The Corporation of the Town of New Tecumseth

By-law 2022-034
(Consolidated – as amended)

PROCEDURE BY-LAW

A by-law to govern the proceedings of Council

Consolidation		
Amendment No.1	By-law No. 2022-082	July 25, 2022
Amendment No. 2	By-law No. 2023-060	June 19, 2023
Amendment No. 3	By-law No. 2023-100	November 27, 2023
Amendment No. 4	By-law No. 2024-056	May 13, 2024
Amendment No. 5	By-law No. 2024-083	August 26, 2024
Amendment No. 6	By-law No. 2025-053	June 16, 2025

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E&OE

OFFICE CONSOLIDATION
Current to Amendment No. 6
By-law No. 2025-053, June 16, 2025

The Corporation of the Town Of
New Tecumseth

By-law

Number 2022-034

"Procedure By-law"

A by-law to govern the proceedings of Council

Whereas pursuant to Section 238 (2) of the Municipal Act, 2001, as amended every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

And Whereas pursuant to Section 238 (2.1) of the Municipal Act 2001, as amended, requires that the procedure by-law provide for public notice of meetings;

And Whereas By-law 2016-020 being a by-law to govern the proceedings of Council was passed on the 21st day of March, 2016;

And Whereas a number of revisions have been made to By-law 2016-020;

And Whereas Council deems it appropriate to repeal By-law 2016-020 and enact a new by-law to govern the proceeding of Council that reflects the current practices, procedures and statutory requirements of Council;

Now Therefore the Council of The Corporation of the Town of New Tecumseth enacts as follows:

1. That the proceedings of Council shall be governed by the provisions and regulations contained in Schedule “A” attached hereto and forming part of this by-law.

2. This by-law shall repeal By-law 2016-020 and any and all other by-laws and amending by-laws related to the Procedure By-law.

3. This by-law shall be cited as the “Procedure By-law”.

4. This by-law shall come into force and take effect on April 1, 2022.

Read a first, second and third time and finally passed this 21st day of March, 2022.

Mayor

Office Consolidation

Clerk

Schedule “A”
to
Procedure By-law
2022-034

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1. Definitions

In this by-law:

a) “CAO” means the Chief Administrative Officer for the Town of New Tecumseth or in his/her absence a General Manager or such other person as the CAO, in writing has delegated such powers.

b) “Chair” means the Member of Council appointed as Chair of the Committee by its Members or in the case of a Council Meeting or Special Council Meeting means the Mayor or Deputy Mayor or in the absence of both of them, a Member appointed by Council.

c) “Clerk” means the Clerk of the Town of New Tecumseth or in his/her absence the Deputy Clerk or such other person as the Clerk has, in writing, delegated such powers.

d) “Closed Meeting” means a meeting or part of a meeting of Council or Committee that is not open to the public in accordance with the Municipal Act 2001, as amended.

e) “Committee” means a Regular or Special Committee of the Whole, Regular or Special Committee of the Whole Public, Committee of the Whole Working Meeting or Council Committee consisting of all Members of Council unless otherwise specified.

f) “Committee of the Whole Public Meeting” means a Committee of the Whole Meeting for those matters for which Council is required to hold a public meeting or public hearing to provide information to the public and/or obtain public comments.

g) “Committee of the Whole Working Meeting” means a Committee of the Whole Meeting for those matters that require lengthy or extensive discussion.

h) “Correspondence” means communication provided in writing and includes, but is not limited to, the following: letter, memorandum, report, motion, notice, electronic mail, facsimile, petition etc.

i) “Council” means the Council of the Corporation of the Town of New Tecumseth.

j) “Council Meeting” means a Regular or Special Council Meeting.

k) “Defer, Deferred or Deferral” when used in conjunction with a matter before Council or a Committee, means that the said matter is to be dealt with at a future meeting of the same body or at the meeting of the same body which is specified in the motion to defer.

l) “Deputation” means an address to Council or a Committee at the request of a person or organization wishing to speak.

m) Electronic Meeting means a meeting in which all participating Council and staff members are present electronically and where no members are present in person

n) “Electronic Vote” means a vote conducted electronically utilizing the Town’s meeting management system.

o) “Emergency Meeting” means a meeting of Council or Committee

called to address a present or imminent event that requires prompt co-ordination of action to protect the health, safety, or welfare of people or to limit damage to property.

p) “Head of Council” means the Mayor.

q) Hybrid Meeting means where some members are present in person and other members are participating electronically

r) “Majority Vote” means more than half of the votes cast by members entitled to vote at a Meeting.

s) “Meeting" means any regular, special, or other meetings of Council, a Local Board, or a Committee of either of them, where;

(i) A quorum of members is present, and

(ii) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council, Local Board or Committee."

t) “Member” means a Member of Council, Local Board or Committee.

u) “New Information” means information that is new, otherwise not known or not available at the time of the original presentation, debate and/or decision. What constitutes new information shall be determined by the Clerk and/or CAO whose decision is final and binding.

v) “Point of Order” means a matter that a Member considers to be a departure from or contravention of the rules, procedures and/or generally accepted practices of Council.

u) “Point of Personal Privilege" means a matter that a Member considers questioning their integrity and/or the integrity of Council.

v) “Quorum” means a majority of Members of Council or Members of a Committee or fifty (50) percent of Members plus one (1).

w) “Refer, Referred and Referral” when used in conjunction with a matter before Council or a Committee means the matter is referred to the body or person named in the motion to refer, for further consideration and, if so specified, a report back to Council or Committee.

x) “Reports for Information and/or Immediate Consideration” means staff reports for information purposes only and reports requiring an immediate decision by Council.

y) “Staff” means officers and employees of the Town of New Tecumseth.

z) “Town” means the Corporation of the Town of New Tecumseth

aa) “Town Hall” also means the Town of New Tecumseth Administration Centre.

bb) “Written Notice” means any notice provided in writing including e-mail.

2. Rules and Regulations

2.1. Members and Meetings

a) The rules and regulations contained in this by-law shall be observed in all proceedings of Council and shall be the rules and regulations for the order and dispatch of business in Council, its Committees, and its Local Boards, with the changes necessary to give effect thereto, except for the New Tecumseth Public Library Board and the Nottawasaga Police Services Board and any other Committee or Local Board with its own rules and regulations.

b) In the event of a conflict in the interpretation of any provision of this by-law, reference shall be made to Robert's Rules of Order for clarification.

c) The rules governing the procedure of Council and the conduct of Members in Council shall be observed in Closed Meetings so far as they are applicable.

d) The rules and regulations contained herein may be suspended by a two-thirds vote of the Members of Council, Local Board or Committee or present at the meeting, provided that such rule or regulation is not prescribed by statute or requires a unanimous vote.

e) Failure to strictly adhere to the rules of procedure contained in this by-law shall not invalidate the action(s) of Council or Committee acting in good faith.

f) If any section or part of this by-law is found by any court of competent jurisdiction to be invalid, such section or part shall be deemed to be severable and shall not affect the validity or enforceability of any other provisions of this by-law or the by-law in its entirety.

Electronic Participation

a) Electronic participation shall be allowed by any member at a Regular, Special, or other Meetings of Council or Committee where all members are participating electronically or where other members are present in person.
    (i) At the call of the Mayor and/or CAO or their designate, members of Council or a Committee may be required to participate in an electronic meeting.

b) Members of Council and staff shall provide 2 business days notice to the Clerk or Deputy Clerk in writing if they wish to participate electronically in a meeting where other members are participating in person

c) The Chair of the meeting shall participate in person for meetings where some members are present in person and some members are participating electronically (Hybrid)

d) Quorum is satisfied in the same manner as if any Member was participating in person.

e) Members shall be permitted to vote when participating electronically. The vote shall be noted verbally or by show of hand of each participating Member or in a manner as indicated by the Chair.

f) Members are permitted to participate electronically in Closed

Meetings. The Chair and Clerk or their designate will determine whether a Closed Meeting with electronic participation is appropriate depending on the nature of the topic proposed to be discussed.

g) The Chair shall ensure that Members participating electronically are given the same opportunity to speak to each question as per section 11 (d) of this by-law.

h) When members are participating electronically, cameras shall be enabled, unless otherwise restricted by internet connectivity limitations and microphones kept on mute unless the member is speaking.

i) When members are participating via telephone conference, microphones should be muted unless the member is speaking.

j) Any member participating via video conference should indicate if they wish to speak by raising their physical and/or virtual hand and keeping them raised until the Chair acknowledges their request.

k) Any staff member participating electronically shall enable their camera and microphone when addressing Council

l) The Town may use any means of audio/video technology to facilitate electronic participation.

m) In the event of any type of connection/service disruption, the Chair may recess the Meeting to allow for attempts to reconnect. After ten (10) minutes of a connection/service disruption, the Meeting shall resume.

n) All other sections of this by-law shall remain in effect and shall be observed to the extent reasonably practicable during a Meeting with electronic participants.

2.3. Point of Order and Personal Privilege

a) Point of Order

(i) 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.

(ii) Upon hearing such Point of Order, the ruling of the Chair shall be final unless a Member appeals the ruling to Council.

(iii) Council shall decide the question, without debate, upon a majority vote of the Members present, whether or not the decision of the Mayor or Chair is sustained.

b) Point of Personal Privilege

(i) A Member may raise a Point of Personal Privilege at any time where such Member feels that his/her integrity or the integrity if Council has been impugned by another Member.

(ii) Upon hearing such point, the ruling of the Mayor or Chair shall be final unless a Member appeals the ruling to Council.

(iii) Council shall then decide the question, without debate, upon a majority vote of the Members present, whether or not the decision of the Mayor or Chair is sustained.

(iv) Where the Chair recognizes that a breach of privilege has taken place, the Chair shall demand that the offending Member apologize. Failing such apology, the Member shall be required to vacate the Council Chamber for the duration of the meeting.

2.4. Members of the Public

a) Members of the public present during Meetings shall maintain order and shall not address Council except with the permission of the Chair.

b) Members of the public who display signs, placards, posters, clothing, or other advertising devices, whether political or otherwise, that interfere with the attendees and/or demonstrate a lack of respect for the formal nature of the Meetings may be requested by the Mayor or Chair to leave the Meeting or remove these items.

c) Members of the public shall abide by the provisions within this by-law regarding taping, televising, photographing, and recording of Meetings as provided for in section 6.13.

d) No member of the public shall use flash photography while attending a Meeting.

e) Members of the public shall not engage in conversation or other behaviour which is disruptive to the attendees and/or Meeting.

f) No member of the public shall attend a Meeting with any cellular telephones or other electronic devices which emit a sound unless such device is turned off or set to silent.

g) No person shall use indecent, offensive, or insulting language or speak disrespectfully of the Royal Family, the Governor General, the Lieutenant Governor of any Province, any member of Council, any staff of the Town or any member of the public.

h) Any person who is not a member of Council, who contravenes any provision of this by-law, may be expelled from the Meeting by the Chair or in accordance with the direction of Council or Committee.

3. Duties and Responsibilities of Council

3.1. Mayor as Chair

The Chair of a meeting of Council or Committee shall be the Mayor.

3.2. Deputy Mayor as Chair

a) In the absence of the Mayor, the Deputy Mayor shall be the Chair of the meeting.

b) In the absence of the Mayor and Deputy Mayor, Council shall appoint another of its Members by motion to act as Chair of the meeting.

c) In the event that the Mayor does not arrive within fifteen (15) minutes after the time appointed for the meeting, the Deputy Mayor shall preside until the arrival of the Mayor and in the absence of both of them, a Member appointed by a motion of Council shall preside until the arrival of either the Mayor or Deputy Mayor.

3.3. Role of Council

It is the role of Council, per Section 224 of the Municipal Act, 2001, as amended:

a) To represent the public and to consider the well-being and interests of the municipality.

b) To develop and evaluate the policies and programs of the municipality.

c) To determine which services the municipality provides.

d) To ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council.

e) To ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality

f) To maintain the financial integrity of the municipality.

g) To carry out the duties of Council under the Municipal Act, 2001, as amended or any other Act.

3.4. Role of Head of Council

It is the role of the head of Council, per Section 225 of the Municipal Act 2001, as amended:

a) To act as Chief Executive Officer of the municipality.

b) To preside over Council and Committee Meetings so that its business can be carried out efficiently and effectively.

c) To provide leadership to Council.

d) Without limiting clause (c), to provide information and recommendations to Council with respect to the role of Council described in Section 3.3(d) and (e).

e) To represent the municipality at official functions, and

f) To carry out the duties of the head of Council under the Municipal Act 2001, as amended or any other Act.

3.5. Substitution – Head of Council

A municipality may, as per Section 226 of the Municipal Act 2001, as amended, with the consent of the head of Council, appoint a Member of Council to act in the place of the head of Council on any body, other than on the Council of another municipality, of which the head of Council is a Member by virtue of being the head of Council.

3.6. Head of Council as Chief Executive Officer

As Chief Executive Officer of a municipality, the head of Council shall, per Section 226.1 of the Municipal Act 2001, as amended:

a) Uphold and promote the purposes of the municipality

b) Promote public involvement in the municipality's activities

c) Act as the representative of the municipality both within and outside the municipality and promote the municipality locally, nationally and internationally and

d) Participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

3.7. Duties of Chair

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 in 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 vote all questions which are regularly moved and seconded or necessarily arise in the course of the proceedings and to announce the result.

e) To decline to put to a vote, motions which infringe upon the rules of procedure.

f) To restrain the Members when engaged in debate within the rules of order.

g) To designate the order in which Members are recognized to speak when two or more Members wish to be recognized at the same time.

h) To enforce, on all occasions, the observance of order and decorum among the Members.

i) To do all matters to permit the Meetings to proceed in an orderly and efficient manner.

j) To authenticate by his/her signature, when necessary, all by-laws, motions, and minutes.

k) To adjourn the Meeting when the business is concluded.

l) To adjourn the Meeting without question or put or suspend the Meeting for a time to be named by him/her, if he/she considers

it necessary, because of grave disorder.

4. Conduct of Members

a) Any Code of Conduct adopted by Council shall apply during a Meeting held pursuant to this by-law.

b) No Member shall:

(i) Speak disrespectfully of the reigning Sovereign, any of the Royal Family, the Governor-General, the Lieutenant Governor of any Province

(ii) Use offensive words or unparliamentary language in or against the Council or against any Member

(iii) Speak on any subject other than the subject in debate

(iv) Criticize any decision of Council, except for the purpose of moving in accordance with the provisions of Section 13 that a motion be reconsidered

(v) Disobey the rules of Council or a decision of the Chair or of Council on a question of order or practice or upon the interpretation of the rules of Council

(vi) Use electronic devices including cellular phones, portable devices and computers in a manner which interrupts or is disruptive to any Meeting proceedings.

c) If a Member persists in any such disobedience after having been called to order by the Chair, the Chair may forthwith put the question, with no amendment, adjournment or debate being allowed, "that such Member be ordered to leave his/her seat for the duration of the meeting of Council", but if the Member apologizes, he/she may, by majority vote, be permitted to retake his/her seat.

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

5. Correspondence

a) Correspondence intended to be presented to either Council or Committee must be legible, signed by the author(s), include their address and must not contain any defamatory, improper remarks or language and shall not refer to personnel matters or litigation or potential litigation. The Clerk and/or CAO shall determine any correspondence that is not permitted to be published on the agenda.

b) Any correspondence submitted to be addressed by either Council or Committee shall form part of the agenda and shall be considered to be public information, subject to the Municipal Freedom of Information and Protection of Privacy Act. The Clerk shall be advised of any confidential items, the general nature of the confidentiality and will determine whether the item meets identified criteria for confidential correspondence and whether or not it will be circulated within the public agenda.

c) All petitions must, be in compliance with the Council approved Petition Policy, as amended, and shall only be formally received by Council.

6. Meetings

6.1. Meetings – Open to the Public

Meetings shall be open to the public, unless permitted to be closed in accordance with the provisions of the Municipal Act, 2001, as amended and no person shall be excluded from a meeting open to the public except for improper conduct or for breach of this by-law.

6.2. Inaugural Meeting

The first Meeting of a newly elected Council after a regular election shall be held the first Monday following November 15 at a date, time, and location to be determined by the CAO and/or Clerk.

6.3. Regular Council Meetings

a) Location

Regular Meetings of Council shall be held at 6:00 p.m. in the Council Chambers at the Town Hall or any other location designated by the CAO and/or Clerk for such purpose and may be held in another municipality.

b) Schedule of Meetings

The Clerk will provide a schedule of meetings on an annual basis.

c) Notice

Refer to Section 7 – Notice of Meetings

d) Preparation of Regular Council Meeting Agenda

(i) Prior to each Regular Council Meeting, the Clerk, under the supervision of the CAO, shall prepare an agenda of all the business to be brought before such meeting.

(ii) Other than Communications and Reports for Information and/or Immediate Consideration, no matter shall be placed on the agenda of a Regular Council Meeting unless it has already been considered by Council at a Special or Regular Council or Committee Meeting, unless authorized by the Mayor and/or CAO.

e) Distribution of Regular Council Meeting Agenda

(i) The agenda will be distributed to Members of Council on the Wednesday prior to the meeting.

(ii) As soon as the agenda is published and distributed to Members of Council, the agenda will be posted on the Town website and made available to the public.

f) Routine Order of Business on Regular Council Meeting Agenda

(i) Items on a Regular Council Agenda shall be listed in the following order:

Communications

Committee of the Whole Meeting Report
Committee of the Whole Public Meeting Report
Committee of the Whole Working Meeting Report

(ii) Council shall deal with matters in the following order:

O' Canada
Moment of Silent Reflection
Land Acknowledgement Statement
Awards and Recognitions
Confirmation of Agenda
Disclosures of Pecuniary Interest
Adoption of Minutes
Determination of Items Requiring Separate Discussion
Adoption of Items Not Requiring Separate Discussion
Deputations Requiring Statutory or Public Hearing
Deputations
Items for Consideration
By-laws
General Information/Announcements
Public Notice
Confirming By-law
Adjournment

g) Change in Routine Order of Business on Regular Council Meeting agenda

A change in the order of items listed on the agenda may be permitted by the Chair.

h) Addendum Items to Regular Council Meeting Agenda

(i) An item which is not on the agenda of a Regular Council Meeting as published shall require a unanimous vote of the Members present to be added to the agenda.

(ii) Additional information pertaining to an item listed on the Regular Council Agenda shall be considered with the item.

i) Disposition of Agenda Items

(i) Items on the agenda not referred, deferred, or otherwise disposed of by Council shall not reappear on an agenda unless by direction of Council.

j) General Information and Announcements

(i) An announcement/information related to a matter not on the agenda may only be made by a Member of Council or municipal staff and discussed by Council at the regular Council meeting if it is:

1) Of a congratulatory or condolence nature; or

2) For the purpose of providing other Members of Council or staff with an update in relation to a cultural, recreation or similar event in the Town or if the matter pertains to a corporate interest.

k) Reports for Information or Immediate Consideration

(i) A report may be placed on the Council Agenda for information where no action or direction is required.

1) In consideration of the information report it is determined by Council that further action is required, Council shall direct which meeting the follow up report will be considered.

(ii) A report for immediate consideration by Council may be placed on the Council agenda under Reports for Information or Immediate Consideration.

1) A report which was previously considered at a Committee of the Whole meeting and requires further information as directed by Council and was not placed on the subsequent Council agenda as additional information may be placed on the Council agenda for immediate consideration.

2) Reports for immediate consideration on the agenda shall be determined by the CAO.

l) Additional Information Memorandums

(i) To proceed directly to the next Council Meeting unless directed otherwise by Council or Committee of the Whole.

(ii) To provide additional information not contained in the original report.

(iii) If staff are unable to prepare an additional information memorandum in time for the next Council meeting, it may proceed forward as a report for immediate consideration at a future meeting subject to approval of the CAO as outlined in section 6.3(k). Any motion from the original report will be held pending Council direction through the Additional Information Memorandum.

6.4. Special Council Meetings

a) Location

Special Council Meetings shall be held in the Council Chambers at Town Hall or any other location designated by the CAO and/or Clerk for such purpose and may be held in another municipality.

b) Special Council Meetings may be open or closed to the public as provided for in the Municipal Act 2001, as amended.

c) The only business to be dealt with at a Special Council Meeting is that which is listed in the notice of the meeting.

d) Special Council Meetings shall be called in accordance with the following provisions:

(i) At the Call of the Mayor

The Mayor or designate, may, at any time, summon a Special Council Meeting on 24 hours written notice to the Members.

(ii) By Petition

Upon receipt of a petition signed by the majority of the Members, the Clerk will summon a Special Council Meeting on 24 hours written notice to the Members for the purpose mentioned in the petition.

(iii) The Clerk has the delegated authority to call a special meeting in accordance with the Whistle blower policy

e) Notice

Refer to Section 7 – Notice of Meetings

f) Preparation of Special Council Meeting Agenda

Prior to each Special Council Meeting, the Clerk, under the supervision of the CAO, shall prepare an agenda of all the business to be brought before such meeting.

g) Distribution of Special Council Meeting Agenda

(i) The agenda will be distributed to Members of Council as soon as reasonably possible after the meeting has been called.

(ii) As soon as the agenda is published and distributed to Members of Council, the agenda will be posted on the Town website and made available to the public.

h) Routine Order of Business on Special Council Meeting Agenda

Items on the Special Council Meeting Agenda shall be listed on the agenda in the following order:

Confirmation of Agenda
Disclosures of Pecuniary Interest
Determination of Items Requiring Separate Discussion
Adoption of Items Not Requiring Separate Discussion
Deputations Requiring Statutory or Public Hearing
Deputations
Items for Consideration
By-laws
Confirmation By-law
Adjournment

i) Change In Routine Order of Business on Special Council Meeting Agenda

A change in the order of items listed on the agenda may be permitted by the Chair.

j) Addendum Items to Special Council Meeting Agenda

(i) No additional items may be added to the agenda in accordance with section 6.4 (c)).

(ii) Any additional information pertaining to an item listed on the Special Council Agenda shall be considered with the item.

k) Items on the Agenda not referred, deferred, or otherwise disposed of by Council shall not reappear on an agenda unless by direction of Council.

6.5. Regular Committee of the Whole Meetings

a) Location

Regular Committee of the Whole Meetings shall be held immediately following regular council meetings in the Council Chambers at the Town Hall or any other location and/or time designated by the Clerk for such purpose and may be held in another municipality.

b) Schedule of Meetings

The Clerk shall provide a schedule of meetings to Council on an annual basis.

c) Notice

Refer to Section 7 – Notice of Meetings

d) Preparation of Regular Committee of the Whole Meeting Agenda

Prior to each Regular Committee of the Whole Meeting, the Clerk, under the supervision of the CAO, shall prepare an agenda of all the business to be brought before the Committee.

e) Distribution of Regular Committee of the Whole

Meeting Agenda

(i) The agenda will be distributed to the Committee on the Wednesday prior to the meeting.

(ii) As soon as the agenda is published and distributed to Members of the Committee, the agenda will be posted on the Town website and made available to the public.

f) Routine Order of Business on Regular Committee of the Whole

Meeting Agenda

Items on the Regular Committee of the Whole Meeting Agenda shall be listed on the agenda in the following order:

(i) Reports from the Mayor and Members of Council
Advisory Committee, Board, and Task Force Summaries
Staff Reports

(ii) The Regular Committee of the Whole shall deal with matters as follows:

Confirmation of Agenda
Disclosures of Pecuniary Interest
Determination of Items Requiring Separate Discussion
Adoption of Items Not Requiring Separate Discussion
Consideration of Items
Public Notice

Adjournment

g) Member's Request

A Member may add an item to the Regular Committee of the Whole Meeting agenda by providing a description of the item and a written motion pertaining to the item that is to be considered by the Committee to the Clerk before 4:30 p.m. on the Monday, one week prior to Regular Committee of the Whole Meeting. The Clerk will place the item and the Member's written motion on the Regular Committee of the Whole Meeting agenda.

(i) Members are prohibited from submitting requests if they have a conflict of interest

h) Change In Routine Order of Business on Regular Committee of the Whole Meeting Agenda

A change in the order of items listed on the agenda may be permitted by the Chair.

i) Addendum Items to Regular Committee of the Whole Meeting Agenda

(i) An item can only be added to the Regular Committee of the Whole Agenda:

(1) If it is considered to be time sensitive, or

(2) Requires immediate direction, and

it shall require a unanimous vote of the Members present to add the item to the Agenda.

(ii) Any additional information pertaining to an item listed on the Regular Committee of the Whole Agenda shall be considered with the item.

6.6. Special Committee of the Whole Meetings

a) Location

Special Committee of the Whole Meetings shall be held in the Council Chambers at the Town Hall or any other location and/or time designated by the Clerk for such purpose and may be held in another municipality.

b) Special Committee of the Whole Meetings may be open or closed to the public in accordance with the Municipal Act 2001, as amended.

c) Special Committee of the Whole Meetings shall be constituted in accordance with the following provisions:

(i) Majority of Council

Whenever a majority of Members of Council present decide that Council shall convene into Committee of the Whole to consider a matter(s) during a Regular or Special Meeting of Council.

(ii) At the Call of the Mayor or CAO

The Mayor or CAO may, at any time, summon a Special Committee of the Whole Meeting on 24 hours written notice to the Members.

(iii) By Petition

Upon receipt of a petition signed by the majority of the Members, the Clerk will summon a Special Committee of the Whole Meeting on 24 hours written notice to the Members for the purpose mentioned in the petition.

d) The only business to be dealt with at a Special Committee of the Whole Meeting is that which is listed in the notice of the meeting.

e) Notice

(i) Refer to Section 7 – Notice of Meetings

(ii) Notice is not required if the majority of the Members present decide during a Regular or Special Council Meeting to convene into Committee of the Whole.

f) Preparation of Special Committee of the Whole Meeting Agenda

(i) If a Special Committee of the Whole Meeting is called by the Mayor, CAO or by petition, the Clerk under the supervision of the CAO, shall prepare an agenda of all business to be brought before the Committee.

(ii) If the majority of Members present during a Regular or Special Council Meeting decide to convene into Committee of the Whole, an agenda is not required to be prepared.

g) Distribution of Special Committee of the Whole Meeting Agenda

(i) The agenda will be distributed to the Committee as soon as reasonably possible after the meeting has been called.

(ii) As soon as the agenda is published and distributed to the Committee, the agenda will be posted on the Town website and made available to the public.

h) Routine Order of Business on Special Committee of the Whole Meeting Agenda

Items shall be listed on the Special Committee of the Whole Agenda in the following order:

Confirmation of Agenda
Disclosures of Pecuniary Interest
Determination of Items Requiring Separate Discussion
Adoption of Items Not Requiring Separate Discussion
Consideration of Items
Adjournment

i) Change In Routine Order of Business on Special Committee of

the Whole Meeting Agenda

A change in the order of items listed on the agenda may be permitted by the Chair.

j) Addendum Items to Special Committee of the Whole Meeting Agenda

(i) No additional items can be added to the agenda in accordance with section 6.6(c).

(ii) Any additional information pertaining to an item listed on the Special Committee of the Whole Meeting Agenda shall be considered with the item.

6.7. Committee of the Whole Public Meetings

a) Location

Committee of the Whole Public Meetings shall be held at 6 p.m. or as required, in the Council Chambers at the Town Hall or any other location and/or time designated by the Clerk for such purpose and may be held in another municipality.

b) Notice

Refer to Section 7 – Notice of Meetings

c) Preparation of Committee of the Whole Public Meeting Agenda

Prior to a Committee of the Whole Public Meeting, the Clerk, under the supervision of the CAO, shall prepare and distribute an agenda of all business to be brought before the Committee.

d) Distribution of Committee of the Whole Public Meeting Agenda

(i) The agenda will be distributed to the Committee on the Wednesday prior to the meeting.

(ii) As soon as the agenda is published and distributed to the Committee, the agenda will be posted on the Town website and made available to the public.

e) Routine Order of Business on Committee of the Whole Public Meeting Agenda

The order of business for Committee of the Whole Public Meeting shall be:

Confirmation of Agenda
Disclosures of Pecuniary Interest
Consideration of Public Meeting Items
Adjournment

f) Change In Routine Order of Business on Committee of Whole Public Meeting Agenda

A change in the order of items listed on the agenda may be permitted by the Chair.

g) Addendum Items to Committee of the Whole Public Meeting Agenda

(i) An item can only be added to the Committee of the Whole Public Meeting Agenda:

1) if it is considered to be time sensitive, or

2) requires immediate direction, and

it shall require a unanimous vote of the Members present to add the item to the Agenda.

(ii) Any additional information pertaining to an item listed on the Committee of the Whole Public Meeting Agenda shall be considered with the item.

6.8. Committee of the Whole Working Meeting

a) The Mayor may, at any time, summon a Committee of the Whole Working Meeting on 48 hours written notice to the Members.

b) The meeting will be held in the Council Chambers at the Town Hall or any other location and/or time designated by the Mayor or Council for such purpose.

c) Notice

Refer to Section 7 – Notice of Meetings

d) Preparation of Committee of the Whole Working Meeting Agenda

Prior to a Committee of the Whole Working Meeting, the Clerk, under the supervision of the CAO, shall prepare and distribute an agenda of all business to be brought before the Committee.

e) Distribution of Committee of the Whole Working Meeting Agenda

(i) The agenda will be distributed to Members of Council within 48 hours of the meeting.

(ii) As soon as the agenda is published and distributed to Members of Council the agenda will be posted on the Town website and made available to the public.

f) Routine Order of Business on Committee of the Whole Working Meeting Agenda

The order of business for Committee of the Whole Working Meeting shall be:

Confirmation of Agenda
Disclosures of Pecuniary Interest
Items for Discussion
New Business
Adjournment

g) Change in Routine Order of Business on Committee of the Whole Working Meeting Agenda

A change in the order of items listed on the agenda may be permitted by the Chair.

h) Addendum Items to Committee of the Whole Working Meeting Agenda

(i) An item can only be added to the Committee of the Whole Working Meeting Agenda:

1) if it is considered to be time sensitive or

2) requires immediate direction and

it shall require a unanimous vote of the Members present to add the item to the Agenda.

(ii) Any additional information pertaining to an item listed on the Committee of the Whole Working Meeting Agenda shall be considered with the item.

6.9. Meetings – Closed to the Public

a) Council or Committee may move into a Closed Meeting in accordance with Section 239 of the Municipal Act 2001, as amended at any time during the process of a Meeting or may hold a Closed Meeting specifically called for that purpose, if the subject matter being considered is:

(i) The security of the property of the municipality or Local Board;

(ii) Personal matters about an identifiable individual, including municipal or Local Board employees;

(iii) A proposed or pending acquisition or disposition of land by the municipality or Local Board;

(iv) Labour relations or employee negotiations;

(v) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or Local Board;

(vi) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(vii) A matter in respect of which a Council, Board, Committee, or other body may hold a Closed Meeting under another Act;

(viii) Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;

(ix) A trade secret or scientific, technical, commercial, financial, or labour relations information, supplied in confidence to the municipality or Local Board, which, if disclosed, could reasonably be expected to significantly prejudice the competitive position, or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

(x) A trade secret or scientific, technical, commercial, or financial information that belongs to the municipality or Local Board and has monetary value or potential monetary value; or

(xi) A position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or Local Board.

(xii) In addition to the foregoing, a Meeting may be closed to the public in accordance with Section 239(3) of the Municipal Act 2001, as amended if:

1) The subject matter relates to the consideration of 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

2) An ongoing investigation respecting the municipality, a Local Board or a municipally controlled corporation by the Ombudsman appointed under the Ombudsman Act or a Closed Meeting Investigator.

(xiii) Educational or training sessions - A Meeting may be closed to the public in accordance with Section 239(3.1) of the Municipal Act *2001,* as amended if the following conditions are both satisfied:

1) The Meeting is held for the purpose of educating or training the Members and

2) At the Meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee.

b) Closed Meeting – Motion Required

Before holding a Closed Meeting, Council or Committee shall state by motion:

(i) The fact of holding the Closed Meeting and

(ii) The general nature of its subject matter and the specific provision under the Act which permits the Closed Meeting.

(iii) Where the purpose is for education or training, that the meeting be closed to the public pursuant to Section 239(3.1) of the Municipal Act 2001, as amended.

c) Notice

Refer to Section 7 – Notice of Meetings

d) Preparation of Closed Meeting Agenda

A confidential Closed Meeting Agenda will be prepared by the Clerk, under the supervision of the CAO, and distributed to all Members.

e) When Closed Meeting Agenda Not Required

If the majority of Members present during a Meeting decide to move into a Closed Meeting for an item on the Meeting Agenda, no written Closed Meeting Agenda is required.

f) Distribution of Closed Meeting Agenda

(i) The agenda will be distributed to Members of Council on the Wednesday before the meeting or as soon as reasonably possible after the meeting has been called.

(ii) As soon as the agenda is published and distributed to Members of Council, the agenda with the list of agenda items only will be posted on the Town website and made available to the public.

g) Routine Order of Business on Closed Meeting Agenda

The order of business for Closed Meetings shall be:

Confirmation of Agenda
Disclosures of Pecuniary Interest
Determination of Items Requiring Separate Discussion
Adoption of Items Not Requiring Separate Discussion
Items for Discussion
Identification of items to be reported to the Public
Confirming By-law
Adjournment of Closed Meeting

h) Change In Routine Order of Business on Closed Meeting Agendas

A change in the order of items listed on the agenda may be permitted by the Chair.

i) Addendum Items to Closed Meeting Agenda

(i) An item can only be added to the Closed Meeting:

(1) if it is considered to be time sensitive or

(2) requires immediate direction and it shall require a unanimous vote of the Members present to add the item to the Agenda

(ii) Any additional information pertaining to an item listed on the Closed Meeting Agenda shall be considered with the item.

j) Closed Meeting – Reporting

a) Upon coming out of a Closed Meeting during a Council Meeting, the Chair shall verbally report the progress made.

6.10. Emergency Meetings

The Mayor may, at any time, summon an Emergency Meeting of Council or Committee provided that an attempt has been made by the Clerk to notify the Members as soon as possible.

a) Location

Emergency Meetings shall be held in the Council Chambers at the Town Hall or any other location and/or time designated by the Clerk for such purpose and may be held in another municipality.

a) Notice

Refer to Section 7 – Notice of Meetings

6.11. Cancellation of Meetings

a) Cancellation Due to Emergency or Inclement Weather

The Mayor may, due to an emergency or inclement weather, postpone a Meeting.

b) Notice

Refer to Section 7 – Notice of Meetings

c) Cancellation Due to Lack of Quorum

If no quorum is present one-half hour (½) after the time appointed for a meeting of Council or Committee, the Clerk will record the names of the Members present and the meeting shall stand adjourned until the date of the next regular meeting.

6.12. Taping, Televising, Recording and Photographing of Meetings

Meetings which are not closed to the public may be taped, televised, photographed (no flash photography) or otherwise electronically or mechanically recorded provided that:

a) Approval is obtained from the Chair in advance of the meeting.

b) The taping, televising, photographing, or recording of the Meeting is performed only in the designated area.

c) All equipment is operated in a manner which does not interfere with the attendees' ability to hear or view the proceedings of the Meeting.

d) It does not interfere with the Town's computer and/or audio/video systems.

6.13. Clerk Present at all Meetings

Pursuant to the Municipal Act 2001, as amended, the Clerk will be present at all Meetings including Closed Meetings.

7. Notice Of Meetings

7.1. Notice to the Public

The Clerk will provide notice to the public of all Meeting agendas, cancellations and rescheduling by:

a) Publishing monthly, the schedule of Meetings on the Town website;

b) Updating the monthly schedule of Meetings posted on the Town website weekly with any changes being made to the schedule;

c) Posting on the Town website the agenda and agenda items for Regular Council and Committee of the Whole & Committee of the Whole Public & Closed Meetings on the Wednesday prior to the meeting or within 48 hours of a Committee of the Whole Working Meeting.

d) Posting on the Town website the agenda and agenda items for Special Council and Special Committee Meetings including Special Closed Meetings as soon as it is possible to do so.

7.2. Notice Content

Notice of Meetings shall include the date, time, and location of the meeting. The agenda for the Meeting constitutes notice of the Meeting.

7.3. Failure to Meet Notice Provisions

Notice, which is substantively given, but which is irregular or not otherwise in strict compliance with this by-law will not invalidate the holding of a Meeting or any action taken at a Meeting.

7.4. Notice of an Emergency Meeting

Notice of an Emergency Meeting need not be in writing and need not be 24 hours in advance of the Meeting, but by contacting each Member of Council who is present in the municipality and verbally advising them of the time and place of the Meeting. The time, date and place of the Meeting will be posted on the Town website.

7.5. Notice of Cancellation of Meetings

Notice of cancellation of a Meeting due to emergency or weather will be given by contacting each Member of Council and verbally advising them and by posting the notice of postponement on the Town website.

8. Quorum

8.1. Quorum Required to Call Meeting to Order

As soon after the hour fixed for the holding of a Meeting at which a quorum is present, the Chair shall call the Meeting to order.

8.2. Quorum is Majority

A majority of the Members are required to be present in person to constitute a quorum (fifty (50) percent plus one (1)). Participation of Members via telephone, and/or any other communication or electronic method is prohibited with the exception, of those circumstances outlined in section 2.1 (g) of this by-law.

8.3. No Quorum

Refer to Subsection 6.11 (c) – “Cancellation Due to Lack of Quorum”.

8.4. Loss of Quorum During Meeting

If a quorum is lost during a Meeting, the Meeting shall stand adjourned for a maximum of one-half hour to try to regain a quorum. If a quorum is not regained, the Meeting shall stand adjourned to the next appointed Meeting time.

8.5. Number to Constitute Quorum – Conflict of Interest

Where the number of Members, who by reason of the Municipal Conflict of Interest Act, are prohibited from participating in a Meeting is such that, at that meeting, the remaining Members are not of sufficient number to constitute a quorum, then the remaining number of Members shall be deemed to constitute a quorum, provided this number is not fewer than two (2).

9. Deputations

9.1. Deputation Decorum

a) No deputant shall:

(i) Speak disrespectfully of any person;

(ii) Use indecent, offensive, or insulting language;

(iii) Speak on any subject other than the subject for which he/she has received approval to address Council or Committee;

(iv) Disobey the Rules of Procedure or a decision of the Chair

(v) Discuss any matters related to personnel matters, litigation, or potential litigation

b) The Chair may limit or terminate any deputation for disorder or any other breach of this by-law.

c) Should the Chair rule that the deputation is concluded, the deputant shall immediately end the deputation and leave the podium.

9.2 Electronic Participation by Members of the Public

a) Requests for electronic participation in a Electronic or Hybrid Meeting are at the discretion of the of the CAO or the Clerk
(i) See section 9.3 and 9.4

b) Only registered participants will be admitted into an electronic or hybrid meeting.

c) If participating electronically, participants shall disable their microphones and cameras (if applicable) until called upon by the Chair to speak. When called upon, participants shall enable their microphone and camera for the duration of the deputation and until after the question and answer period.

9.3. Deputations to Council Meeting

a) Deputations Related to **New Matters**

Deputations relating to new matters, may address Council at a Council Meeting by placing a request to place their name on the Agenda with the Clerk by 4:30 p.m. on the Monday, a week prior to the meeting and such request shall state the nature of the matter to be presented by the spokesperson with the deputation submitting the designated form by the Clerk with a short summary of their deputation, but no more than one 8 ½" x 11" standard sheet of paper.

Deputations relating to New Matters only will be scheduled for a future meeting at the discretion of the Clerk.

(i) Deputation requests meeting the requirements of 9.3a may request to participate electronically in a meeting scheduled to be in person by providing a minimum of 2 business days notice to the Clerk's office in writing and receive confirmation that the request can be accommodated.

(ii) If the meeting is scheduled to be fully electronic, link to the meeting will be provided to the registered email address on the day of the meeting.

b) Deputations Related to **Reports for Information or**, Immediate Consideration Committee of the Whole Working Session Meeting Reports, Communication Items (including petitions)

Deputations may address Council on items listed for consideration, as set out below :

- Communication items (including petitions)
- Reports for Information or Immediate Consideration,
- Working Session Meeting Reports

(i) Deputations may address Council on items listed for consideration without prior notice if participating in person

(ii) Deputations may request to participate electronically in a meeting which is being held in person by providing a minimum of 2 business days notice to the Clerk's office by submitting a Request to Speak Form and receive confirmation that the request can be accommodated.

(iii) Deputations may address Council on items listed for consideration at a meeting which is being held electronically by submitting a Request to Speak Form prior to 12:00 p.m. on the day of the Council Meeting

c) Deputations to Council Meeting **Related to Committee Items**

(i) Deputations to Council relating to matters with regard to Committee Report Items can only be made if the Deputation is to provide new information to Council and such request shall state the nature of the matter to be presented by the spokesperson with the deputation submitting the designated form by the Clerk with a short summary of their deputation, but no more than one 8 ½" x 11" standard sheet of paper.

(ii) Deputations are required to file a written summary of the new information with the Clerk by noon on the day of the Council Meeting and a unanimous vote of the Members present is required prior to the deputation proceeding.

1) Electronic Participation
See Section 9.3 b) (i) and (ii)

d) Statutory Hearing

Deputations relating to matters requiring a statutory hearing may address Council at a Council meeting.

e) Time Allotted for Deputations

Deputations, other than in respect of statutory hearings, shall be limited in speaking to not more than seven (7) minutes.

f) Deputation Representation

Any deputation on behalf of an organization, including any corporation, association or on behalf of any group shall be made by a single representative.

g) Previous Deputation

Any deputation that has addressed Council previously on an item shall require a two-thirds vote of the Members present at the meeting to make a subsequent deputation on the same item if it is within a one (1) year period.

h) Number of Deputations

Members will entertain up to three (3) deputations per meeting and if, due to timing, the Clerk at his/her discretion deems that more deputations may be appropriate, additional deputations may be placed on an agenda.

i) Audio Visual Equipment

(i) Specific types of audio visual equipment may be used to assist in deputations to Council.

(ii) The deputant shall advise the Clerk that audio visual equipment will be needed and shall provide to the Clerk the deputation material in an electronic format by 4:30 p.m. on the Friday prior to the meeting date.

j) Deputation requests concerning Boards or Committees of Council must make a deputation to the Board prior to proceeding to a Council Deputation. If this requirement is not met, Council may add the deputation to the agenda by a unanimous vote of the members present

k) Deputations must only be for items that are within the jurisdiction of Council.

9.4. Deputations to **Committee Meeting**

(a) Deputations may address Committee on any item listed on the agenda without prior notice if participating in person.

(i) Deputations may request to participate electronically in a meeting scheduled to be in person by providing a minimum of 2 business days notice to the Clerk's office in writing and receive confirmation that the request can be accommodated.

(ii) Deputations may address Committee on any item listed on the agenda which is being held electronically by submitting a Request to Speak at Committee of the Whole prior to 12:00 p.m. on the day of the Committee of the Whole Meeting.

(iii) Notwithstanding the above provisions, deputations at Committee of the Whole Working Meetings will not permitted.

(b) Statutory Hearing

Deputations relating to matters requiring a statutory hearing may address Committee.

(c) Time

(i) Deputations shall be limited in speaking to not more than seven (7) minutes.

(ii) Deputations requiring a statutory hearing may not speak more than seven (7) minutes but, may address Committee more than once in the meeting.

(d) Deputation Representation
See Section 9.2 (f)

(e) Audio Visual Equipment
See Section 9.2 (i)

10. Record Of Meetings

a) The Clerk is hereby authorized to make such minor deletions, additions, or other changes in form to any minutes, Committee reports and/or by-laws 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 minutes, Committee reports and/or by-laws

b) The Clerk will record the minutes of the meeting without note or comment.

10.1 Council Minutes

(a) The Clerk will record:

(i) The place, date, and time

(ii) The record of attendance or absence of the Members

(iii) Declarations of pecuniary interest by any Members

(iv) The reading, if requested, correction and adoption of

the minutes of prior meetings

(v) Names of all Deputations appearing before Council

(vi) All motions and decisions

(vii) All other proceedings of the meeting

(viii) Minutes of each Council Meeting shall be presented to the subsequent Council Meeting for approval and/or correction.

10.2 Reports to Council from Committee

a) Committees shall report to Council on all matters connected with their duties or referred to them by Council and shall recommend such action as they deem necessary or appropriate.

b) The record of the proceedings of the Committees shall be prepared in the form of a report to Council and shall contain:

(i) Beginning and end time of meeting

(ii) Members present

(iii) Declarations of pecuniary interest by any Members

(iv) A record of each item before the Committee for consideration

(v) Recommendations to Council on each item before the Committee for consideration

(vi) Where no recommendation has been reached, the item will be forwarded to Council without a recommendation

(vii) Names of all Deputations appearing before Committee.

10.3 Closed Meeting - Report

a) The Clerk will record in the Report of the meeting the reason for the Closed Meeting.

b) The Closed Meeting Report will be in the same form as noted in section 10.2 (b).

10.4 Livestreaming and recording of meetings

a) All Council and Committee of the Whole meetings may be audio and/or visually recorded, broadcast and/or streamed publicly by the Town, with the exception of proceedings closed to the public

b) In the event the live stream fails to broadcast, the meeting will continue as long as quorum has been maintained

c) The minutes of the meeting shall be recorded by the Clerk and will form the official record of the meeting

11. Rules Of Debate

a) Every Member, prior to speaking to any motion, shall first be recognized by the Chair.

b) When a Member is speaking, no other Member shall pass between him/her and the Chair or interrupt him/her except to raise a Point of Order or Personal Privilege.

c) Any Member may require the motion under discussion to be read at any time during the debate, but not so as to interrupt a Member while speaking.

d) Any Member may speak initially on a motion for a maximum of five (5) minutes followed by any other Member, including the mover of the motion wishing to speak a second time for a further five (5) minutes. The mover may reserve the right to be the last speaker on a motion.

e) When a Member has been recognized as the next speaker, then immediately before speaking such Member may ask a question of the Chair on the matter under discussion, but only for the purpose of obtaining information, following which the Member shall speak to the motion.

12. Voting

Unless otherwise specified within this by-law, or by statute, a motion shall be deemed carried with a majority vote.

12.1 Motions

a) The Chair may not move or second any motion but shall vote on a motion.

b) The Chair may appoint a Member to preside in his/her place and vacate the chair in order to move or second a motion. The Chair shall resume the chair following the vote on the matter.

c) A Member may move a motion in order to initiate discussion and debate and that Member may vote in opposition of the motion.

d) A seconder of a motion may vote against the motion.

e) Every motion shall be read aloud and when duly moved and seconded shall be open to discussion

f) The vote on a motion may only be called after each Member who wished to speak has spoken once.

g) One or more report items and/or by-laws on a Meeting agenda may be adopted in a single motion.

h) All motions at Regular Council Meetings shall be voted on electronically and in accordance with Section 12.2.

i) Every by-law presented to Council shall have three readings in a single motion and shall be given first, second and third reading at one meeting unless required to the contrary, to comply with the provisions of any Act or statutory procedure.

j) When the Chair calls for a vote on a motion, each Member

shall occupy his/her seat and shall remain in his/her seat until the result of the vote has been declared by the Chair.

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

l) Upon the request by any Member, and when the Chair is satisfied that a motion under consideration contains distinct proposals, the vote upon each proposal shall be taken separately.

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

n) In considering unrecorded votes, the manner of determining the decision of the Council on a motion shall be at the discretion of the Chair and may be by voice, show of hands, standing or otherwise.

o) Members must be in attendance in person at a Meeting in order to vote except for those circumstances outlined in Section 2.1.(g) of this by-law.

p) Voting at a Meeting by proxy is prohibited.

q) Every Member present at a Meeting when a motion is put shall vote thereon unless prohibited by statute, in which case it shall be so recorded.

r) Each Member present and voting shall announce or indicate his/her vote upon the motion or by-law openly and individually and no vote shall be taken by ballot or any other method of secret voting.

s) If any Member at a Meeting when a motion is put does not vote, he/she shall be deemed as voting in the negative except when the Member is prohibited from voting by statute and shall be recorded as abstained.

t) When a vote is taken, the order of the vote shall, unless otherwise decided by Council, be as follows:

(i) A motion to defer
(ii) A motion to refer
(iii) A motion to amend in the reverse order of presentation, dealing with an amendment to an amendment immediately before the amendment it proposes to amend
(iv) The motion or amended motion if any amendments were made

u) Items on the Agenda not referred, deferred, or otherwise disposed of by Council shall not reappear on an agenda unless by direction of Council or the CAO.

v) Notwithstanding section (s) above, a motion to defer a matter that has been previously deferred shall require a unanimous vote of Council.

w) A motion to refer a matter to staff shall include the reasons for the referral.

x) Where a matter has been tabled, it may not be discussed until the Clerk or a Member through a Member's Request brings the matter forward to a subsequent meeting.

y) If a Member disagrees with the announcement of the Chair that a question is carried or lost, he/she may, but only immediately after the declaration by the Chair, object to the Chair's declaration and request that the vote be retaken.

z) If there is an equality of votes on any motion, the vote shall be deemed to be lost, except where otherwise provided by any Act.

12.2 Recorded Votes

a) There shall be no recorded vote at any Committee Meetings.

b) A request by a Member for a recorded vote shall be made immediately prior to the commencement of the vote being taken.

c) When a recorded vote is requested by a Member or is otherwise required, the Clerk will ask those Members not disqualified from voting by any Act, to vote electronically. The results will be announced by the Clerk and recorded in the meeting minutes.

Should electronic voting be unavailable for any reason, and a recorded vote is requested by a Member or is otherwise required, the Clerk will ask those Members not disqualified from voting by any Act, in favour to vote, then those opposed to vote. The Clerk will record the names of those who voted for and those who voted against the matter in the minutes and announce the result.

12.3 Electronic Votes

a) The meeting management system for voting electronically will be utilized at all Regular and Special Council Meetings.

b) Should electronic voting be unavailable for any reason, the motion shall be voted on by show of hands.

c) If while utilizing electronic voting, a Member disagrees with the announcement of the results of the electronic voting by the Chair, the Member may object immediately to the declared outcome and require that the vote be retaken. The Clerk will clear the votes within the meeting management system and resend for the vote.

d) Meeting minutes will only include recorded vote results by Members.

12.4 Closed Meeting Votes

Pursuant to the Municipal Act 2001, as amended, a Meeting shall not be closed to the public during the taking of a vote except if:

(a) Subsection 6.9(a) permits or requires a Meeting to be closed to the public; and

(b) The vote is for a procedural matter or for giving directions or

instructions to officers, staff or agents of the Town, Board or Committee of either of them or persons retained by or under contract with the municipality or Board.

12.5 Unanimous Vote Required for Motions

(a) Agenda Addendum Items

(i) An item which is not on the agenda of a Regular Council Meeting as printed, shall require a unanimous vote of the Members present to be added to the agenda as per section 6.3(h)(i) of this by-law.

(ii) An item can only be added to a Committee of the Whole Meeting, Committee of the Whole Public Meeting, Committee of the Whole Working Meeting and Closed Meeting Agenda

1) if it is considered to be time sensitive, or

2) requires immediate direction, and

it shall require a unanimous vote of the Members present to be added to the agenda as per sections 6.5(i), 6.7(g)(i), 6.8(h)(i), 6.9(i)(i) of this by-law.

(b) Motion to Defer

The merits of why a matter should be deferred may be debated but the item shall not be discussed.

A motion to defer a matter that has been previously deferred shall require a unanimous vote of Council.

(c) Deputations to Council Meeting Related to Committee Items

(i) Deputations to Council relating to matters with regard to Committee Report Items can only be made if the Deputation is to provide new information to Council. A written summary identifying the new information is to be filed with the Clerk by noon on the day of the Council meeting and a unanimous vote of the Members present is required prior to the deputation proceeding as per section 9.2(c) of this by-law. What constitutes new information shall be determined by the Clerk and/or CAO whose decision is final and binding

(d) Late Arrival

If a Member arrives late at a Meeting, any prior discussion shall not be reviewed without the unanimous consent of all Members present as per section 4(d) of this by-law.

12.6 Two-Thirds Vote Required for Motions

a) Suspend Rules of Procedure

The rules and regulations contained herein may be suspended by a two-thirds vote of the Members present at the Meeting, provided that such rule or regulation is not prescribed by statue or requires a unanimous vote as per section 2.1(d) of this by-law.

b) Previous Deputation

Any deputation that has addressed Council previously on an item shall require a two-thirds vote of the Members present at the Meeting to make a subsequent deputation on the same item if it is within a one (1) year period as per Section 9.2(g) of this by-law.

c) Reconsideration

See Section 13 of this by-law.

13. Reconsideration

If a matter has been previously considered, it shall not be reconsidered by such body within the next four of its regular meetings after the Meeting at which the decision was made, without the consent of at least two-thirds of the Members present.

Reconsideration is not applicable if there has been significant changes made to the original proposal. The determination of significant changes shall be made by the Clerk in consultation with the CAO.

14. Confirming By-law

The proceedings at Regular and Special Council Meetings shall be confirmed by by-law so that every decision of Council at that meeting and every motion thereof shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.

15. Special Committees

a) Council may, at any time, appoint a Special Committee to enquire into and report on any matter.

b) Members appointed to Special Committees shall be determined by Council.