The Corporation of the Municipality of Meaford

By-law Number 2021-77

Being a by-law to govern the proceedings of the Council of the Municipality of Meaford

Whereas, section 238(2) of The Municipal Act, 2001, S.O. 2001, c.25 requires every municipality to adopt a procedure by-law for governing the calling, place and proceedings of meetings; and

Whereas, it is necessary and expedient to enact rules governing the order and procedure of the Council and its meetings;

The Council of the Corporation of the Municipality of Meaford enacts as follows:

Part I – General

1.0 Rules of Procedure Adopted/Suspended

1.1 The proceedings of the Council and its committees, the conduct of the members and the calling of meetings shall be governed by the provisions of the Municipal Act and the rules and regulations contained in this by-law.

1.2 Except as provided herein, the rules of parliamentary procedure as contained in Robert's Rules of Order 11th Edition shall be followed for governing the proceedings of Council and its committees and the conduct of its members.

1.3 Despite subsection 1(1), the rules and regulations contained in this by-law may be suspended by a vote of two-thirds of the members present and voting with the exception of the following rules:

a) Majority of whole of Members required for Quorum

b) Any statutory requirements with respect to proceedings.

2.0 Interpretation

2.1 Wherever this by-law refers to a person or thing with reference

to gender or the gender neutral, the intention is to read the by-law with the gender applicable to the circumstances.

2.2 References to items in the plural include the singular, as applicable.

2.3 The words “include”, “including”, and “includes” are not to be read as limiting the phrases or descriptions that precede or follow them.

2.4 Headings and the index are included for ease of reference only and are not to be used as interpretation aids.

2.5 Specific references to legislation in this by-law are meant to refer to the current laws applicable within the Province of Ontario as at the time the by-law was enacted, as they are amended from time to time. In all cases, the reference includes the statute, as amended from time to time, including successor legislation.

3.0 Definitions

“Act” means the Municipal Act, S.O. 2001, c.25 as amended from time to time.

“Advisory Committee” means a body, primarily made up of citizen appointees, with at least one member of Council, providing advice to Council and staff on an area of expertise. The work of the advisory committee is undertaken in keeping with Terms of Reference adopted by Council. Meetings are held in open session with minutes received by Council.

“Board” means a local board of the Municipality established or exercising authority under any general or specific Act for municipal purposes, excluding a school board, a public library board and a conservation authority.

“CAO” means the Chief Administrative Officer of the Municipality of Meaford as referred to in Section 229 of the Act.

“Chair” means the Head of Council or Acting Head of Council or chairperson of any committee.

“Clerk” means the Clerk of the Municipality of Meaford as appointed pursuant to Section 228 of the Act.

“Committee of Council” means a Committee, Board, Task Force, Working Group or other body constituted and appointed by Council, not including Committee of the Whole, the Meaford Public Library Board or other such Boards as required by legislation.

“Committee of the Whole” means a committee of Council comprised of all members of Council where:

i. Debate serves as the principal forum for the consideration of recommendations and public input on matters of Council business prior to consideration by Council.

ii. Members consider and debate matters for recommendation to Council in an environment that is procedurally more relaxed than the formal Council meeting.

iii. Motions adopted therein are not deemed to represent the final decision of Council until confirmed by resolution or by-law of Council.

“Consent Agenda” means the portion of the Agenda that may be approved by Council without debate.

“Council” means the Council of the Corporation of the Municipality of Meaford.

“Day” does not include Saturday, Sunday or a holiday.

“Deputation” means a person or group of persons who are not members of Council or staff of the Municipality who have requested and are permitted to address Council.

“Deputy Mayor” means the Deputy Head of Council for the Municipality of Meaford.

“Electronic Participation” means a Council or Board Member who participates in a Council or Board meeting, including closed meetings, remotely via electronic means, who has the same rights and responsibilities as if he or she were in physical attendance, including the right to vote.

“Electronic Meeting” means a meeting called and held in full via electronic means (including, but not limited to, audio teleconference, video teleconference, or via means of the internet) with all members participating remotely.

“Holiday” means a holiday as defined by the Legislation Act, S.O. 2006, c. 21, Schedule F.

“Mayor” means the Mayor as Head of Council, or in the absence of the Mayor, the Deputy Mayor or, in the absence of both, another member of Council appointed by Council.

“Meeting” – means any regular, special or other meeting of a council, of a local board or of a committee of either of them, where,

i. A quorum of members is present.

ii. Members discuss otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

And are defined as follows:

“Council Meeting” means meetings set out in this by-law to be held on a regular basis.

“Closed Meeting” means a meeting or portion thereof which is closed to the public held in accordance with the Act.

“Emergency Meeting” means a meeting called under Section 240 (a) or (b) of the Act to deal with an emergency or urgent situation where timing requires that a matter be addressed as soon as possible.

“Special Meeting” means a meeting called under Section 240 (a) or (b) of the Act, having the same privileges as a Council Meeting.

“Notice” means notice that includes the time and place of a meeting and, in the instance of a Special Meeting, shall include the purpose of the meeting and whether the meeting was called by the Mayor, CAO or upon petition.

“Point of Order” means a statement made by a member of Council during a meeting thereof drawing the attention of the Chair to a breach of the Rules of Procedure.

“Point of Privilege” means the raising of a question which concerns a member of Council, or the Council collectively, when a member believes that their rights, immunities or integrity or the rights,

immunities or integrity of Council as a whole have been impugned.

“Procedural Motion” means any motion concerning the manner or time of consideration of any matter before the Council as opposed to the substance thereof, and includes, without limitation, the following:

i. To extend the time of the meeting;

ii. To commit or refer (to a specific body);

iii. To lay on the table (set aside temporarily);

iv. To postpone to a certain time (defer);

v. To postpone indefinitely (decline to take a position);

vi. To adjourn (end the meeting);

vii. To move the question be put (end debate); or

viii. To suspend the Rules of Procedure.

“Quorum” means a majority (more than half) of the whole number of members of Council or a Committee except where a member has or members have declared a pecuniary interest pursuant to the Municipal Conflict of Interest Act, at which time the quorum may be less than half plus one of the whole number of members but shall not be less than two.

“Rules of Procedure” means the rules and regulations provided in this by-law.

“Substantive Motion” means any motion other than a Procedural Motion.

“Task Force or Working Group” means a body of limited duration established by Council through Terms of Reference to produce recommendations for Council’s consideration.

“Voting Period” means the time during which electors can vote in a municipal election year, including advance voting.

Part II – Duties and Conduct

4.0 Duties of the Chair

4.1 It shall be the duty of the chair:

a) to open the meeting by taking the chair and calling the members to order;

b) to announce the business before the meeting and the order in which it is to be acted upon;

c) to receive and submit, in the proper manner, all motions presented by the members;

d) to put to a vote all motions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result and, in so doing, to ensure that the mover and seconder are clearly identified;

e) to decline to put to a vote motions which infringe the rules of procedure;

f) to vote on all matters, which are moved and seconded, or necessarily arise in the course of the proceedings;

g) to permit questions to be asked through the Chair of any officer in order to provide information to assist in any debate when the Chair deems it proper;

h) to provide information to members on any matter touching on the business of the Municipality;

i) to receive all petitions and communications and announce them at the meeting;

j) to inform the Members of the proper procedure to be followed;

k) to enforce on all occasions, the observance of order and decorum among the Members and those in attendance;

l) to call by name any Member or attendee persisting in a breach of the Rules of Procedure and order the member to

vacate the Council Chamber;

m) to decide all questions of order at the meeting, subject to an appeal by any Member to Council on any question of order in respect to business before the Council;

n) to authenticate, by signature when necessary, all By-laws and Minutes.

5.0 Expulsion for Misconduct

5.1 Behaviour that constitutes misconduct, such as heckling, use of inappropriate language, display of any offensive or partisan political material, or signs or plaque cards, is not permitted.

5.2 The Chair may expel or exclude from the meeting, any person, who, in the opinion of the Chair, has behaved improperly.

6.0 Conduct of Members

6.1 Members shall govern themselves according to the Council Code of Conduct adopted by Council during a meeting held pursuant to this by-law.

6.2 A Member shall have the following duties:

a) to deliberate on the business before it;

b) to vote when a motion is put to a vote;

c) to respect the Rules of Procedure.

6.3 No Member shall:

a) use offensive words or unparliamentary language in or against the Council or against any member of staff or the public;

b) speak on any subject other than the subject in debate;

c) criticize any decision of the Council or continue to debate the matter after it has been decided, except for the purpose of moving that the question be reconsidered;

d) disobey the Rules of Procedure or a decision of the Chair or of the Council on questions of order or practice or upon the

interpretation of the rules of the Council;

e) disclose any information that is deemed to be confidential pursuant to the Municipal Freedom of Information and Protection of Privacy Act;

f) display any offensive or partisan political material, including buttons.

6.4 Where a Member persists in any disobedience of the Rules of Procedure after having been called to order by the Chair, the Chair shall forthwith put the question, no amendment, adjournment or debate being allowed, “that such Member be ordered to leave his/her seat for the duration of the meeting of the Council”, but if the Member apologizes he/she may be permitted to retake his/her seat.

Part III – Meetings

7.0 Inaugural Meeting

7.1 The first meeting of a newly elected Council after a regular election shall be held on the first Monday after November 15 at a time and location determined by the Clerk.

7.2 At the Inaugural Meeting of the Council, the only business to be brought before the meeting shall be the following:

a) Declarations of Office;

b) Inaugural Address by the Mayor;

c) Matters incidental to any of the above.

8.0 Meetings

8.1 All meetings must be open to the public.

8.2 Not withstanding section 8.1, a meeting may be closed to the public if the subject matter being considered relates to:

a) the security of the property of the Municipality or local board;

b) personal matters about an identifiable individual including

municipal or local board employees;

c) a proposed or pending acquisition or disposition of land by the municipality or local board;

d) labour relations or employee negotiations;

e) litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality or local board;

f) the receiving of 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 other legislation;

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;

k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board;

l) 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 of the council, local board or

committee;

m) where the subject matter to be considered is a request under the Municipal Freedom of Information and Protection of Privacy Act the meeting shall be closed to the public.

8.3 Before all or part of a meeting is closed to the public, the body proposing to hold the meeting shall state by Resolution:

a) the time of the meeting at which the closed session began;

b) the fact of holding of the closed meeting;

c) the general nature of the matter to be considered at the closed meeting;

d) all persons other than members specifically invited to remain with all others departing the meeting.

8.4 Subject to section 8.2, a meeting shall not be closed to the public during the taking of a vote unless the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality or local board, or persons retained by or under contract with the Municipality or local board.

8.5 Closed meetings shall be audio recorded by the Clerk for the sole purpose of meeting the requirements of the Closed Meeting investigator and shall be retained for the period set out in the Municipality's record retention by-law.

8.6 A motion to move out of closed session shall specify the time at which the meeting resumed in open session.

8.7 Upon resuming in open session the Chair shall state:

a) the matters which were considered;

b) a summary of procedural motions or directions to staff provided in closed session.

8.8 All information, documentation or deliberations received, reviewed or undertaken in a Closed Session are confidential. No Member, staff person or other person present at a Closed Session shall release or make public any information considered

during a Closed Session or discuss the content of any Closed Session with persons other than Members or relevant staff persons.

8.9 Closed Meetings may be scheduled at a specific time and shall generally occur on the same day as Council meetings with notice provided as set out in Section 14.0 and listed on the agenda.

9.0 Regular Meeting Times – Council

9.1 The regular meetings of Council shall generally be held twice per month on Mondays, beginning at 1:00 p.m. The Clerk or designate shall have the authority to alter the start time to allow for additional business or closed sessions of Council.

9.2 A meeting shall adjourn no later than 3 ½ hours after the call to order unless an extension is authorized by a 2/3 majority of the Council members present.

9.3 No meeting shall adjourn later than 11:00 p.m. and shall not be extended by waiving the Procedural By-law.

9.4 In the event that a meeting adjourns with matters on the agenda which have not yet been considered, those items shall be placed on the agenda for the next regular meeting.

9.5 Notwithstanding Section 9.4, a Special Meeting may be called if Council determines that the outstanding items are time sensitive.

9.6 There shall be a four week break from meetings between December-January and during the summer.

9.7 No regular meeting shall occur during the Voting Period in the year of an election.

10.0 Planning Public Meetings

10.1 Such meetings shall generally be called on the same day as Council meetings and scheduled at or after 5:00 p.m. or at such other date and time as determined by the Clerk.

10.2 Notice shall be given pursuant to the Legislative Public Notice Policy in force and effect and other applicable legislation.

11.0 Special Meetings

11.1 A Special Meeting may be called by:

a) The Mayor or CAO through written notice to the Clerk;

b) A quorum of Council through the submission of a petition to the Clerk.

11.2 Special Meetings require at least 48 hours written notice to members.

11.3 Notice for special meetings of Council shall be posted as soon as practical after the Clerk has received written notice.

11.4 The agenda shall be circulated to members and posted on the municipal website at least 24 hours in advance of the meeting.

11.5 The only business to be dealt with at a special meeting is that which is listed in the notice of the meeting or as petitioned by a quorum of Council.

12.0 Emergency Meetings

12.1 In circumstances determined to be an emergency or urgent situation, the Mayor, Deputy Mayor or CAO may direct that the Clerk summon a special meeting of Council on less than 48 hours' notice.

12.2 All Members shall be notified of the special meeting of Council either personally or by electronic mail, or by any other means necessary.

12.3 An agenda shall be circulated to members and posted on the municipal website as soon as practicable.

12.4 An emergency meeting shall only proceed with the consent of two-thirds of the members of Council, recorded in the minutes.

13.0 Electronic Meetings

13.1 While every effort shall be made to convene meetings in-person, during the following circumstances, electronic meetings may be convened by Council, Boards or Advisory Committees:

a) It is not safe or possible to convene and in-person meeting due to a natural weather event;

b) Health and safety restrictions determined by the CAO in consultation with the Mayor or Municipality of Meaford Emergency Control Group;

c) Restrictions or guidelines set out by the Grey Bruce Health Unit, the Ontario Provincial Police or the Province of Ontario; or

13.2 The activation of the Emergency Control Group or a declared emergency by any level of government or health unit. Voting may take place by way of a roll call, or in an alternate method authorized by the Chair, ensuring that Members and the pubic are aware of how each member votes.

13.3 All electronic meetings shall be live streamed. In the event of a technical failure and live streaming is not possible, the meeting shall be deemed adjourned.

13.4 In the event of a technical failure during an electronic meeting, a recess of not more than 10 minutes can be taken to allow the reinstatement of the meeting. If a member can no longer participate by electronic means and the result is that quorum is lost, the meeting shall be deemed adjourned.

13.5 Electronic meetings shall only be permitted in circumstances where all of the participating members of Council, Board or Advisory Committee are participating remotely. There shall be no hybrid participation in electronic meetings, meaning no members shall convene in a physical location with others participating virtually.

13.6 The Procedural By-law shall continue to apply to an electronic meeting held pursuant to this Section, except that this Section and any Council Electronic Meeting Protocol and any Provincial legislation or order shall prevail to the extent of any conflict.

14.0 Calendar of Meetings

14.1 Prior to the end of each calendar year, the Clerk or designate shall prepare a schedule of meetings for the forthcoming year.

14.2 Regular Council meetings shall be scheduled to accommodate statutory holidays and major conferences.

15.0 Public Notice of Meetings

15.1 Public notice shall be given for all meetings of Council by means of the municipal website with inclusion of each meeting listed in the calendar and the posting of the agenda.

15.2 Notice for meetings not scheduled in the original calendar of meetings (Section 13.0) will be at the discretion of the Clerk and using communication channels as appropriate.

16.0 Place of Meetings

16.1 Meetings of Council and Committee of the Whole shall generally be held in the Council Chambers situated at 157859 7th Line or at such other place as is specified in the agenda.

17.0 Seating at Council

17.1 Councillors shall be assigned seats at Council based upon the following:

a) The Deputy Mayor shall be seated to the Mayor's right.

b) Councillors will be assigned seats on an alphabetical basis commencing with three seats to the left of the Mayor and ending two seats to the right of the Deputy Mayor.

c) Members of the Senior Management Team will be assigned seats at the discretion of the Clerk and Chief Administrative Officer.

18.0 Persons within Council Horseshoe

18.1 No person, except members of Council and appointed officials of the Municipality, shall be allowed to come within the horseshoe during the meetings without the permission of the Chair.

18.2 No person, except members of Council and appointed officials of the Municipality, shall place on the desks of the members or otherwise distribute any material unless such person has received the approval of the Chair or Clerk.

19.0 Recording Equipment and Electronic Devices

19.1 The use of video or audio recording equipment or devices by members of the public or press during a meeting is permitted if approved prior to the meeting by the Clerk and the Chair of the meeting. If in the opinion of the Chair or the majority of Members present the use of such equipment or devices is disruptive to the conduct of the meeting, recording privileges will be withdrawn from any offending user.

19.2 Recordings of the proceedings of Council and Committee of the Whole meetings shall be carried out by the Clerk or designate and shall be retained in the Clerk's Office.

19.3 All electronic devices shall be placed in silent mode during all meetings.

19.4 Council meetings held in the Council Chambers shall generally be recorded for public viewing for webcasting purposes by the Municipality of Meaford.

19.5 Municipal recordings shall be retained for the period set out in the Municipality's record retention by-law.

Part IV – Agendas

20.0 General Rules Regarding Council Agendas

20.1 Preparation of Agenda

a) Prior to each regular meeting, the Clerk or designate shall prepare an agenda of all the business to be brought before such meeting.

b) No report, motion or by-law shall be placed on the Consent Agenda without having first been considered by Committee of the Whole unless authorized by the Clerk.

20.2 Delivery

a) The agenda shall be made public no later than the Tuesday immediately preceding a regular meeting.

b) All agendas shall contain all reports, motions and by-laws to be considered at the meeting.

c) Correspondence received pertaining to agenda items shall be circulated to Members electronically by the Clerk or designate and listed in the correspondence index.

20.3 Quorum

a) In the absence of the Mayor, the Deputy Mayor shall take the chair and in his/her absence, the Members present shall elect a Chair of the meeting.

b) If no quorum is present twenty minutes after the time appointed for a meeting, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the same time of commencement on the following Monday.

c) If a Member arrives late at a meeting, any prior discussion shall not be reviewed without the unanimous consent of all Members present.

d) If during the course of a meeting quorum is lost, then the meeting shall stand as adjourned and not ended, to reconvene at the same time of commencement on the following Monday.

e) If in the Mayor's opinion it is not essential that the balance of the agenda be dealt with before the next regularly scheduled meeting, then the Mayor shall announce that the unfinished business will be taken up at its next regularly scheduled meeting.

21.0 Order of Business

21.1 The following headings shall make up the Council agenda:

1) Call to Order

2) Land Acknowledgement

3) Moment of Reflection

4) Disclose of Pecuniary Interest and General Nature Thereof

5) Special Education Session (if required)

6) Announcements

7) Public Participation

a) Presentations

b) Deputations on Agenda Items

c) Public Question Period

8) Council Inquiries

9) Motions and By-laws for Decision

a) Consent Agenda

b) Consideration of Items

10) Committee of the Whole

11) Councillor Motions

12) Adoption of Minutes

13) Communications

14) Closed Session (if required)

15) Planning Public Meetings (if required)

16) Confirming By-law (when required)

22.0 Call to Order

22.1 The Mayor or Chair shall call the meeting to order at the time specified in the agenda.

23.0 Land Acknowledgment

23.1 The Mayor or other member of Council shall read the municipal Land Acknowledgement.

24.0 Moment of Reflection

24.1 Members shall pause for a moment of reflection.

25.0 Disclosure of Pecuniary Interest and General Nature Thereof

25.1 The Mayor or Chair shall ask members to declare any pecuniary interest related to an item on the agenda.

25.2 Upon declaring a pecuniary interest at a meeting of Council, a Member shall provide a written statement of the interest and its general nature to the Clerk. The Clerk will include the statement in a registry maintained in accordance with the Municipal Conflict of Interest Act.

25.3 Members may also declare any pecuniary interest prior to any item being addressed.

25.4 Members who have declared a pecuniary interest shall leave the meeting room during the item's consideration.

25.5 Members who have declared a pecuniary interest in a matter may not move, second or vote on a motion to adopt multiple items if the matter that is subject of the pecuniary interest is contained therein. Members may request to divide such a motion in order to vote on those items in which there is no pecuniary interest.

25.6 A Member who has declared a pecuniary interest in a matter may move, second and vote on:

a) the confirmatory by-law for the meeting in which the interest was declared;

b) adopting the minutes of the meeting in which the interest was declared.

25.7 Every declaration of interest made during the Closed Session, but not the general nature of the interest, shall be recorded in the minutes of the open meeting.

26.0 Special Education Session

26.1 Special education sessions shall be generally called immediately prior to Council with time as determined by the Clerk with notice as set out in Section 14.0.

27.0 Announcements

27.1 Members may present community and municipal related announcements when called upon by the Chair.

28.0 Public Participation

28.1 Presentations

a) A Presentation is defined as the verbal and/or visual provision of information to Council by an individual, community group or organization.

b) A Ceremonial Presentation is defined as the giving of an award, prize or other form of recognition by the Mayor at a Council meeting.

c) A person or group wishing to make a Presentation to Council shall provide the Clerk or designate with written notice no later than 14 days prior to the meeting. Such request shall state the specific nature of the matter to be presented. The presentation must be provided seven days prior to the meeting for inclusion in the package.

d) Presentations and Ceremonial Presentations shall only be permitted in respect of subject matters that deal with municipal issues and are within the Municipality's jurisdiction, being those that Council is responsible for, as outlined in the Municipal Act, S.O. 2001, c.25.

e) Presentations and Ceremonial Presentations at the Council Meeting shall be limited to 10 minutes. The duration may be extended by majority vote specifying the additional time. Such question shall be decided by the Council without debate.

f) Presenters may only present once every 12 months on the same topic.

g) A maximum of three presentations per meeting will be scheduled by the Clerk or designate.

h) Immediately following a presentation the Chair will determine if further action is required and direct staff to prepare a report for consideration by Committee of the

Whole. If no report is required, presentations will be noted and filed.

28.2 Deputations on Agenda Items

a) A person wishing to appear as a deputation may address the Council for a period of time not exceeding five minutes. The five minute time period may be extended by the Council by a majority vote specifying the additional time. Such question shall be decided by the Council without debate.

b) Deputations shall register in advance by contacting the Clerk or designate or filling out the request form at the meeting.

c) Deputations may only be about an item listed on the meeting agenda and shall not be accompanied by any presentation materials.

d) A person who is unable to attend may arrange for another person to appear as a deputation on such person's behalf and to read aloud a prepared statement pertaining to an item listed on the meeting agenda.

e) Members may ask questions of clarification.

f) An organized body wishing to address Council as a deputation shall be limited to a maximum of five minutes regardless of the number of representatives of that group.

g) Deputations shall only be permitted in respect of subject matters that deal with municipal issues and are within the Municipality's jurisdiction, being those that Council is responsible for, as outlined in the Municipal Act, S.O. 2001, c.25.

h) There will be a limit of ten deputations per meeting.

28.3 Public Question Period

a) A maximum of 15 minutes will be set aside for Public Question Period, with each questioner limited to two minutes.

b) Members of the public wishing to ask a public question shall register in advance by contacting the Clerk or designate or filling out the request form at the meeting. During registration, the general nature of the matter of the question shall be provided.

c) When called upon by the Chair, the questioner will identify themselves by name and address the question to the Chair.

d) Questions will be responded to with a brief response from the Chair who may also request a response from staff. A written response may be issued depending on the specifics of the question.

e) Questions shall only be permitted in respect of subject matters that deal with municipal issues and are within the Municipality's jurisdiction, being those that Council is responsible for, as outlined in the Municipal Act, S.O. 2001, c.25.

f) Questions shall not be accompanied by any presentation materials.

g) Decorum must be maintained in keeping with the following four principles:

i. Treatment of every person with dignity, understanding and respect;

ii. Behaviour that is not discriminatory;

iii. Actions free of slander, harassment or bullying;

iv. Protection of privacy.

29.0 Council Inquiries

29.1 Members may, when called upon by the Chair, raise an inquiry for response by staff.

29.2 Staff responses may be provided at the meeting or electronically to Council as soon as practicable following the meeting.

29.3 Items requiring a detailed response and research should be

raised as a Notice of Motion providing direction to staff (Section 30.0).

30.0 Motions and By-laws for Decision

30.1 Consent Agenda

a) Items previously considered by Committee of the Whole will be added to the consent agenda.

b) All of the items listed on the consent agenda shall be the subject of one motion, unless a member requests that any item(s) in the consent motion be voted on separately.

c) Any items requested for separate consideration will be noted in the minutes at the end of the Consent Agenda section.

30.2 Consideration of Items

a) Reports and by-laws not previously considered by Committee of the Whole will be included under the Consideration of Items section.

b) All reports and by-laws in the Consideration of Items section will be voted on separately.

31.0 Committee of the Whole

31.1 Committee of the Whole items shall include staff reports, regular memos and verbal updates from members appointed to County Council, Committees and Local Boards.

31.2 The Chair of Committee of the Whole meetings shall be the Mayor.

31.3 Council may resolve into Committee of the Whole during each Regular and Special Meeting.

31.4 A report presented to Committee of the Whole and contained in the agenda is deemed received.

31.5 The Committee of the Whole shall report to Council on all matters, with the exception of items received for information only, and shall recommend such action as deemed necessary.

31.6 Whenever Council resolves into Committee of the Whole, the rules of procedure outlined in this by-law shall apply.

32.0 Councillor Motions

32.1 General

a) Items requiring a detailed response and research should be raised as a Notice of Motion providing direction to staff.

32.2 Notice of Motion

a) Members intending to bring forward a motion for Council's consideration must provide notice at the preceding meeting.

b) Such notice shall contain a brief summary of the motion subject.

c) Final wording of the motion for Council's consideration shall be provided to the Clerk or designate at least one week in advance of the meeting at which the motion is to be considered.

32.3 Motions for Decision

a) Council shall consider motions for which notice has previously been given.

b) The proponent shall read the motion aloud and be permitted to speak to the contents of the motion first.

c) Motions shall be moved, seconded and debated according to the rules of this procedural by-law.

33.0 Adoption of Minutes

33.1 Minutes of Council meetings shall be brought forward as soon as practicable.

33.2 Members shall indicate any errors or omissions prior to adoption, to be corrected by the Clerk.

33.3 If the minutes have been delivered to the members of Council then the minutes shall not be read, and a resolution that the

minutes be adopted shall be in order.

33.4 After the minutes have been adopted by resolution they shall be signed by the Mayor and Clerk.

34.0 Communications

34.1 The Clerk or designate shall determine items to be included in the Communications section.

34.2 Communications items may include, but are not limited to, minutes of local boards and committees having Council representation, correspondence from other tiers of government, requests for support from other municipalities, and letters from community members and organizations.

34.3 The Clerk or designate shall prepare and provide a listing of other correspondence received pertaining to Council business. Such correspondence shall be circulated to Council in advance with the index provided under Communications.

34.4 Correspondence, including names and addresses, addressed to Council or directed to a Public Meeting, become part of the public record and may be published in a report, agenda or minutes.

34.5 Every communication, including a petition designed to be presented to Council, shall be legibly written or printed, shall not contain any impertinent or improper matter or language, shall not be anonymous.

34.6 Members may request that any Communication item or item listed in the correspondence index be discussed by Council.

34.7 Council may direct staff, pass a motion of support, or take other action by resolution for any Communication item or item listed in the correspondence index.

34.8 All items shall be noted and filed if no other action is taken.

35.0 Closed Session (if required)

35.1 Closed sessions shall be conducted in accordance with Section 8.0 of this procedural by-law.

36.0 Planning Public Meeting (if required)

36.1 Planning Public Meetings shall be conducted in accordance with Section 10.0 of this procedural by-law.

37.0 Confirming By-law (when required)

37.1 The proceedings of each Council meeting held in a calendar month shall be confirmed by by-law at the final meeting of that month.

37.2 The by-law shall confirm every decision and resolution of Council to have the same force and effect as if passed by a separate by-law.

38.0 Adjournment

38.1 At the conclusion of the agenda, the Chair shall deem the meeting adjourned.

Part V – Minutes

39.0 Minutes

39.1 Minutes shall record:

a) the place, date and time of meeting;

b) the names of the presiding officer or officers and the record of the attendance of the members;

c) any late arrivals or early departures of members and senior staff;

d) declarations of interest;

e) the motions considered and votes taken by Council;

f) any recorded votes as requested by a member;

g) all the other proceedings of the meeting without note or comment; and

h) the reading, if requested, correction and confirmation of the minutes of prior meetings.

39.2 The Clerk or designate shall act as the Recording Secretary for Council and Committee of the Whole meetings, including Closed Sessions, Statutory Public Meetings and Special Education Sessions.

39.3 Closed Session minutes shall be brought forward for approval as soon as practicable and be listed on the open meeting agenda. Closed Session minutes shall be circulated to Council by the Clerk or designate in a secured manner and marked as confidential. Despite approval in open session, the minutes remain confidential.

Part VI – By-laws

40.0 By-laws

40.1 Generally all by-laws shall be given first, second and third reading at one meeting in a single motion.

40.2 Every by-law passed by Council shall:

a) Be signed by the Mayor and Clerk, or their deputies;

b) Be sealed with the Municipal seal; and

c) Indicate the date of passage.

40.3 The Clerk or designate is hereby authorized to make such minor deletions, additions or other changes in form to any by-law before same is signed and sealed, for the purpose of ensuring correct and complete implementation of the actions of Council forming the subject matter of the by-law and members shall be advised by the Clerk of such changes by written notice.

Part VII – Motions and Voting

41.0 Moved and Seconded

41.1 All motions shall be moved and seconded. The Clerk or designate may be asked to repeat the motion in question.

41.2 A motion or amendment thereto, may not be withdrawn without the consent of the mover and seconder.

41.3 The Chair may vacate the chair in order to move or second a

motion and shall resume the chair following the vote on the matter.

41.4 Whenever the Chair is of the opinion that a motion or resolution is contrary to the Rules of Procedure, the Chair shall rule the motion or resolution out of order.

41.5 A motion or resolution which requires the exercise of a power or powers by Council which are not within its jurisdiction shall not be in order.

41.6 All motions may be supported or opposed by the mover and seconder.

42.0 Severability of Question

42.1 Upon the request of any member, and when the Chair is satisfied that a question under consideration contains distinct proposals, the vote upon each proposal shall be taken separately.

43.0 Voting Procedure

43.1 Each Member present and voting shall announce or indicate his or her vote upon the motion openly and individually by show of hands and no vote shall be taken by ballot, or any other method of secret voting.

43.2 Every Member present at a meeting when a question is put shall vote, unless prohibited by statute, in which case it shall be so recorded.

43.3 If any Member at a meeting when a question is put does not vote, he or she shall be deemed as voting in the negative except where prohibited from voting by statute.

43.4 When the Chair calls for a vote on a question, each member shall occupy his or her seat and shall remain in his or her seat until the result of the vote has been declared by the Chair, and during such time no member shall speak to any other member or make any noise or disturbance.

43.5 After a question is put by the Chair, no member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

44.0 Recorded Vote

44.1 A request by a member for a recorded vote shall be made immediately prior to the commencement of the vote being taken or immediately thereafter, prior to proceeding to the next item on the agenda.

44.2 When a recorded vote is requested, or is otherwise required, the Clerk shall call the names and record the vote in the following order:

a) the requestor shall be called first;

b) to be followed by the next Councillor in alphabetical order;

c) with the Deputy Mayor and Mayor voting second last and last;

d) if the requestor is the Mayor or Deputy Mayor, they shall vote first.

45.0 Tie is Lost

45.1 If there is a tie vote on any question, the vote shall be deemed to have been lost.

45.2 A matter lost on a tie at Committee of the Whole shall rise to Council for consideration and must be lifted from the Consent Agenda for direction.

46.0 Secondary Motions

46.1 The following matters and motions may be introduced without notice and without leave and are not debatable, except as otherwise provided by the Rules of Procedure:

a) a point of order or privilege;

b) to move the question be put;

c) to adjourn.

46.2 The following motions may be introduced without notice and without leave and are debatable, except as otherwise provided by the Rules of Procedure:

a) to refer;

b) to lay on table, or defer to a certain day, or to postpone indefinitely;

c) to amend;

d) to suspend the Rules of Procedure;

e) any other procedural motion.

47.0 Order of Consideration

47.1 When a question is under consideration, no motion shall be received except a procedural motion or a motion to amend.

47.2 Procedural motions shall be considered immediately upon receipt and shall have precedence and may be subject to debate as follows:

a) to extend the time of the meeting (not debatable);

b) to move the question be put or end debate (not debatable);

c) to commit or refer to a specific body (debatable);

d) to lay on the table or set aside temporarily (not debatable);

e) to defer or to postpone to a certain time (debatable)

f) to postpone indefinitely or decline to take a position (debatable)

g) to adjourn (not debatable);

h) any other procedural motion (debatable).

48.0 Motion to Amend

48.1 An amendment shall be relevant and germane to the principle of the report or motion under consideration.

48.2 A motion to amend may propose a separate and distinct disposition of a question provided that such altered disposition

continues to relate to the same issue which was the subject matter of the question.

48.3 Amendment motions shall be put in the reverse order to the order in which they are moved.

49.0 The Question Be Now Put

49.1 A motion that the question be now put shall preclude all further amendments of the question. When resolved in the affirmative, the question and all amendments thereto are to be put forward without debate or further amendment.

49.2 Such motion cannot be moved by a member who has already debated the question

50.0 Motion to Lay on the Table

50.1 A motion to lay on the table with some condition, opinion, or qualification added to the motion to table shall be deemed to be a motion to postpone.

50.2 The matter tabled shall not be considered again by the Council until a motion has been made to take up the tabled matter at a subsequent meeting.

50.3 A motion to take up a tabled matter is not subject to debate or amendment.

50.4 A motion that has been tabled and not taken from the table for six months shall be deemed to be withdrawn, and cannot be taken from the table.

51.0 Motions to Defer to a Certain Day

51.1 A motion that is deferred to a certain day will be considered at the same point of that meeting as in the meeting in which it was deferred.

52.0 Motions to Postpone Indefinitely

52.1 A motion to postpone without a definite date shall be treated as if it was a motion to decline to take a position.

52.2 A motion that was postponed indefinitely is subject to

reconsideration (Section 51.0).

53.0 Reconsideration of a Matter

53.1 If a matter has been previously considered, it shall not be reconsidered by such body within six months after the meeting at which it was originally considered, without the consent of at least two-thirds of the members present.

53.2 “Considered” shall mean those matters for which the members of a meeting have decided to act or not act upon, and shall not include the mere receipt of information where no action has been sought or taken.

53.3 A motion to reconsider must be moved by a member of the prevailing side when the matter was first considered.

53.4 A motion to reconsider a decided matter of Council at a meeting subsequent to the meeting where the original motion was decided, shall be brought forward during the Councillor Motions (Notice of Motion) section of the agenda.

53.5 Where a motion to reconsider has been successful, the original motion will be added to the next Council agenda for consideration under the Motions & By-laws for Decision (Consideration of Items) section of the agenda.

Part VI – Rules of Debate

54.0 Rules of Debate

54.1 The Chair shall maintain a list of members who have requested to speak or to ask questions and the Chair shall designate members to speak or to ask questions in the order in which they appear on the list.

54.2 No member shall speak more than once, except if requested to give an explanation, until every member who desires to speak, has spoken.

54.3 When a member is speaking, no other member shall pass between that member and the Chair, or interrupt him or her, except to raise a point of order or a point of personal privilege.

54.4 A member may speak to the same question for a maximum of

five minutes, and, with leave of the Council, may be granted an extension.

54.5 When an item is being discussed and one member has the floor a member may ask a question only for the purpose of obtaining information necessary for a clear understanding thereof.

54.6 All questions shall be stated succinctly and questions shall not be used as a means of making statements or assertions.

54.7 Questions may be asked through the Chair of the previous speaker, staff, a deputation or presenter.

54.8 A member may not ask a question if the Chair rules that such question, in substantially similar form and content, has already been asked and answered.

55.0 Points of Order or Points of Privilege

55.1 A member may interrupt the person who has the floor to raise a point of order when such member feels that there has been a deviation or departure from the rules of procedure and upon hearing such point of order, the ruling of the Chair shall be final unless the member appeals the ruling to Council which shall decide the question “that the decision of the Chair be sustained” without debate upon a majority vote of the Members present.

55.2 A member may rise at any time on a point of personal privilege where such member feels that personal integrity or the integrity of the Council has been impugned by another member and upon hearing such point, the ruling of the Chair shall be final unless the member appeals the ruling to Council which shall decide the question “that the decision of the Chair be sustained” without debate upon a majority vote of the Members present.

55.3 Where the Chair recognizes that a breach of privilege has taken place, the Chair shall cause the offending member to apologize, and failing such apology shall require such member to vacate the Council Chamber for the duration of the meeting.

55.4 Any member may appeal the decision of the Chair to the Council which shall decide the question “that the decision of the Chair be sustained” without debate upon a majority vote of the Members present.

Part VII – Committees, Task Forces and External Boards

56.0 Internal Committees, Advisory Committees or Task Forces

56.1 Council may create, appoint and dissolve any committee or task force by by-law including Terms of Reference. Where no specific rules of procedure are specified, these Rules of Procedure shall apply.

56.2 All meetings of Committees shall generally be held at Meaford Hall, 12 Nelson Street East but may be moved to alternate locations on the recommendation of the Chair. Where an alternate location is required, it shall be within the boundaries of the Municipality at a venue which is accessible to the public.

56.3 The Clerk or designate shall prepare agendas and minutes for Committee meetings in accordance with the business to be addressed.

56.4 All agendas for Internal Committees, Advisory Committees and Task Forces shall include an opportunity for public participation, specifically presentations and deputations, as outlined in section 27.1 and 27.2 respectively.

57.0 Council Representation on External Boards and Committees

57.1 The Municipality of Meaford shall be represented on all external board and committees for whom appointments are sought or required at the discretion of Council.

57.2 Council shall appoint members to boards and committees in accordance with the Municipality's Appointments to Boards and Other Bodies Policy.

57.3 Appointments shall be made by by-law for the Council term.

Part VIII – Other Matters

58.0 Conflict with any Other By-law

58.1 In the event of any conflict between any provisions of this by-law and any other by-law hereto are passed; the provisions of this by-law shall prevail.

59.0 Short Title

59.1 This by-law shall be known as the “Procedural By-law” or “Rules of Procedure”.

60.0 Repeal

60.1 That By-laws 2018-19 and 2021-11 are hereby repealed.

61.0 Effective Date

61.1 This by-law shall come into force and take effect when passed by Council.

Read a first, second and third time and finally passed this 1st day of November, 2021.

Barb Clumpus, Mayor

Matthew Smith, Clerk