



Staff Report

Administration

Report To: Committee of the Whole
Meeting Date: September 16, 2019
Report Number: FAF.19.159
Subject: Follow-up to Public Meeting to Receive Comments on Procedural By-law 2018-20
Prepared by: Corrina Giles, Town Clerk

A. Recommendations

THAT Council receive Staff Report FAF.19.159, entitled "Follow-up to Public Meeting to Receive Comments on Procedural By-law 2018-20";

AND THAT Council provide further direction to staff as requested in this report, and direct staff to provide Council with a second draft Procedural By-law for review and consideration at the October 7, 2019 Committee of the Whole meeting.

B. Overview

This Staff Report provides a follow-up to the Public Meeting held on August 26, 2019 where Council received comments regarding the proposed changes to Procedural By-law 2018-20.

C. Background

At the July 15, 2019 Council Meeting, Council adopted the following motion:

THAT Council receive Staff Report FAF.19.120, entitled "Draft Procedural By-law for Council Consideration before Proceeding to Public Meeting";

AND THAT Council direct staff to proceed to a Public Meeting to receive comments regarding the draft Procedural By-law, as attached to the within staff report, **CARRIED**.

D. Analysis

At the August 26, 2019 Public Meeting, comments were received from one member of the public, and additional comments were received from Council. The comments are listed below for further discussion and direction from Council:

1. Substantive amendments to notices of motion shall not be permitted. Staff recommend that paragraph 17 of the current Procedural By-law read as follows:

A member may introduce a notice of motion directly to a Council or Committee of the Whole meeting, following which a copy of the motion shall be filed with the Clerk and the motion shall form part of the next Council Agenda for discussion. Following such notice there shall be no debate or discussion on the motion until it is contained in an Agenda or unless agreed upon by a vote of a majority of the members present.

At the next Council meeting, the notice of motion will be treated as any other motion, requiring a Mover and Seconder for the Motion to be put before Council. Substantive amendments to the notice of motion as provided by the member, shall not be permitted.

2. There shall be no substantive differences in the Code of Conduct rules for Council and Committee members.

Staff confirm that the Council Code of Conduct is currently being updated, and that a Committee Code of Conduct is being prepared. Staff confirm that the Town's Integrity Commissioner will provide comments on the Codes of Conduct as they are being developed. A Code of Conduct specific to local boards and advisory committees has been developed and will be provided to Council for review and approval this fall.

3. Council Meeting Cycle, Council Meeting start time and Committee of the Whole Meeting schedule. There is no opportunity in the draft Procedural By-law to allow a Council Meeting to commence before 5:00 pm.

Staff recommend that paragraph 3.2 of the current Procedural By-law be revised to include that when required, the Clerk, in consultation with the Mayor, has the authority to schedule the Council Meeting at a time other than the regular start time of 5:00 pm

Staff recommend that the Committee of the Whole Agenda be organized with Finance, Administration, Enforcement Services, Community Services and Operations matters commencing at 9:00 am. Planning and Development Services matters will commence at 1:00 pm.

Meeting Cycle – continue with Option #2, being a Two-Week Rotation commencing January 2020:

Week 1: Monday Council Meeting with Public Meetings at 5:00 pm, Regular portion of the Council Meeting to commence at 7:00 pm

NOTE: When required, the Clerk, in consultation with the Mayor, has the authority to schedule the Council Meeting at a time other than the regular start time of 5:00 pm

Week 1: Tuesday, Committee of the Whole, commencing at 9:00 am.

- Finance, Administration, Enforcement and Fire Reports
- Community Services and Operations Reports

Tuesday, Committee of the Whole, commencing at 1:00 pm

- Planning and Development Services Reports

NOTE: Any matters not considered within the allotted time will be included on the next regularly scheduled Committee of the Whole meeting for consideration.

Week 2: No meeting

When Council Meetings fall on a Statutory Holiday, the Council Meeting will be rescheduled for the Tuesday immediately after the Statutory Holiday, and will commence at 9:00 am. The Committee of the Whole meeting scheduled for the Tuesday will then commence following the rescheduled Council Meeting. Note, this situation occurs on May 18, 2020 and September 7, 2020.

4. Public Meeting Structure. It was suggested that the public should have an opportunity to speak twice at a public meeting, with both opportunities time limited. Three minutes shall be available the first time, with one additional minute for the second opportunity.

Council direction required: Staff are seeking Council direction as follows:

- a) whether a time limit for each person commenting at a Public Meeting should be implemented, and if so, how much time; and
 - b) whether a second opportunity to provide comment should be provided to each person commenting at a public meeting, and if so, should the time be limited.
5. Electronic Participation of Council Members. It is suggested that should the Mayor deem that an emergency special meeting be called, that it may not be possible to achieve a quorum for the meeting, and that electronic participation should be permitted during these instances in order to achieve quorum.

Staff have communicated with the Acting Fire Chief to determine if an emergency situation arises within the Town of The Blue Mountains, if there would be a requirement for an emergency Special Meeting of Council to be called. The Acting Fire Chief confirms that in the event of an emergency, that the Mayor, Deputy Mayor or designated Council member will sign the emergency declaration with Emergency Management Ontario, and that Council is not required to meet prior to the declaration.

6. Council Member Attendance – It is suggested that the Council Member Attendance be expanded to note that if a member leaves a meeting, that the departure from the meeting will also be included in the minutes. Staff recommend that paragraph 9.1d) and 9.2d) of the current Procedural By-law read as follows:

Council Member Attendance– if a member cannot be present at a meeting, they must notify the Clerk in advance of the meeting stating the general reason for the absence. The Clerk shall note the general reason for the absence during the Council Member Attendance section of the meeting and will record the same in the minutes.

If a member leaves a meeting, the departure will be included in the minutes. Council attendance records will be posted on the Town website.

7. Public Comment Period – it is recommended that a public comment period should be included at the commencement and at the end of each section of the Committee of the Whole meeting. It is also recommended that the public should have an opportunity to comment on staff recommendations following a public meeting.

Staff recommend that paragraph 9.1j) be revised to read:

Public Comment Period – as referred to in Section 13 of this By-law. Ten minutes is allotted at the beginning and end of each section of the Committee of the Whole Meeting to receive public comments regarding matters included on the Agenda. (NOTE: Comments may be provided regarding staff recommendations contained in staff reports that are a follow-up to a Public Meeting, it being noted that the commenting period has ended.)

8. Deputations and the inclusion of a countdown clock. It was recommended that a countdown clock be used to alert a speaker when they have one minute remaining to address Council.
9. Recorded Votes – should include reference that a member may abstain from voting.

Staff recommend that paragraph 16.8 be revised to read as follows:

All votes of Council and the Committee of the Whole shall be recorded, and each Member present, except a Member who is prohibited from voting by any Act, shall announce his or her vote openly or record it by electronic means and the vote shall be recorded by the Clerk, with the Chair voting last. If a Member present abstains and does not vote when a question is put, the Member shall be deemed to have voted in the negative except where prohibited by any Act.

10. Draft Minutes should be made available within one week after a meeting.

Staff confirm that Council/Committee minutes are prepared following each meeting, and are included in the next Council/Committee package for review by Council/Committee for consideration at the next meeting. Once adopted, the minutes are posted to the website. It could prove problematic if draft minutes are released that may contain an error and are being relied upon. Staff recommend continuing with the current practice of posting the adopted minutes to the website, once approved.

11. Committee Reporting to Council – It was recommended that a mechanism with another set of rules that deals with Committees is necessary. An appendix should be incorporated into the Procedural By-law noting that the Committees exist and under the consent of Council and the CAO that modifications that may be necessary to align the Committees with the Council can proceed in a manner and can be codified there on an adjustable basis without having to go through public meetings and consent. It is an administrative situation.

Staff confirm that a Committees of Council Procedural By-law is being drafted that will respond to the above comment.

12. Committees of Council – It was noted that the Committees of Council meet monthly, and it was questioned what will be assigned to Committees and what is their role. It was questioned if the Committee of Council matters will proceed through the Committee of the Whole for recommendation to Council. It was noted that there is support to move matters forward in a more expeditious manner, but the Committees of Council have created another level, and this has to be taken into consideration.

In response to the above comment, Staff recommend that a Committee of Council Report that includes the recommendations from each respective Committee of Council will be prepared following each Committee of Council meeting, and that the Committee of Council Report will be included on the following Committee of the Whole Agenda for consideration and recommendation to Council. It is recognized that the timing may be prolonged as the Committees of Council have created another level, but the new tightened meeting schedule should reduce any lag time.

Council direction required: Staff are requesting Council direction as to whether the Committees of Council are to report through the Committee of the Whole, or directly to Council. Once this direction is received, the details will be included in the draft Procedural By-law.

13. As the number of correspondences from municipalities seeking support increases, staff recommend the following inclusion in the Procedural By-law to reduce the number of correspondences included on an Agenda. A new paragraph 12.4 as written below is recommended to be included in the draft Procedural By-law:

Correspondence received by the Clerk from municipalities seeking support will be emailed to Council and the Senior Management Team for review, and shall be deemed to have been received by Council. Upon review of the correspondence, any Member of Council or of the Senior Management Team may request that the correspondence be included on the next Council Agenda for Council consideration.

Because of the number of changes proposed, and that Council direction is sought on a number of the items listed above, Staff recommend that another Public Meeting is scheduled to receive comments on the draft Procedural By-law. Staff are also recommending that Council consider waiving the provisions of the Notice Policy as it relates to the notice of Public Meeting as few comments were received in response to the first Public Meeting. The proposed timeline is as follows:

- October 7, 2019 Committee of the Whole Meeting – Staff to provide Council with a second draft Procedural By-law for review
- October 21, 2019 Council Meeting– Council will approve the second draft Procedural By-law and will provide direction to staff to proceed to a second Public Meeting to receive comments on the second draft Procedural By-law. Council will waive the provisions of the Town’s Notice Policy to allow the Public Meeting to receive comments on the draft Procedural By-law to proceed on October 28, 2019, with possible consideration of adoption of the Procedural By-law on November 13, 2019.
- October 28, 2019 Committee of the Whole Meeting– Public Meeting to receive comments on the draft Procedural By-law.
- November 13, 2019 Council Meeting – Council may consider adoption of the Procedural By-law

E. The Blue Mountains Strategic Plan

Goal #2: Engage Our Communities & Partners

Objective #1 Improve External Communication with our Constituents

Goal #4: Promote a Culture of Organizational & Operational Excellence

Objective #5 Constantly Identify Opportunities to Improve Efficiencies and Effectiveness

F. Environmental Impacts

N/A

G. Financial Impact

N/A

H. In consultation with

1. Shawn Everitt, Chief Administrative Officer
2. Revisions to the Procedural By-law recommended by Council Members
3. Public comments received at the August 26, 2019 Public Meeting

I. Public Engagement

The topic of this Staff Report has been subject to a Public Meeting which took place on August 26, 2019. As additional revisions to the draft Procedural By-law are requested, an additional Public Meeting is recommended to receive comments. Those who provided comments at the Public Meeting, including anyone who has asked to receive notice regarding this matter, has been provided notice of this Staff Report.

J. Attached

1. Draft Procedural By-law 2018-20 considered at the August 26, 2019 Committee of the Whole meeting
2. Comments received at the August 26, 2019 Public Meeting

Respectfully Submitted,

Corrina Giles
Town Clerk

Shawn Everitt
Chief Administrative Officer

For more information, please contact:
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The Corporation of the Town of The Blue Mountains

By-Law Number 2019-

Being a By-law for governing the calling, place and proceedings of meetings of the Municipal Council for the Town of The Blue Mountains

Whereas *Municipal Act, 2001, S.O. 2001, c. 25*, section 238, requires that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

And Whereas Council deems it expedient to pass such a by-law;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1.0 DEFINITIONS:

1. "ALTERNATE COUNCIL MEMBER" shall mean the council member appointed by Council of the Town of The Blue Mountains to attend Grey County Council Meetings in the place of the Mayor or Deputy Mayor of the Town of The Blue Mountains, when the Mayor or Deputy Mayor is unable to attend a Grey County Council/Committee of the Whole meeting for any reason. Such appointment shall be for the entire term of council.
2. "COUNCIL" means the elected and sworn members of the Council of the Town of The Blue Mountains.
3. "HEAD OF COUNCIL" means the Mayor.
4. "ACTING HEAD OF COUNCIL" shall first mean the Deputy Mayor and secondly another designate selected from time to time solely by the Mayor, who shall act in the Absence of the Mayor or Deputy Mayor. The Acting Head of Council will assume certain duties of the Head of Council outlined in Section 6 for the duration requested by the Head of Council. Notice of the delegation will be provided to the Clerk
5. "CLERK" shall mean the Clerk of The Corporation of the Town of The Blue Mountains or his/her designate who shall have all the powers and duties of the Clerk under the *Municipal Act, 2001* and every other Act.
6. "CLOSED SESSION" shall mean closed to the public as defined in Subsection 4.2 of this By-law.
7. "COMMITTEE OF THE WHOLE" shall mean a meeting of Council in Committee format for discussion purposes.
8. "COMMITTEE" means any advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also members of one or more Councils or local boards
9. "COMMITTEE CHAIR" means the Chairperson of any committee and the Committee Chair shall have the same powers during a Committee Meeting of Council as Head of Council during Council Meetings whether or not the Chair is a voting member.
10. "CONFLICT OF INTEREST" means a pecuniary interest as defined in the *Municipal Conflict of Interest Act*.
11. "LOCAL BOARD" means a local board established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities but does not include The Blue Mountains Police Services Board or The Blue Mountains Public Library Board, a school board, a hospital board or a conservation authority.

12. "MEETING" shall mean any regular, special or other scheduled meeting of a Council, Local Board or of a Committee where:
 - a. a quorum of members is present; and
 - b. members deal with any matter in a way that materially advances the business or decision making of the council, local board or committee; and
 - c. the Clerk or another designated record keeping person is present to record such material advances of the business or decision making of the Council, Local Board or Committee.

For the purposes of clarity, it is not intended that a meeting of Council, Local Board or Committee shall automatically occur because a quorum of the members is present at a particular location.

13. "QUORUM" shall mean 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*, the quorum may be less than half plus one of the whole number of members but shall not be less than two.
14. "REGISTRY" means a Registry maintained by the municipality for the purposes of documenting every written statement of pecuniary interest, direct or indirect, in any matter, and includes a copy of each statement filed with the Clerk and a copy of each declaration recorded. The Registry shall be available for public inspection in the manner and during the time that the municipality or local board, as the case may be, may determine.

2.0 INTENT OF BY-LAW

1. The rules and regulations hereinafter provided shall govern the proceedings of the Council and the Committees and Local Boards thereof. Any part or parts of this By-law may be suspended if agreed upon by a majority of the Members present unless the part or parts is prescribed by statute or law.
2. All Points of Order of procedure not provided for in these Rules shall be decided in accordance with Robert's Rules of Order and the Mayor shall submit the ruling without debate.

3.0 LOCATIONS, MEETING TIMES AND NOTICE

1. The First or Inaugural Meeting of the Council of a local municipality for regular elections following the **2022** regular election and subsequent elections, shall be held on the first Monday following November 15, at 11:00 a.m., in the Town of The Blue Mountains Council Chamber.
2. Commencing January, 2020, Council shall have Committee of the Whole and Council meetings on a two-week rotation, as follows:
 - Week 1, Monday Council Meeting with Public Meetings at 5:00 pm. Regular portion of the Council Meeting to commence at 7:00 pm
 - Week 1, Tuesday Committee of the of the Whole commencing at 9:00 am.
 - Week 2, No meeting

The above meetings shall be held in the Council Chamber or other designated location. When Council Meetings fall on a Statutory Holiday, the Council Meeting will be scheduled for the Tuesday immediately after the Statutory Holiday, and will commence at 9:00 am. The Committee of the Whole meeting scheduled for the Tuesday will then commence following the rescheduled Council Meeting.

3. Notice of Council Meetings, Committee and Local Board Meetings shall be given by publication of future meetings in previous Agendas and posting of Meeting Agendas on the Town website prior to the meeting and by publication of Council and Committee and Local Board Meetings in local newspapers having general circulation in the area. In the case of Special Meetings called in accordance with Section 5.0 of this By-law, notice shall be given by posting of the Agenda on the Town website as soon as is practicable after notice of the Special Meeting has been given and any other notification that is permitted within the timeframe.

4.0 MEETINGS OF COUNCIL

1. At the hour appointed, when a quorum is present, the Mayor shall call Council to order and if a quorum is not present within fifteen (15) minutes after the hour appointed the meeting shall be cancelled.
2. All meetings shall be open to the public, but a meeting, or part of a meeting may be closed to the public if the subject matter being considered is:
 - a) the security of the property of the municipality or local board;
 - b) personal matters about an identifiable individual, including municipal or local board employees;
 - c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - d) labour relations or employee negotiations;
 - e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
 - i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value;
 - k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board;
 - l) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act;

- m) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of the *Municipal Act*, or the investigator referred to in subsection 239.2 (1) of the *Municipal Act*;
 - n) the meeting is held for the purpose of educating or training the members, and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
3. All votes of Council shall be open to the public except those votes taken during a meeting or part thereof that is closed to the public in accordance with Section 4.2 of this By-law and if said vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Town, Committee or Local Board or persons retained by or under contract with the Town, Committee or local board or to rise from closed session.
 4. Before holding a meeting or part of a meeting that is to be closed to the public, Council or a Committee or a Local Board shall state by Resolution the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting.
 5. Reporting Out Statement - Upon returning to open session from a Closed Session, Council or Committee shall issue a statement confirming the general nature of the business conducted in Closed Session. The reporting out statement shall be included in the open session minutes.
 6. With the exception of the Inaugural Session, no person but a member of Council or support staff shall be allowed to approach Council during a Session of Council without the permission of the Mayor or Council or unless given deputation status as described in Section 13, or to speak in a Public Comment Period as described in Section 13.
 7. Every meeting of Council shall be deemed to be adjourned at the hour of 11:00 p.m. save and except with the unanimous consent of Council.
 8. The Head of Council or the Chair of a Committee, prior to a regularly scheduled meeting, may cancel the meeting due to inclement weather, a matter of respect or a lack of corporate business requiring immediate attention. In the event of a cancelled statutory public meeting, Staff shall make every effort to give notice of the cancellation to interested parties and the public as soon as it practicable via telephone, email, the Town website, radio and/or any other method, as well as the date of rescheduling, if known.
 9. Council, Committee of the Whole and Committee Meetings held in the Council Chamber, that are not closed to the public, may be recorded for the purpose of webcasting the meetings to the public. Inability to record a meeting will not prohibit the meeting from commencing or continuing. The official minutes of a meeting, shall be the minutes as adopted by Council, Committee of the Whole or Committee, and retained in the Clerks Department.
 10. Closed Sessions shall be recorded and securely archived so that a digital record is available should it be required by the Closed Meeting Investigator or Integrity Commissioner. Inability to record a meeting will not prohibit the meeting from commencing or continuing. The official minutes of the closed session meeting shall be the minutes as adopted by Council, and retained in the Clerks Department. The Council members that participated in the Closed Session are permitted to view the Closed Session Video Recording in the presence of the Clerk.

11. All communication devices shall be switched to “silent” upon entering the location of any Council or Committee of the Whole Meeting.
12. During meetings that are closed to the public, no member of Council or staff (with the exception of the Clerk, or her designate) shall be permitted to have in their possession, any cell phone or electronic device that has the ability to record.
13. Electronic participation – Members may participate at Council and Committee meetings electronically, subject to an electronic participation policy, and where infrastructure is available.

5.0 SPECIAL MEETINGS OF COUNCIL

1. The Mayor shall if requested in writing by any three members of Council call a special meeting of Council other than as described in Section 3.0 of this By-law.
2. The Mayor may call a special meeting other than as described in Section 3.0 of this By-law to deal with a matter which is deemed to require immediate action. Notice of such a special meeting shall be given by contacting each member of Council and verbally advising them of the time and place of the meeting, or notice may be given in writing or via voice recording or via e-mail message.
3. Special meetings require minimum notice of one clear day unless otherwise agreed to by a majority of members to the satisfaction of the Clerk.
4. At special meetings of Council, no financial decisions shall be made or incurred, unless the same shall be referred to in the notice calling the meeting.

6.0 ROLE OF THE MAYOR

1. It is the role of the Mayor as the Head of Council:
 - a) to act as Chief Executive Officer of the municipality;
 - b) to preside over council meetings so that its business can be carried out efficiently and effectively;
 - c) to provide leadership to the council;
 - c.1) without limiting clause (c) above, to provide information and recommendations to the council with respect to the role of council described in paragraph 7.1(d) and (d.1) below);
 - d) to represent the municipality at official functions; and
 - e) to carry out the duties of the head of council under the Municipal Act or any other Act; and
 - f) to provide overall leadership to the Community Control Group in responding to an emergency as detailed in the Emergency Response Plan for the Town of The Blue Mountains.
2. As Chief Executive Officer of a municipality, the Head of Council shall,
 - 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.

7.0 ROLE OF COUNCIL

1. It is the role of Council:
 - 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;
 - d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
 - e) to maintain the financial integrity of the municipality; and
 - f) to carry out the duties of council under the Municipal Act or any other Act.

8.0 CONDUCT OF MEMBERS

1. Every member, prior to speaking, shall address the Chair, shall confine his/her remarks to the question and shall not use any indecorous or offensive language and shall avoid personalities.
2. Should more than any one member at one time wish to address the Chair, the Chair shall name the member who is to speak first.
3. The Chair may allow for a free and organized discussion at the meeting, however, in the event of a need to manage the meeting time or agenda items, the Chair shall declare that no person other than the one proposing a question (who shall have leave to reply) shall speak more than once without leave of the Chair, unless it is to explain their remarks which have been misunderstood, and then the member shall not introduce any new matter.
4. No person other than the one proposing a question (who shall have leave to reply) shall speak more than once without leave of the Chair, unless it is to explain their remarks which have been misunderstood, and then the member shall not introduce any new matter.
5. The Chair may call a member to order while speaking, whereupon the member called to order shall be silent on the matter and shall not further speak until the point of order is determined, unless it be to appeal the decision of the Chair.
6. When the Chair is putting a question, no member shall walk out of, or across the Council Chamber, nor when a Member is speaking shall any other member hold discourse or interrupt the speaker except to a question of order, nor pass between the speaker and the Chair.

9.0 AGENDA

1. The **Committee of the Whole** order of business shall be as follows:
 - a) Meeting called to order
 - b) Traditional Territory Acknowledgment – “We would like to begin our meeting by recognizing the First Nations, Metis and Inuit peoples of Canada as traditional stewards of the land. The municipality is located within the boundary of Treaty 18 region of 1818 which is the traditional land of the Anishnaabek, Haudenosaunee and Wendot-Wyandot-Wyandotte peoples.”
 - c) Moment of Reflection

- d) Council Member Attendance– if a member cannot be present at a meeting, they must notify the Clerk in advance of the meeting stating the general reason for the absence. The Clerk shall note the general reason for the absence during the Council Member Attendance section of the meeting and will record the same in the minutes. Council attendance records will be posted on the Town website.
- e) Approval of Agenda
- f) Declaration of Conflict of Interest – as defined in the *Municipal Conflict of Interest Act*. Where a member, either on his or her own behalf or while acting for, by, or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of the consideration, the member:
 - i) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - ii) shall, at the meeting or as soon as possible afterwards, file a written statement of the interest and its general nature with the clerk of the municipality or local board, for inclusion on the Registry;
 - iii) may take part in the discussion of, but not vote on any question in respect of the matter if the matter is related to the consideration of a penalty to the member under Section 223.4(5) or (6) of the *Municipal Act*;
 - iv) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question;
 - v) where the meeting is closed to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration;
 - vi) where the interest of a member has not been disclosed by reason of the member’s absence from the meeting referred to therein, the member shall disclose the interest at the next meeting of the council or local board, as the case may be, attended by the member.
- g) Adoption of Previous Minutes
- h) Staff Reports – staff reports will be compiled as follows for consideration by the Committee of the Whole and recommendation to Council:
 - i) Finance, Administration, Enforcement & Fire Services
 - ii) Community Services and Infrastructure & Public Works
 - iii) Planning & Development Services
- i) Deputations – as referred to in Section 13 of this By-law.
- j) Public Comment Period – as referred to in Section 13 of this By-law. Ten minutes allotted at the beginning and end of each section of the Committee of the Whole Meeting to receive public comments regarding matters included on the Agenda. (NOTE: Comments regarding reports that are a follow-up to a Public Meeting are not permitted as the commenting period has ended.)
- k) New and Unfinished Business - new matters to be raised or matters directed by Council for completion at a previous meeting for presentation at the subject meeting including the giving of Notice of Motion.

- l) Agenda Additions - shall include matters that were not able to be shown on the Agenda on the Wednesday preceding the next regular meeting, but which the Clerk has deemed to be of a status requiring Committee to consider, including Motions for which notice or recommendation has not been given prior to the meeting. As an issue of accountability and transparency and provision of notice, Council and Staff shall make every effort to minimize Agenda Additions.

Agenda Additions will be limited to matters as received in the Clerk's Office no later than 12:00 pm noon on the Friday preceding the next regular meetings and such Additions will be circulated to Council and Staff and shall be posted on the Town's website at that time. Agenda Additions received after this date and time shall be considered at the next regular Council meeting unless they are deemed to be of significant importance to the business of the municipality, at the sole discretion of the Clerk.

- m) Adjournment - a motion to adjourn is always in order and shall be decided upon.

2. The **Council Meeting** order of business shall be as follows:

- a) Meeting called to order
- b) Traditional Territory Acknowledgment – “We would like to begin our meeting by recognizing the First Nations, Metis and Inuit peoples of Canada as traditional stewards of the land. The municipality is located within the boundary of Treaty 18 region of 1818 which is the traditional land of the Anishnaabek, Haudenosaunee and Wendot-Wyandot-Wyandotte peoples.”
- c) Moment of Reflection
- d) Council Member Attendance– if a member cannot be present at a meeting, they must notify the Clerk in advance of the meeting stating the general reason for the absence. The Clerk shall note the general reason for the absence during the Council Member Attendance section of the meeting and will record the same in the minutes. Council attendance records will be posted on the Town website.
- e) Approval of Agenda
- f) Declaration of Conflict of Interest – as defined in the *Municipal Conflict of Interest Act*. Where a member, either on his or her own behalf or while acting for, by, or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of the consideration, the member:
 - i) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - ii) shall, at the meeting or as soon as possible afterwards, file a written statement of the interest and its general nature with the clerk of the municipality or local board, for inclusion on the Registry;
 - iii) may take part in the discussion of, but not vote on any question in respect of the matter if the matter is related to the consideration of a penalty to the member under Section 223.4(5) or (6) of the *Municipal Act*;
 - iv) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question;
 - v) where the meeting is closed to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration;

- vi) where the interest of a member has not been disclosed by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest at the next meeting of the council or local board, as the case may be, attended by the member.
- g) Adoption of Consent Agenda
- h) Adoption of Previous Minutes
- i) Deputations - as referred to in Section 13 of this By-law
- j) Public Comment Period – as referred to in Section 13 of this By-law. Fifteen minutes allotted at the Council Meeting to receive public comments regarding Town matters. (NOTE: Comments regarding reports that are a follow-up to a Public Meeting are not permitted as the commenting period has ended.)
- k) Correspondence – as received in the Clerk's Office no later than 9:00 a.m. on the Monday previous to the subject meeting (one week in advance) and circulated to members of Council for review no later than 3:00 pm on the Wednesday previous to the subject meeting.

Following the release of a meeting agenda, any person wishing to submit correspondence regarding a matter included on the agenda, shall submit the correspondence to the Clerk's Office, no later than 12:00 p.m. noon on the Friday immediately before the subject meeting, for circulation to Council by the end of the business day Friday.

- l) Motions and Staff Reports - as received in the Clerk's Office no later than 9:00 a.m. on the Monday previous to the subject meeting and circulated to members of Council for review no later than 3:00 p.m. on the Wednesday previous to the subject meeting.
- m) Consent Agenda - Committee of the Whole Reports and Committee and Board Minutes - shall be circulated by the Clerk by 3:00 p.m. on the Wednesday preceding the next regular meeting. A member may make brief comments to an item on the Consent Items list prior to the consideration of the adoption of the matters listed however, if a member wishes to debate, ask questions of staff or amend the recommendation of an item listed, the member shall request the item(s) be removed from the Consent Agenda items list for individual consideration.
- n) By-laws - as received in the Clerk's Office no later than 9:00 a.m. on the Monday previous to the subject meeting and circulated to members of Council for review no later than 3:00 p.m. on the Wednesday previous to the subject meeting. By the one motion, by-laws are to be numbered and considered read the number of times required at that session of Council, and shall be discussed, committed or amended forthwith.
- o) New and Unfinished Business - new matters to be raised or matters directed by Council for completion at a previous meeting for presentation at the subject meeting including the giving of Notice of Motion.
- p) Agenda Additions - shall include matters that were not able to be shown on the Agenda on the Wednesday preceding the next regular meeting, but which the Clerk has deemed to be of a status requiring Council to act upon, including Motions for which notice or recommendation has not been given prior to the meeting and shall be presented at the meeting but shall not include matters requiring a financial commitment by Council unless agreed to by a majority of Council. As an issue of accountability and transparency and provision of notice, Council and Staff shall make every effort to minimize Agenda Additions.

Agenda Additions will be limited to matters as received in the Clerk's Office no later than 12:00 pm noon on the Friday preceding the next regular meeting and such Additions will be circulated to Council and Staff and shall be posted on the Town's website at that time. Agenda Additions received after this date and time shall be considered at the next regular Council meeting unless they are deemed to be of significant importance to the business of the municipality.

- q) News and Celebrations
- r) Confirmation By-law and Adjournment - a motion to adjourn is always in order and shall be decided upon.

10.0 ORDER OF BUSINESS

1. The business of Council shall be taken in the order in which it stands upon the agenda unless otherwise agreed upon by a majority of the members present.
2. The Chair or designate of each Committee submitting a report shall field questions regarding same during discussions of that report as may be required.
3. When any matter listed on the agenda is left undisposed of at the time of adjournment, either for want of a quorum or otherwise, such matter(s) shall be considered at the next meeting of the Council.

11.0 COUNCIL MINUTES

1. The Minutes of Council as taken by the Clerk or designate shall consist of a record of all proceedings taken in the Council. Pursuant to the *Municipal Act, 2001*, the Minutes shall be a factual recount without note or comment.
2. All Minutes and Committee Minutes and Reports following adoption by Council and all By-laws passed by the Council shall be kept in the Clerk's Office and shall be made available for viewing during normal office hours and shall be posted on the Town website, save and except those minutes and reports recorded during a meeting or part thereof that was closed to the public in accordance with Section 4.2 of this By-law and subject to the provisions of any applicable by-law, act or statute.
3. Minutes of Council meetings shall be prepared by the Clerk or Committee Secretary and be made available to the members prior to the next meeting for consideration and revision and adoption at the next meeting, following which they will be made available to the public save and except those minutes and reports recorded during a meeting or part thereof that was closed to the public in accordance with Section 4.2 of this By-law and subject to the provisions of any applicable by-law, act or statute.

12.0 CORRESPONDENCE and COMMUNICATION

1. Correspondence directed to the Mayor and Council shall be referred by the Mayor and/or Clerk to the appropriate Department before or after presentation to Council at a Council Meeting. Correspondence for which no action has been directed nor discussion taken place shall be deemed to have been received by Council.
2. Correspondence addressed to Council may be presented by a Council member in place of the author.
3. Correspondence addressed to Council or directed to any Public Meeting forming part of a Council or Committee or Board meeting, including names and addresses, become part of the public record and may be published in a Staff Report or a Council Agenda and may be viewed by the general public upon release of the Agenda addressing the matter.

13.0 DEPUTATIONS and PUBLIC COMMENT PERIODS

1. Any person desiring to present information orally on matters of fact or to make a request of Council shall submit a completed Deputation and Procedure Request Form, no later than 9:00 a.m. on the Monday before the subject meeting (one week in advance), together with their Deputation material, that provides an explanation of their deputation and their request of Council, if any. Any exceptions must be approved by a majority of Council.

Following the release of a meeting agenda, any person desiring to present information orally on a matter included on the agenda, shall submit a completed Deputation and Procedure Request Form as attached to this By-law, no later than 12:00 p.m. noon on the Friday immediately before the subject meeting, together with their Deputation material, that provides an explanation of their deputation and their request of Council, if any. The Deputation material will then be circulated to Council by the end of the business day Friday. Any exceptions must be approved by a majority of Council.

2. Each deputation shall be limited in speaking to not more than ten minutes. Extensions to these limits will be at the discretion of the majority of Council. The Clerk or a countdown clock shall alert the speaker when they have one minute remaining to address Council.
3. The Clerk or designate may direct that a deputation be received by a Committee for Committee consideration and recommendation to Council on a particular matter rather than addressing Council directly.
4. Any person may speak during a Public Comment Period at a Committee of the Whole Meeting, regarding matters included on the Agenda. Each speaker shall provide their name and address, and is required to address their comments to the Chair. Comments shall not refer to personnel, litigation or potential litigation matters, or regarding matters that are a follow-up to a Public Meeting. Each speaker shall be allotted three minutes to address the Committee.
5. Any person may speak during the Public Comment Period at a Council Meeting, regarding Town matters. Each speaker shall provide their name and address, and is required to address their comments to the Chair. Comments shall not refer to personnel, litigation or potential litigation matters, or regarding matters that are a follow-up to a Public Meeting. Each speaker shall be allotted three minutes to address Council.

14.0 COMMITTEE OF THE WHOLE

1. The Council shall, at its first Session following the inaugural meeting, nominate and elect a Chair to Chair the following sections of the Committee of the Whole meetings:
 - i) Finance, Administration, Enforcement & Fire Services
 - ii) Community Services and Infrastructure & Public Works
 - iii) Planning & Development Services

Each Chair shall be appointed for a one year term.

2. The Rules of the Council as provided for in this By-law shall be observed in Committee of the Whole and in the procedure of Committees of Council. The Clerk or designate or Committee Secretary shall record in the Minutes all Resolutions and amendments to Reports or By-laws as made in Committee of the Whole or Committee for subsequent consideration by Council.

3. Whenever it shall be resolved for Council to move into Committee of the Whole upon any questions, the Mayor shall appoint another member as Chair for Committee purposes unless permission to remain is given by a majority of Council.
4. A Motion in Committee of the Whole to rise and report on a matter or matters to Council, or to rise and beg leave to sit again on a matter or matters without reporting to Council, shall be in order and shall be decided without debate.

15.0 BY-LAWS AND AGREEMENTS

1. Every By-law and / or Agreement, other than Agreements for which signing authority has been delegated by By-law, shall be circulated to members of Council as referred to in section 9.2m) of this By-law, and by such circulation to Council members shall be deemed to have been made known to the public.
2. Every By-law and / or Agreement shall be introduced by Motion or leave, specifying the title thereof, or on recommendation of an adopted report or by an order from Council.
3. By the one Motion, By-laws are to be considered read the number of times as required at that session of Council and shall be discussed, committed or amended forthwith.
4. Every By-law shall be deemed to be considered in Committee of the Whole subsequent to the reading of the Motion and prior to a vote being called on the Motion.
5. When a By-law is being considered in Committee of the Whole, it may be debated clause by clause or as otherwise considered advisable by the Chair and members of Council.
6. Every By-law once passed and / or Agreement once authorized shall be dated and duly signed and sealed by the Mayor or presiding officer at the meeting and Clerk or designate.
7. Any By-law that is not circulated to members of Council as referred to in section 9.2m) of this By-law shall be by Motion read a first time, read a second time, referred to Committee of the Whole and with the support of a majority of Council read a third time and passed.
8. At a Council or Committee meeting where a public meeting has been scheduled under the *Municipal Act, 2001, the Planning Act, the Development Charges Act* or any other Act to receive public input in the consideration of any By-law, the By-law shall not be later considered at the same meeting but may be considered at the next meeting.

16.0 MOTIONS / RESOLUTIONS

1. After a Motion has been Moved and Seconded, and placed under the direction of the Mayor or Chair, it shall be considered to be in the possession of the Council but may be withdrawn with the consent of the Mover and the support of a majority of Council.
2. Every Motion as herein provided when duly Moved and Seconded shall be read by the Mayor or Chair in the precise form in which it was introduced and in which it will be recorded in the Minutes and the question shall then be open for discussion and consideration.
3. Prior to a question being voted on, each member present in the Council Chamber shall take their seat in respect of the vote unless they have declared a pecuniary interest pursuant to the Municipal Conflict of Interest Act.

4. A motion to amend when duly moved and seconded:
 - a) May be presented verbally or in writing;
 - b) Shall receive disposition of Council before the original question;
 - c) Shall not be amended more than twice before voting;
 - d) Shall be relevant to the question to be received;
 - e) Shall not be received proposing a direct negative to the question;
 - f) May propose a separate and distinct disposition of a question;
 - g) May propose to separate two or more components contained in the original question.
5. After a question is deemed to be finally put by the Mayor or 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.
6. The decision of the Mayor as to whether the question has been finally put shall be final, except on appeal by any member, upon which the decision of a majority of Council shall be conclusive.
7. Any member may require any question to be repeated from the Chair prior to the voting on such question.
8. All votes of Council (including while in Closed Session) and the Committee of the Whole shall be recorded, and each Member present, except a Member who is prohibited from voting by any Act, shall announce his or her vote openly or record it by electronic means and the vote shall be recorded by the Clerk, with the Chair voting last. Where a Member present is prohibited from voting by any Act, the Clerk shall record the name of the Member and the reason they are prohibited from voting.
9. A failure to vote under Clause 8 above, by a member who is present at the meeting at the time of the vote and who is qualified to vote, shall be deemed to be a negative vote.
10. The Mayor shall declare the vote on all questions and should his/her declaration be stated by any member to be in doubt, the Mayor shall require the vote to be retaken in an alternative manner and the results of this vote shall be final.
11. A tie vote shall be declared to be a lost vote.

17.0 NOTICE OF MOTION

1. A member may introduce a notice of motion directly to a Council or Committee of the Whole meeting, following which a copy of the motion shall be filed with the Clerk and the motion shall form part of the next Council Agenda for discussion. Following such notice there shall be no debate or discussion on the motion until it is contained in an Agenda or unless agreed upon by a vote of a majority of the members present.

At the next Council meeting, the notice of motion will be treated as any other motion, requiring a Mover and Seconder for the Motion to be put before Council.

18.0 RULES OF DEBATE

1. Every member prior to speaking to any question or motion must first be recognized by the Chair.

2. Any member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a Member while speaking.
3. The following motions may be introduced without notice and without leave and shall take precedent over the main Motion in the descending order in which they appear starting at a):

		Type of Motion
a)	Fix the time for a continued meeting	Privileged
b)	Adjourn	Privileged
c)	Recess	Privileged
d)	Raise a question of privilege – Council	Privileged
e)	Raise a question of privilege – Individual	Privileged
f)	Postpone temporarily	Subsidiary
g)	Close debate	Subsidiary
h)	Limit or extend debate	Subsidiary
i)	Postpone to a certain time	Subsidiary
j)	Refer to a Committee	Subsidiary
k)	Amend	Subsidiary
l)	Postpone indefinitely	Subsidiary
m)	Motion(s)	Main

19.0 RECONSIDERATION

1. A motion to reconsider a Resolution entered upon the Minutes shall not be received or put unless agreed upon by two thirds of the full membership of Council (being five members) prior to the question being considered and any motion to reconsider shall be considered a main motion.

20.0 PROCEDURAL APPEALS

1. Any member may raise a point of order.
2. The Chair shall decide all questions of order and the decision of the Chair shall be final, subject to appeal, with the Chair retaining the option of putting any question of order to Council and in such instances the decision of Council shall be final. Upon appeal of any decision of the Chair the question of order shall be decided by Council and the decision shall be final.

21.0 COMMITTEES

1. The Rules of Procedure for Committee operation shall be those contained in this By-law unless otherwise prescribed by statute or law.
2. Standing, Advisory and Ad-hoc Committees wholly within the sphere of the jurisdiction of Council may be established, revised, disbanded and replaced as Council deems necessary. **If legislated**, members of Committees and Boards shall be qualified electors within the municipality (i.e. Public Libraries Act).

3. The Head of Council shall be an ex-officio member of all Town Standing, Advisory and Ad-hoc Committees where not otherwise prohibited by any Act and shall have full voting privileges when in attendance at any meeting thereof and shall have the privilege of raising new business or adding any matter to a previously completed meeting Agenda.

22.0 ACCESSIBILITY

1. Documents can be made available in other accessible formats as soon as practicable and upon request.

AND FURTHER that this By-law does hereby repeal and replace By-law No. 2018-20, as revised, in its entirety and any previous By-laws of the former Town of Thornbury or former Township of Collingwood to govern the calling, placing and proceedings of Council meetings;

AND FURTHER that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this day of , 2019

Alar Soever, Mayor

Corrina Giles, Town Clerk

September 4, 2019

Memo

To: Corrina Giles, Clerk, Town of The Blue Mountains

CC: Shawn Everitt, Chief Administrative Officer, Town of The Blue Mountains
Alar Soever, Chairman at Procedural By-Law Public Meeting Review & Mayor, Town of The Blue Mountains

From: John White, Town of The Blue Mountains Resident

Subject: Comments on Council Procedural By-law Review

Reference: August 26,2019 Public Meeting

Document: Staff Report FAF.19.041

Dear Corrina

The following summarizes my comments to council on the 26th.

Item 2 – Meeting Cycle. No language is included anywhere which would allow Council to being a meeting at a time other than 5 pm. This should be adjusted.

Item 3 – Electronic Participation of Council Members. Fine under normal circumstances but cases where this may be necessary and it needs to be explicated permitted since it is otherwise explicitly prohibited. Ideally a by-law dealing with Emergency Meetings and Emergency Powers as such might be desirable. However, at this time I believe a statement saying that the Chair by declaring an Emergency Meeting can then allow Electronic or other type of Communication as the circumstances allow. Also by declaring an Emergency (will need to be a defined term which will require some legal language crafting) the 24 hour notice period for a meeting can also be waived.

Item 12 Roll Call. No disagreement on recording who is present but the by-law should also note when someone leaves a meeting and when someone returns. This may be something the Clerk does already but it is not defined. This raises the larger point that anything going on now needs to be documented as part of the procedure otherwise how certain actions are relied upon could open all types of legal problems. This will become especially important with the recorded vote system.

Item 13 Public Comment Period. To be clear, comments on Staff Reports are allowed the first time they come to Council – the Staff reports and especially recommendations / interpretations contained within did not exist at the time of the public meeting.

Item 15 Deputations. Although discussed in the report no mention of count down clocks was included in the draft. Countdown clocks should be specified and a number of them positioned inside the chamber so they are visible to all concerned. Also no provision is included allowing a deputation to exceed 10 minutes with the consent of council and this should be the case as it is regularly done and otherwise would be prohibited.

Item 16 Recorded Votes Excellent proposal but a provision for Members to Abstain from voting (in cases where a conflict of interest was not declared) should be provided.

Other Points.

1. Draft Minutes should be completed and distributed quickly after meetings – say 3 business days or less – and not tied to the release of the agenda for the next meeting which can be weeks.
2. The definition of committees needs to be reviewed and adjusted – current definition is incomplete to the system presently established.
3. This by-law as drafted makes no acknowledgement of Committees and how each one may have to interact with Council. Embedding such detail in the bylaw itself – with the possible exception of a statutory committee(s) – would make the by-law to complex and always subject to ongoing revision.

However, some provision is required which preserves the flexibility of Council without having to reopen this by-law to public meetings etc. I would suggest investigating the use of Appendixes and Schedules from Commercial common law, much in the way that the creation of regulations already is in public administration. For instances a section defining that an Appendix be established for each Committee / Task Force or whatever they are called – include the terms of this body. Further to that a Schedule defining how this body will operate and any special provisions they or Council will have including interaction with each other be specified there. The Appendixes and Schedules could be adjusted on the direction of a majority of Council.

John

The Corporation of the Town of The Blue Mountains

By-Law Number 2019-

Being a By-law for governing the calling, place and proceedings of meetings of the Municipal Council for the Town of The Blue Mountains

Whereas *Municipal Act, 2001, S.O. 2001, c. 25*, section 238, requires that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

And Whereas Council deems it expedient to pass such a by-law;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1.0 DEFINITIONS:

1. "ALTERNATE COUNCIL MEMBER" shall mean the council member appointed by Council of the Town of The Blue Mountains to attend Grey County Council Meetings in the place of the Mayor or Deputy Mayor of the Town of The Blue Mountains, when the Mayor or Deputy Mayor is unable to attend a Grey County Council/Committee of the Whole meeting for any reason. Such appointment shall be for the entire term of council.
2. "COUNCIL" means the elected and sworn members of the Council of the Town of The Blue Mountains.
3. "HEAD OF COUNCIL" means the Mayor.
4. "ACTING HEAD OF COUNCIL" shall first mean the Deputy Mayor and secondly another designate selected from time to time solely by the Mayor, who shall act in the Absence of the Mayor or Deputy Mayor. The Acting Head of Council will assume certain duties of the Head of Council outlined in Section 6 for the duration requested by the Head of Council. Notice of the delegation will be provided to the Clerk
5. "CLERK" shall mean the Clerk of The Corporation of the Town of The Blue Mountains or his/her designate who shall have all the powers and duties of the Clerk under the *Municipal Act, 2001* and every other Act.
6. "CLOSED SESSION" shall mean closed to the public as defined in Subsection 4.2 of this By-law.
7. "COMMITTEE OF THE WHOLE" shall mean a meeting of Council in Committee format for discussion purposes.
8. "COMMITTEE" means any advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also members of one or more Councils or local boards
9. "COMMITTEE CHAIR" means the Chairperson of any committee and the Committee Chair shall have the same powers during a Committee Meeting of Council as Head of Council during Council Meetings whether or not the Chair is a voting member.
10. "CONFLICT OF INTEREST" means a pecuniary interest as defined in the *Municipal Conflict of Interest Act*.
11. "LOCAL BOARD" means a local board established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities but does not include The Blue Mountains Police Services Board or The Blue Mountains Public Library Board, a school board, a hospital board or a conservation authority.

12. "MEETING" shall mean any regular, special or other scheduled meeting of a Council, Local Board or of a Committee where:
 - a. a quorum of members is present; and
 - b. members deal with any matter in a way that materially advances the business or decision making of the council, local board or committee; and
 - c. the Clerk or another designated record keeping person is present to record such material advances of the business or decision making of the Council, Local Board or Committee.

For the purposes of clarity, it is not intended that a meeting of Council, Local Board or Committee shall automatically occur because a quorum of the members is present at a particular location.

13. "QUORUM" shall mean 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*, the quorum may be less than half plus one of the whole number of members but shall not be less than two.
14. "REGISTRY" means a Registry maintained by the municipality for the purposes of documenting every written statement of pecuniary interest, direct or indirect, in any matter, and includes a copy of each statement filed with the Clerk and a copy of each declaration recorded. The Registry shall be available for public inspection in the manner and during the time that the municipality or local board, as the case may be, may determine.

2.0 INTENT OF BY-LAW

1. The rules and regulations hereinafter provided shall govern the proceedings of the Council and the Committees and Local Boards thereof. Any part or parts of this By-law may be suspended if agreed upon by a majority of the Members present unless the part or parts is prescribed by statute or law.
2. All Points of Order of procedure not provided for in these Rules shall be decided in accordance with Robert's Rules of Order and the Mayor shall submit the ruling without debate.

3.0 LOCATIONS, MEETING TIMES AND NOTICE

1. The First or Inaugural Meeting of the Council of a local municipality for regular elections following the **2022** regular election and subsequent elections, shall be held on the first Monday following November 15, at 11:00 a.m., in the Town of The Blue Mountains Council Chamber.
2. Commencing January, 2020, Council shall have Committee of the Whole and Council meetings on a two-week rotation, as follows:
 - Week 1, Monday Council Meeting with Public Meetings at 5:00 pm. Regular portion of the Council Meeting to commence at 7:00 pm
 - Week 1, Tuesday Committee of the of the Whole commencing at 9:00 am.
 - Week 2, No meeting

The above meetings shall be held in the Council Chamber or other designated location. When Council Meetings fall on a Statutory Holiday, the Council Meeting will be scheduled for the Tuesday immediately after the Statutory Holiday, and will commence at 9:00 am. The Committee of the Whole meeting scheduled for the Tuesday will then commence following the rescheduled Council Meeting.

3. Notice of Council Meetings, Committee and Local Board Meetings shall be given by publication of future meetings in previous Agendas and posting of Meeting Agendas on the Town website prior to the meeting and by publication of Council and Committee and Local Board Meetings in local newspapers having general circulation in the area. In the case of Special Meetings called in accordance with Section 5.0 of this By-law, notice shall be given by posting of the Agenda on the Town website as soon as is practicable after notice of the Special Meeting has been given and any other notification that is permitted within the timeframe.

4.0 MEETINGS OF COUNCIL

1. At the hour appointed, when a quorum is present, the Mayor shall call Council to order and if a quorum is not present within fifteen (15) minutes after the hour appointed the meeting shall be cancelled.
2. All meetings shall be open to the public, but a meeting, or part of a meeting may be closed to the public if the subject matter being considered is:
 - a) the security of the property of the municipality or local board;
 - b) personal matters about an identifiable individual, including municipal or local board employees;
 - c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - d) labour relations or employee negotiations;
 - e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
 - i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value;
 - k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board;
 - l) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act;

- m) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of the *Municipal Act*, or the investigator referred to in subsection 239.2 (1) of the *Municipal Act*;
 - n) the meeting is held for the purpose of educating or training the members, and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
3. All votes of Council shall be open to the public except those votes taken during a meeting or part thereof that is closed to the public in accordance with Section 4.2 of this By-law and if said vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Town, Committee or Local Board or persons retained by or under contract with the Town, Committee or local board or to rise from closed session.
 4. Before holding a meeting or part of a meeting that is to be closed to the public, Council or a Committee or a Local Board shall state by Resolution the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting.
 5. Reporting Out Statement - Upon returning to open session from a Closed Session, Council or Committee shall issue a statement confirming the general nature of the business conducted in Closed Session. The reporting out statement shall be included in the open session minutes.
 6. With the exception of the Inaugural Session, no person but a member of Council or support staff shall be allowed to approach Council during a Session of Council without the permission of the Mayor or Council or unless given deputation status as described in Section 13, or to speak in a Public Comment Period as described in Section 13.
 7. Every meeting of Council shall be deemed to be adjourned at the hour of 11:00 p.m. save and except with the unanimous consent of Council.
 8. The Head of Council or the Chair of a Committee, prior to a regularly scheduled meeting, may cancel the meeting due to inclement weather, a matter of respect or a lack of corporate business requiring immediate attention. In the event of a cancelled statutory public meeting, Staff shall make every effort to give notice of the cancellation to interested parties and the public as soon as it practicable via telephone, email, the Town website, radio and/or any other method, as well as the date of rescheduling, if known.
 9. Council, Committee of the Whole and Committee Meetings held in the Council Chamber, that are not closed to the public, may be recorded for the purpose of webcasting the meetings to the public. Inability to record a meeting will not prohibit the meeting from commencing or continuing. The official minutes of a meeting, shall be the minutes as adopted by Council, Committee of the Whole or Committee, and retained in the Clerks Department.
 10. Closed Sessions shall be recorded and securely archived so that a digital record is available should it be required by the Closed Meeting Investigator or Integrity Commissioner. Inability to record a meeting will not prohibit the meeting from commencing or continuing. The official minutes of the closed session meeting shall be the minutes as adopted by Council, and retained in the Clerks Department. The Council members that participated in the Closed Session are permitted to view the Closed Session Video Recording in the presence of the Clerk.

11. All communication devices shall be switched to “silent” upon entering the location of any Council or Committee of the Whole Meeting.
12. During meetings that are closed to the public, no member of Council or staff (with the exception of the Clerk, or her designate) shall be permitted to have in their possession, any cell phone or electronic device that has the ability to record.
13. Electronic participation – Members may participate at Council and Committee meetings electronically, subject to an electronic participation policy, and where infrastructure is available.

5.0 SPECIAL MEETINGS OF COUNCIL

1. The Mayor shall if requested in writing by any three members of Council call a special meeting of Council other than as described in Section 3.0 of this By-law.
2. The Mayor may call a special meeting other than as described in Section 3.0 of this By-law to deal with a matter which is deemed to require immediate action. Notice of such a special meeting shall be given by contacting each member of Council and verbally advising them of the time and place of the meeting, or notice may be given in writing or via voice recording or via e-mail message.
3. Special meetings require minimum notice of one clear day unless otherwise agreed to by a majority of members to the satisfaction of the Clerk.
4. At special meetings of Council, no financial decisions shall be made or incurred, unless the same shall be referred to in the notice calling the meeting.

6.0 ROLE OF THE MAYOR

1. It is the role of the Mayor as the Head of Council:
 - a) to act as Chief Executive Officer of the municipality;
 - b) to preside over council meetings so that its business can be carried out efficiently and effectively;
 - c) to provide leadership to the council;
 - c.1) without limiting clause (c) above, to provide information and recommendations to the council with respect to the role of council described in paragraph 7.1(d) and (d.1) below);
 - d) to represent the municipality at official functions; and
 - e) to carry out the duties of the head of council under the Municipal Act or any other Act; and
 - f) to provide overall leadership to the Community Control Group in responding to an emergency as detailed in the Emergency Response Plan for the Town of The Blue Mountains.
2. As Chief Executive Officer of a municipality, the Head of Council shall,
 - 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.

7.0 ROLE OF COUNCIL

1. It is the role of Council:
 - 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;
 - d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
 - e) to maintain the financial integrity of the municipality; and
 - f) to carry out the duties of council under the Municipal Act or any other Act.

8.0 CONDUCT OF MEMBERS

1. Every member, prior to speaking, shall address the Chair, shall confine his/her remarks to the question and shall not use any indecorous or offensive language and shall avoid personalities.
2. Should more than any one member at one time wish to address the Chair, the Chair shall name the member who is to speak first.
3. The Chair may allow for a free and organized discussion at the meeting, however, in the event of a need to manage the meeting time or agenda items, the Chair shall declare that no person other than the one proposing a question (who shall have leave to reply) shall speak more than once without leave of the Chair, unless it is to explain their remarks which have been misunderstood, and then the member shall not introduce any new matter.
4. No person other than the one proposing a question (who shall have leave to reply) shall speak more than once without leave of the Chair, unless it is to explain their remarks which have been misunderstood, and then the member shall not introduce any new matter.
5. The Chair may call a member to order while speaking, whereupon the member called to order shall be silent on the matter and shall not further speak until the point of order is determined, unless it be to appeal the decision of the Chair.
6. When the Chair is putting a question, no member shall walk out of, or across the Council Chamber, nor when a Member is speaking shall any other member hold discourse or interrupt the speaker except to a question of order, nor pass between the speaker and the Chair.

9.0 AGENDA

1. The **Committee of the Whole** order of business shall be as follows:
 - a) Meeting called to order
 - b) Traditional Territory Acknowledgment – “We would like to begin our meeting by recognizing the First Nations, Metis and Inuit peoples of Canada as traditional stewards of the land. The municipality is located within the boundary of Treaty 18 region of 1818 which is the traditional land of the Anishnaabek, Haudenosaunee and Wendot-Wyandot-Wyandotte peoples.”
 - c) Moment of Reflection

- d) Council Member Attendance– if a member cannot be present at a meeting, they must notify the Clerk in advance of the meeting stating the general reason for the absence. The Clerk shall note the general reason for the absence during the Council Member Attendance section of the meeting and will record the same in the minutes. Council attendance records will be posted on the Town website.
- e) Approval of Agenda
- f) Declaration of Conflict of Interest – as defined in the *Municipal Conflict of Interest Act*. Where a member, either on his or her own behalf or while acting for, by, or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of the consideration, the member:
 - i) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - ii) shall, at the meeting or as soon as possible afterwards, file a written statement of the interest and its general nature with the clerk of the municipality or local board, for inclusion on the Registry;
 - iii) may take part in the discussion of, but not vote on any question in respect of the matter if the matter is related to the consideration of a penalty to the member under Section 223.4(5) or (6) of the *Municipal Act*;
 - iv) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question;
 - v) where the meeting is closed to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration;
 - vi) where the interest of a member has not been disclosed by reason of the member’s absence from the meeting referred to therein, the member shall disclose the interest at the next meeting of the council or local board, as the case may be, attended by the member.
- g) Adoption of Previous Minutes
- h) Staff Reports – staff reports will be compiled as follows for consideration by the Committee of the Whole and recommendation to Council:
 - i) Finance, Administration, Enforcement & Fire Services
 - ii) Community Services and Infrastructure & Public Works
 - iii) Planning & Development Services
- i) Deputations – as referred to in Section 13 of this By-law.
- j) Public Comment Period – as referred to in Section 13 of this By-law. Ten minutes allotted at the beginning and end of each section of the Committee of the Whole Meeting to receive public comments regarding matters included on the Agenda. (NOTE: Comments regarding reports that are a follow-up to a Public Meeting are not permitted as the commenting period has ended.)
- k) New and Unfinished Business - new matters to be raised or matters directed by Council for completion at a previous meeting for presentation at the subject meeting including the giving of Notice of Motion.

- l) Agenda Additions - shall include matters that were not able to be shown on the Agenda on the Wednesday preceding the next regular meeting, but which the Clerk has deemed to be of a status requiring Committee to consider, including Motions for which notice or recommendation has not been given prior to the meeting. As an issue of accountability and transparency and provision of notice, Council and Staff shall make every effort to minimize Agenda Additions.

Agenda Additions will be limited to matters as received in the Clerk's Office no later than 12:00 pm noon on the Friday preceding the next regular meetings and such Additions will be circulated to Council and Staff and shall be posted on the Town's website at that time. Agenda Additions received after this date and time shall be considered at the next regular Council meeting unless they are deemed to be of significant importance to the business of the municipality, at the sole discretion of the Clerk.

- m) Adjournment - a motion to adjourn is always in order and shall be decided upon.

2. The **Council Meeting** order of business shall be as follows:

- a) Meeting called to order
- b) Traditional Territory Acknowledgment – “We would like to begin our meeting by recognizing the First Nations, Metis and Inuit peoples of Canada as traditional stewards of the land. The municipality is located within the boundary of Treaty 18 region of 1818 which is the traditional land of the Anishnaabek, Haudenosaunee and Wendot-Wyandot-Wyandotte peoples.”
- c) Moment of Reflection
- d) Council Member Attendance– if a member cannot be present at a meeting, they must notify the Clerk in advance of the meeting stating the general reason for the absence. The Clerk shall note the general reason for the absence during the Council Member Attendance section of the meeting and will record the same in the minutes. Council attendance records will be posted on the Town website.
- e) Approval of Agenda
- f) Declaration of Conflict of Interest – as defined in the *Municipal Conflict of Interest Act*. Where a member, either on his or her own behalf or while acting for, by, or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of the consideration, the member:
 - i) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - ii) shall, at the meeting or as soon as possible afterwards, file a written statement of the interest and its general nature with the clerk of the municipality or local board, for inclusion on the Registry;
 - iii) may take part in the discussion of, but not vote on any question in respect of the matter if the matter is related to the consideration of a penalty to the member under Section 223.4(5) or (6) of the *Municipal Act*;
 - iv) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question;
 - v) where the meeting is closed to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration;

- vi) where the interest of a member has not been disclosed by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest at the next meeting of the council or local board, as the case may be, attended by the member.
- g) Adoption of Consent Agenda
- h) Adoption of Previous Minutes
- i) Deputations - as referred to in Section 13 of this By-law
- j) Public Comment Period – as referred to in Section 13 of this By-law. Fifteen minutes allotted at the Council Meeting to receive public comments regarding Town matters. (NOTE: Comments regarding reports that are a follow-up to a Public Meeting are not permitted as the commenting period has ended.)
- k) Correspondence – as received in the Clerk's Office no later than 9:00 a.m. on the Monday previous to the subject meeting (one week in advance) and circulated to members of Council for review no later than 3:00 pm on the Wednesday previous to the subject meeting.

Following the release of a meeting agenda, any person wishing to submit correspondence regarding a matter included on the agenda, shall submit the correspondence to the Clerk's Office, no later than 12:00 p.m. noon on the Friday immediately before the subject meeting, for circulation to Council by the end of the business day Friday.

- l) Motions and Staff Reports - as received in the Clerk's Office no later than 9:00 a.m. on the Monday previous to the subject meeting and circulated to members of Council for review no later than 3:00 p.m. on the Wednesday previous to the subject meeting.
- m) Consent Agenda - Committee of the Whole Reports and Committee and Board Minutes - shall be circulated by the Clerk by 3:00 p.m. on the Wednesday preceding the next regular meeting. A member may make brief comments to an item on the Consent Items list prior to the consideration of the adoption of the matters listed however, if a member wishes to debate, ask questions of staff or amend the recommendation of an item listed, the member shall request the item(s) be removed from the Consent Agenda items list for individual consideration.
- n) By-laws - as received in the Clerk's Office no later than 9:00 a.m. on the Monday previous to the subject meeting and circulated to members of Council for review no later than 3:00 p.m. on the Wednesday previous to the subject meeting. By the one motion, by-laws are to be numbered and considered read the number of times required at that session of Council, and shall be discussed, committed or amended forthwith.
- o) New and Unfinished Business - new matters to be raised or matters directed by Council for completion at a previous meeting for presentation at the subject meeting including the giving of Notice of Motion.
- p) Agenda Additions - shall include matters that were not able to be shown on the Agenda on the Wednesday preceding the next regular meeting, but which the Clerk has deemed to be of a status requiring Council to act upon, including Motions for which notice or recommendation has not been given prior to the meeting and shall be presented at the meeting but shall not include matters requiring a financial commitment by Council unless agreed to by a majority of Council. As an issue of accountability and transparency and provision of notice, Council and Staff shall make every effort to minimize Agenda Additions.

Agenda Additions will be limited to matters as received in the Clerk's Office no later than 12:00 pm noon on the Friday preceding the next regular meeting and such Additions will be circulated to Council and Staff and shall be posted on the Town's website at that time. Agenda Additions received after this date and time shall be considered at the next regular Council meeting unless they are deemed to be of significant importance to the business of the municipality.

- q) News and Celebrations
- r) Confirmation By-law and Adjournment - a motion to adjourn is always in order and shall be decided upon.

10.0 ORDER OF BUSINESS

1. The business of Council shall be taken in the order in which it stands upon the agenda unless otherwise agreed upon by a majority of the members present.
2. The Chair or designate of each Committee submitting a report shall field questions regarding same during discussions of that report as may be required.
3. When any matter listed on the agenda is left undisposed of at the time of adjournment, either for want of a quorum or otherwise, such matter(s) shall be considered at the next meeting of the Council.

11.0 COUNCIL MINUTES

1. The Minutes of Council as taken by the Clerk or designate shall consist of a record of all proceedings taken in the Council. Pursuant to the *Municipal Act, 2001*, the Minutes shall be a factual recount without note or comment.
2. All Minutes and Committee Minutes and Reports following adoption by Council and all By-laws passed by the Council shall be kept in the Clerk's Office and shall be made available for viewing during normal office hours and shall be posted on the Town website, save and except those minutes and reports recorded during a meeting or part thereof that was closed to the public in accordance with Section 4.2 of this By-law and subject to the provisions of any applicable by-law, act or statute.
3. Minutes of Council meetings shall be prepared by the Clerk or Committee Secretary and be made available to the members prior to the next meeting for consideration and revision and adoption at the next meeting, following which they will be made available to the public save and except those minutes and reports recorded during a meeting or part thereof that was closed to the public in accordance with Section 4.2 of this By-law and subject to the provisions of any applicable by-law, act or statute.

12.0 CORRESPONDENCE and COMMUNICATION

1. Correspondence directed to the Mayor and Council shall be referred by the Mayor and/or Clerk to the appropriate Department before or after presentation to Council at a Council Meeting. Correspondence for which no action has been directed nor discussion taken place shall be deemed to have been received by Council.
2. Correspondence addressed to Council may be presented by a Council member in place of the author.
3. Correspondence addressed to Council or directed to any Public Meeting forming part of a Council or Committee or Board meeting, including names and addresses, become part of the public record and may be published in a Staff Report or a Council Agenda and may be viewed by the general public upon release of the Agenda addressing the matter.

13.0 DEPUTATIONS and PUBLIC COMMENT PERIODS

1. Any person desiring to present information orally on matters of fact or to make a request of Council shall submit a completed Deputation and Procedure Request Form, no later than 9:00 a.m. on the Monday before the subject meeting (one week in advance), together with their Deputation material, that provides an explanation of their deputation and their request of Council, if any. Any exceptions must be approved by a majority of Council.

Following the release of a meeting agenda, any person desiring to present information orally on a matter included on the agenda, shall submit a completed Deputation and Procedure Request Form as attached to this By-law, no later than 12:00 p.m. noon on the Friday immediately before the subject meeting, together with their Deputation material, that provides an explanation of their deputation and their request of Council, if any. The Deputation material will then be circulated to Council by the end of the business day Friday. Any exceptions must be approved by a majority of Council.

2. Each deputation shall be limited in speaking to not more than ten minutes. Extensions to these limits will be at the discretion of the majority of Council. The Clerk or a countdown clock shall alert the speaker when they have one minute remaining to address Council.
3. The Clerk or designate may direct that a deputation be received by a Committee for Committee consideration and recommendation to Council on a particular matter rather than addressing Council directly.
4. Any person may speak during a Public Comment Period at a Committee of the Whole Meeting, regarding matters included on the Agenda. Each speaker shall provide their name and address, and is required to address their comments to the Chair. Comments shall not refer to personnel, litigation or potential litigation matters, or regarding matters that are a follow-up to a Public Meeting. Each speaker shall be allotted three minutes to address the Committee.
5. Any person may speak during the Public Comment Period at a Council Meeting, regarding Town matters. Each speaker shall provide their name and address, and is required to address their comments to the Chair. Comments shall not refer to personnel, litigation or potential litigation matters, or regarding matters that are a follow-up to a Public Meeting. Each speaker shall be allotted three minutes to address Council.

14.0 COMMITTEE OF THE WHOLE

1. The Council shall, at its first Session following the inaugural meeting, nominate and elect a Chair to Chair the following sections of the Committee of the Whole meetings:
 - i) Finance, Administration, Enforcement & Fire Services
 - ii) Community Services and Infrastructure & Public Works
 - iii) Planning & Development Services

Each Chair shall be appointed for a one year term.

2. The Rules of the Council as provided for in this By-law shall be observed in Committee of the Whole and in the procedure of Committees of Council. The Clerk or designate or Committee Secretary shall record in the Minutes all Resolutions and amendments to Reports or By-laws as made in Committee of the Whole or Committee for subsequent consideration by Council.

3. Whenever it shall be resolved for Council to move into Committee of the Whole upon any questions, the Mayor shall appoint another member as Chair for Committee purposes unless permission to remain is given by a majority of Council.
4. A Motion in Committee of the Whole to rise and report on a matter or matters to Council, or to rise and beg leave to sit again on a matter or matters without reporting to Council, shall be in order and shall be decided without debate.

15.0 BY-LAWS AND AGREEMENTS

1. Every By-law and / or Agreement, other than Agreements for which signing authority has been delegated by By-law, shall be circulated to members of Council as referred to in section 9.2m) of this By-law, and by such circulation to Council members shall be deemed to have been made known to the public.
2. Every By-law and / or Agreement shall be introduced by Motion or leave, specifying the title thereof, or on recommendation of an adopted report or by an order from Council.
3. By the one Motion, By-laws are to be considered read the number of times as required at that session of Council and shall be discussed, committed or amended forthwith.
4. Every By-law shall be deemed to be considered in Committee of the Whole subsequent to the reading of the Motion and prior to a vote being called on the Motion.
5. When a By-law is being considered in Committee of the Whole, it may be debated clause by clause or as otherwise considered advisable by the Chair and members of Council.
6. Every By-law once passed and / or Agreement once authorized shall be dated and duly signed and sealed by the Mayor or presiding officer at the meeting and Clerk or designate.
7. Any By-law that is not circulated to members of Council as referred to in section 9.2m) of this By-law shall be by Motion read a first time, read a second time, referred to Committee of the Whole and with the support of a majority of Council read a third time and passed.
8. At a Council or Committee meeting where a public meeting has been scheduled under the *Municipal Act, 2001, the Planning Act, the Development Charges Act* or any other Act to receive public input in the consideration of any By-law, the By-law shall not be later considered at the same meeting but may be considered at the next meeting.

16.0 MOTIONS / RESOLUTIONS

1. After a Motion has been Moved and Seconded, and placed under the direction of the Mayor or Chair, it shall be considered to be in the possession of the Council but may be withdrawn with the consent of the Mover and the support of a majority of Council.
2. Every Motion as herein provided when duly Moved and Seconded shall be read by the Mayor or Chair in the precise form in which it was introduced and in which it will be recorded in the Minutes and the question shall then be open for discussion and consideration.
3. Prior to a question being voted on, each member present in the Council Chamber shall take their seat in respect of the vote unless they have declared a pecuniary interest pursuant to the Municipal Conflict of Interest Act.

4. A motion to amend when duly moved and seconded:
 - a) May be presented verbally or in writing;
 - b) Shall receive disposition of Council before the original question;
 - c) Shall not be amended more than twice before voting;
 - d) Shall be relevant to the question to be received;
 - e) Shall not be received proposing a direct negative to the question;
 - f) May propose a separate and distinct disposition of a question;
 - g) May propose to separate two or more components contained in the original question.
5. After a question is deemed to be finally put by the Mayor or 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.
6. The decision of the Mayor as to whether the question has been finally put shall be final, except on appeal by any member, upon which the decision of a majority of Council shall be conclusive.
7. Any member may require any question to be repeated from the Chair prior to the voting on such question.
8. All votes of Council (including while in Closed Session) and the Committee of the Whole shall be recorded, and each Member present, except a Member who is prohibited from voting by any Act, shall announce his or her vote openly or record it by electronic means and the vote shall be recorded by the Clerk, with the Chair voting last. Where a Member present is prohibited from voting by any Act, the Clerk shall record the name of the Member and the reason they are prohibited from voting.
9. A failure to vote under Clause 8 above, by a member who is present at the meeting at the time of the vote and who is qualified to vote, shall be deemed to be a negative vote.
10. The Mayor shall declare the vote on all questions and should his/her declaration be stated by any member to be in doubt, the Mayor shall require the vote to be retaken in an alternative manner and the results of this vote shall be final.
11. A tie vote shall be declared to be a lost vote.

17.0 NOTICE OF MOTION

1. A member may introduce a notice of motion directly to a Council or Committee of the Whole meeting, following which a copy of the motion shall be filed with the Clerk and the motion shall form part of the next Council Agenda for discussion. Following such notice there shall be no debate or discussion on the motion until it is contained in an Agenda or unless agreed upon by a vote of a majority of the members present.

At the next Council meeting, the notice of motion will be treated as any other motion, requiring a Mover and Seconder for the Motion to be put before Council.

18.0 RULES OF DEBATE

1. Every member prior to speaking to any question or motion must first be recognized by the Chair.

2. Any member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a Member while speaking.
3. The following motions may be introduced without notice and without leave and shall take precedent over the main Motion in the descending order in which they appear starting at a):

		Type of Motion
a)	Fix the time for a continued meeting	Privileged
b)	Adjourn	Privileged
c)	Recess	Privileged
d)	Raise a question of privilege – Council	Privileged
e)	Raise a question of privilege – Individual	Privileged
f)	Postpone temporarily	Subsidiary
g)	Close debate	Subsidiary
h)	Limit or extend debate	Subsidiary
i)	Postpone to a certain time	Subsidiary
j)	Refer to a Committee	Subsidiary
k)	Amend	Subsidiary
l)	Postpone indefinitely	Subsidiary
m)	Motion(s)	Main

19.0 RECONSIDERATION

1. A motion to reconsider a Resolution entered upon the Minutes shall not be received or put unless agreed upon by two thirds of the full membership of Council (being five members) prior to the question being considered and any motion to reconsider shall be considered a main motion.

20.0 PROCEDURAL APPEALS

1. Any member may raise a point of order.
2. The Chair shall decide all questions of order and the decision of the Chair shall be final, subject to appeal, with the Chair retaining the option of putting any question of order to Council and in such instances the decision of Council shall be final. Upon appeal of any decision of the Chair the question of order shall be decided by Council and the decision shall be final.

21.0 COMMITTEES

1. The Rules of Procedure for Committee operation shall be those contained in this By-law unless otherwise prescribed by statute or law.
2. Standing, Advisory and Ad-hoc Committees wholly within the sphere of the jurisdiction of Council may be established, revised, disbanded and replaced as Council deems necessary. **If legislated**, members of Committees and Boards shall be qualified electors within the municipality (i.e. Public Libraries Act).

3. The Head of Council shall be an ex-officio member of all Town Standing, Advisory and Ad-hoc Committees where not otherwise prohibited by any Act and shall have full voting privileges when in attendance at any meeting thereof and shall have the privilege of raising new business or adding any matter to a previously completed meeting Agenda.

22.0 ACCESSIBILITY

1. Documents can be made available in other accessible formats as soon as practicable and upon request.

AND FURTHER that this By-law does hereby repeal and replace By-law No. 2018-20, as revised, in its entirety and any previous By-laws of the former Town of Thornbury or former Township of Collingwood to govern the calling, placing and proceedings of Council meetings;

AND FURTHER that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this day of , 2019

Alar Soever, Mayor

Corrina Giles, Town Clerk