020-037 and 2020-063 are hereby repealed.

18.6.2 This bylaw shall come into force and effect on March 22, 2023.

**READ a FIRST and SECOND** time this 20th Day of March 2023.

**READ a THIRD** time and **FINALLY PASSED** this 20th Day of March 2023.

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Steve Pellegrini  
Mayor

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Denny Timm  
Township Clerk

*(Ref. Corporate Services Dept. – Clerks Division Report  
Number COR-CLK-2023-002, C.O.W. March 20/23)*