

THE CORPORATION OF THE TOWNSHIP OF BONFIELD
BY-LAW NO. 2021-04

BEING A BY-LAW TO GOVERN THE PROCEEDINGS OF
THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BONFIELD,
ITS COMMITTEES AND BOARDS

WHEREAS the Municipal Act, S.O. 2001, c.25, subsection 238 requires that every municipality and local board shall pass a procedural by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS the Council of the Corporation of the Township of Bonfield deems it necessary to enact a by-law to reflect current practices, procedures and statutory requirements;

NOW THEREFORE the Council of the Corporation of the Township of Bonfield ENACTS AS FOLLOWS:

1. Definitions

In this By-Law:

- a) **CAO:** means Chief Administrative Officer reporting to Council, the Chief Administrative Officer (CAO) is the senior administrator providing information, advice, and recommendations to Council on issues that affect the municipality in order to ensure that Council makes informed decisions and to fulfill such duties as may be assigned by the Municipality from time to time. Attending all Council meetings.
- b) **Clerk:** means that person appointed by the Council of the Township of Bonfield to fulfill such duties as may be assigned by the Municipality from time to time.
- c) **Closed Session:** means a meeting or part of a meeting of Council or a Committee not open to the public, held in accordance with the Municipal Act, 2002.
- d) **Committee:** means any standing, advisory, ad-hoc or other committee, subcommittee or similar entity appointed by Council.
- e) **Council:** refers to the elected members of Council.
- f) **Councillor:** means a member of the Council of the Corporation of the Township of Bonfield.
- g) **Deputy Mayor:** means the member appointed by resolution of Council to act in the place of the Head of Council when the Head of Council is absent or refuses to act or the office is vacant and while so acting such member has all the powers and duties of the Head of Council.
- h) **Electronic Means:** means video conferencing or other interactive method whereby Members, staff and the public are able to hear the person(s) participating by electronic means and the person(s) participating by electronic means are able to hear Members, staff and the public.
- i) **Livestream:** means the broadcast of a meeting in real time;
- j) **Local Board:** means a municipal service board, transportation commission, board of health, planning board and any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board, a conservation authority, a police services board or a public library board.

- k) **Mayor:** means the member elected to preside over council meetings and to oversee the general function of the Council.
- l) **Meeting:** means any regular, special or other meeting of a council or a local board or of a committee of either of them where,
 - a. A quorum of members is present, and
 - b. Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, local board or committee.
- m) **Member:** means, according to the circumstances, a member of Council including the Mayor, or a member of a committee
- n) **Presiding Officer:** means the Head of Council, or the Chair of a Committee or unless otherwise appointed in accordance with the provisions of this by-law.
- o) **Recorded Vote:** means the recording of the name and vote of every member on any matter of question.
- p) **Secretary:** means that person appointed by the Township to fulfill such duties as assigned by the Municipality from time to time.
- q) **Standing Committees:** are committees created by by-law or resolution of Council and remain in existence at the discretion of Council. Standing committees may be amended from time to time without requiring amendment to this By-Law. The standing committees handle routine duties that need to be carried out on a regular basis and report and recommend directly to council.
- r) **Township:** means the Corporation of the Township of Bonfield, and Municipality has a corresponding meaning.

2. Rules and Regulations to be Observed

- 2.1 Where a matter of procedure is not provided for in this bylaw, Robert's Rules of Order, as revised shall be followed.
- 2.2 The rules contained in this by-law shall be observed in all Council and Committees meetings.
- 2.3 No provision of this by-law shall be suspended except by affirmative vote of at least two-thirds $\frac{2}{3}$ of the whole members of Council
 - a. Any provision that is suspended shall only be suspended that the stated purpose and only for that meeting.
 - b. The following rules shall not be suspended:
 - 1. Majority of the whole of Members required for Quorum;
 - 2. Unanimous consent of Members present required for extension of a Regular Meeting; and
 - 3. Any statutory requirements with respect to proceedings

3. Public Notice of Meetings

- 3.1 In accordance with Section 238(2.1) of the Municipal Act, 2001, as amended, the procedure by-law shall provide for public notice of meetings.
- 3.2 The following notices shall be provided for
 - a) The Clerk shall give notice to members and the public of all Regular meetings by posting the agenda on the Township's website, and the municipal office front door the Friday prior to the regular meeting dates.

- i) in the event a meeting date, time or location changes following the adoption of the regular meeting schedule, the Township shall provide notice to Members and the public as soon as possible by the same notice procedures as 23.2(a).
- b) Special meeting notice shall be provided to the Members and the public by posting an Agenda on the Township's website at least 24 hours prior to meeting.
- c) Emergency meetings may be held, without notice, provided that an attempt has been made by the Clerk to notify all Members about the meeting as soon as possible and in the most expedient manner available. An Agenda for the meeting will be posted on the Township's website, and the municipal office front door as soon as practicable.

3.3 Notice requirements shall mean each agenda shall include date, time and location of a meeting and the items of business and the order of proceedings.

3.4 Notice which is substantively given but which is irregular or not otherwise in strict compliance with this bylaw will not invalidate the holding of a meeting or any proceeding taken at the meeting.

4. Committees and Boards

4.1 All Committees and Boards will be appointed for the term of Council as soon as practicable after the formation of Council, except where otherwise provided by any Act. The Chairperson and Vice-Chairperson shall be selected from the Members of Council. The structure and progress of the Committee and Board Chairs and Vice-Chairpersons shall be reviewed annually.

4.2 The Standing Committees of the Township shall be identified as follows, and may be amended from time to time, by the majority of Council, without requiring amendment to this By-Law:

- a) Corporate Committee; to review and make recommendations on policy, budget, financial review, and major municipal operations for administration and public works departments.
- b) Emergency Services Committee; to review and make recommendations on major Fire and Emergency management matters and assist with major projects as directed by Council.
- c) Recreation Committee; to plan and execute municipal community events and programming as approved by Council.
- d) Planning Advisory Committee; to review and make recommendations on consents and other planning matters as directed by Council.

4.3 Public members of Committees and Boards, except where otherwise provided by any Act shall be qualified electors of the Township of Bonfield and shall be appointed by resolution of Council. All Committees and Boards shall follow their respective mandates, as established by Council.

4.4 All Committees and Boards shall submit to Council for approval a Schedule of Meetings annually at their first meeting in each year. Alternate or additional meeting dates shall receive prior approval of the Chair.

4.5 A Standing Committee of Council may request that a Subcommittee be established to assist in certain areas of its mandate. A request to Council is

required to establish Subcommittees, complete with mandate and composition. The Subcommittee shall be established for the term of Council only, unless otherwise specified. The Subcommittee shall be chaired by either the Chair or the Vice-Chairperson of the Committee overseeing it.

- 4.6** All Committee meetings, with the exception of the Emergency Services Committee, shall be held in the Committee Room at the Municipal Office, shall be livestreamed and recorded. In the event of technical difficulties or malfunctions the minutes of meetings shall be readily available. The malfunction shall not invalidate the proceedings of the meeting.
- 4.7** The Emergency Services Committee shall meet at Fire Station 1. The meetings are not livestreamed nor recorded, and the minutes are readily available.

5. Council Meetings

- 5.1** An inaugural meeting of Council in an election year shall be held on November 15 or the first business day following said date. This meeting shall be for the purpose of swearing in the new Council and the Deputy Mayor. In the event of an Emergency, as defined under the Emergency Management Act, the meeting may be held at an earlier date. (Ref 230)
- 5.2** All Council meetings shall be held in the Council Chambers at the Township of Bonfield Municipal Office.
- 5.3** The regular Council meetings shall be on the second Tuesday and fourth Tuesday of each month at the hour of 7:00 p.m. Except for the months of July-December where there shall be one meeting only on the 2nd Tuesday
- 5.4** The Head of Council may at any time call a special meeting of the Council or upon receipt of a petition of the majority of the Members of Council, the Clerk shall call a special meeting for the purpose and at the time mentioned in the petition. The only business to be dealt with at the special meeting is that which is listed on the notice of the meeting (Ref. 240). Where possible a 24 hour notice will be provided to Members and the public.
- 5.5** In the case of an emergency, Council may hold its meetings and keep its public offices at any convenient location within or outside the municipality. (Ref 236)

6. Electronic Meetings

- 6.1** Meetings shall be livestreamed and recorded. In the event of technical difficulties or malfunctions the minutes of meetings shall be readily available. Any malfunction shall not invalidate the proceedings of the meeting. Public are welcome to attend in person at the meeting location.
- 6.2** Members may participate in meetings by Electronic Means when available.
- 6.3** Members shall request to participate by Electronic Means by providing the Clerk with a minimum of six (6) hours of notice, in order to guarantee that the request can be granted. Shorter request periods cannot be guaranteed. Requests of two hours or less will not be granted.
- 6.4** Members participating electronically in a meeting shall be counted in determining quorum.
- 6.5** Members participating electronically in a meeting shall be entitled to vote.
- 6.6** Each Member shall be entitled to attend a maximum of six (6) meeting per calendar year, excluding special and emergency meetings.

- 6.7** Each Member participating in a meeting by Electronic Means shall be available at least ten (10) minutes prior to the meeting commencing to ensure there is an established connection.
- 6.8** Each Member participating in a meeting by Electronic Means shall mute their electronic device when not speaking. The Presiding Officer shall canvas the Members on who would like to speak to an issue. It will be the Member participating through Electronic Means responsibility to ensure that they have gained the attention of the Presiding Officer by unmuting themselves and speaking and/or raising their hand physically and electronically.
- 6.9** Each Member participating in a meeting by Electronic Means shall inform the Presiding Officer of their intention to leave a meeting temporarily or permanently.
- 6.10** A Member participating in a meeting by Electronic Means shall be deemed to have left the meeting when they are no longer connected to the meeting. Where a loss of connection occurs during a meeting but does not affect Quorum, the meeting will continue in the absence of the Member.
- 6.11** Where a loss of connection during a meeting impedes Quorum, the Presiding Officer shall recess the meeting for fifteen (15) minutes. If the connection is not reestablished within that time, the Presiding Officer shall adjourn the meeting and the remaining business addressed at a subsequent meeting.
- 6.12** A Member shall only attend a Closed Meeting when the connection is secure and private, and they shall ensure that there is no other person(s) in the room during the closed session.
- 6.13** The public shall be permitted to present a delegation by Electronic Means and attend a meeting to observe the proceedings of the meeting through livestreaming services. The public shall not be entitled to participate or observe any Closed Meeting electronically.

7. Closed Meetings

- 7.1** In accordance with Section 239 of the Municipal Act, 2001, as amended, a meeting or part of a meeting may be closed to the public only 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;
- a) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - b) 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;

- c) 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 negotiation of a person, group of person or organization.
- d) 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.
- e) 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.
- f) the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the council, board, commission or other body is the head of an institution for the purposes of that Act. (3)
- m) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, and Ombudsman referred to in subsection 223.13(1) of this Act, or the investigator referred to in subsection 239.2(1)
- n) a meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied(3.1):
 - a) the meeting is held for the purpose of educating or training the members; and
 - b) at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee, (Ref 239(3.1))

7.2 Before holding a closed meeting or part of a closed meeting, the Council shall state by resolution:

- a) the fact of the holding of the closed meeting; and
- b) the general nature of the matter to be considered at the closed meeting; and the only exceptions to the above would be as set out in the Municipal Act.

7.3 Subject to subsection 6.4, a meeting shall not be closed to the public during the taking of a vote.

7.4 Despite subsection 6.3, a meeting may be closed to the public during a vote if:

- a) subsection 6.1 permits or requires a meeting to be closed to the public; and
- b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee, or either of them, or persons retained by or under a contract with the municipality or local board.

8. Presiding Officer

- 8.1** The Head of Council, except where otherwise provided, shall preside at all meetings of the Council and if the Head of Council is absent for any reason, the Deputy Mayor, as appointed under section 7.3, shall act in his/her place and has all the powers and duties of the Head of Council designated member, as the case may be. (Ref. 241 – 242)
- 8.2** In the absence of both the Head of Council and the Deputy Mayor, and provided there is a quorum of Council, a Presiding Officer shall be nominated by the members present and while so acting such member has all the powers and duties of the Head of Council or designated member, as the case may be. (Ref. 242)
- 8.3** The Deputy Mayor may be appointed by resolution of Council at the Inaugural Meeting. Following the municipal elections, the Councillor receiving the greatest number of votes may be appointed Deputy Mayor. If all Councillors are acclaimed to office, the procedure shall be by nomination process.

9. Call to Order

- 9.1** As soon after the time fixed for holding the meeting when quorum is present, the Head of Council or other Presiding Officer shall call the meeting to order.

10. Quorum

- 10.1** A quorum shall be a majority of the Members and should this quorum not be present 15 minutes after the time appointed for the meeting to commence, the Clerk shall record the name of the members present and the meeting shall stand adjourned until the date of the next regular meeting. (Ref 237)

11. Curfew

- 11.1** No item of business may be dealt with at a meeting after 10:30 p.m., unless authorized by a resolution supported by a majority of the Members.

12. Agenda

- 12.1** Agendas shall be generally formatted as follows, but modifications to the matters to be included, or the order of business, may be affected at a meeting without requiring amendment to this by-law:
- a) Call to Order
 - b) Adoption of Agenda
 - c) Adoption of Previous Minutes
 - d) Disclosure of Pecuniary Interest and General Nature Thereof
 - e) Presentations and Delegations
 - f) Staff Reports
 - g) Adoption of Committee Minutes/Motions
 - i) Corporate Services Committee

- ii) Emergency Services Committee
- iii) Planning Advisory Committee
- iv) Recreation Committee

- h) Items for Council Discussion
- i) Resolutions to be Considered for Adoption
- j) Correspondence
- k) Closed Session
- p) Confirmatory By-Law
- q) Adjournment

12.2 Any member of Council may have an item placed on the agenda by submitting item in writing to the Clerk no later than 12:00 noon the Thursday preceding the date of the meeting;

12.3 The Clerk shall prepare an agenda along with copies of all correspondence, minutes, reports and all supporting and background material forming part of this Agenda. Insofar as is practicable, the Agenda shall be prepared and made available to members of Council the Friday preceding the regular meeting and shall be electronically sent. A hard copy will be available upon request.

12.4 The business of the Council shall be disposed of in the order in which it appears on the agenda and no new items may be introduced unless authorized by the Council under the Adoption of the Agenda.

12.5 The agenda will be available to the public on the municipal website once it has been provided to Council and at the meeting.

13. The Proceedings of Meetings

13.1 It shall be the duty of the Head of Council or Presiding Officer to preside over Meetings so that its business can be carried out efficiently and effectively, and shall: (Ref 225)

- a) open Meetings by calling the Members to order,
- b) announce the business before the Members in the order in which it is to be acted upon,
- c) designate the Member who has the floor when two or more Members indicate they wish to speak;
- d) receive and state all motions presented by the Members,
- e) put to vote all questions duly moved and seconded and to announce the result,
- f) decline to put to vote motions which infringe the rules of procedure,
- g) enforce the observance of order and decorum among the Members and guests attending the Meeting,
- h) remove a Member or guest who is persisting in misconduct or breach of Meeting rules,

- i) ensure that the decisions of the Council are in conformity with the laws and by-laws governing the activities of the Council,
- j) adjourn the meeting when the business is concluded, a motion is carried, quorum is lost, there is serious disorder or an emergency exists.

14. Minutes

14.1 It shall be the responsibility of the Clerk to maintain accurate minutes of the Council meetings and in these minutes shall record:

- a) the date and time of the meeting,
- b) the name of the Members present,
- c) the correction, amendment and adoption of minutes,
- d) without note or comments, all resolutions, motions, decisions and other proceedings of the Meeting. (Ref 228)

15. Conduct of Members and Guests

15.1 No member shall:

- a) use offensive words or un-parliamentary language in or against the Council or against any member, staff or guest;
- b) disturb another, or the Council, staff, or guest, by any disorderly conduct disconcerting to the speaker or the assembly;
- c) speak on any subject other than the subject in debate;
- d) Resist the rules of Council or disobey the decisions of the Mayor or Presiding Officer on questions of order or upon the interpretation of the rules of Council;
- e) leave a meeting without first obtaining permission from the Mayor or Presiding Officer;
- f) be permitted to retake their seat after being ordered to vacate, having committed a breach of any rule of Meetings, until the next meeting and without making an apology to Council or Committee;
- g) interrupt the member who has the floor except to raise a point of order.

15.2 No person may be allowed to address or speak in debate without permission of the Mayor or presiding officer and having been placed on the agenda for delegation.

16. Presentations and Delegations

16.1 Persons wishing to address the Council may do so by informing the Clerk on or before noon the Thursday immediately preceding the meeting or a minimum of 96 hours prior to a scheduled Committee meeting.

16.2 Every Delegation Request shall be legibly written setting out the specifics of the presentation and shall not contain any obscene or improper matter or language.

16.3 Each delegation shall be limited to speaking not more than 10 minutes.

Delegations of 2 or more persons will be permitted 2 speakers with 5 minutes each with a maximum of three (3) presentations in total for any Meeting.

17. By-Laws

- 17.1** Every by-law shall be introduced to Council by a motion duly moved and seconded by Members and specifying the title of the by-law,
- a) every by-law when introduced shall be type written and numbered
 - b) every by-law shall have three readings prior to being passed,
 - c) the first and second reading of a by-law shall be made without amendment or debate, if the Council so determines, a by-law may be taken as read three times and considered final and passed in one meeting,
 - e) every by-law enacted by the Council shall be dated under the seal of the Corporation and shall be numbered and signed by the Clerk and by the Head of Council or Presiding Officer at the meeting at which the by-law was passed, and returned to the Clerk for safekeeping.

18. Motions

- 18.1** A motion must be presented in writing and properly moved and seconded before the Presiding Officer can put the question or before a motion can be properly recorded in the minutes.
- 18.2** A motion in respect of a matter, which is beyond the jurisdiction of the Council, (Ultra Vires) shall not be in order.
- 18.3** The persons moving and seconding must be present at the time the motion is read and voted upon.
- 18.4** The mover of a motion shall have the privilege of being the first speaker in the debate on the motion, and shall have the further privilege of speaking once more to conclude the debate.

Withdrawal

- 18.5** After a motion is read or stated by the Presiding Officer, it shall be deemed to be put to question, but may be withdrawn before decision or amendment and it is as though the original motion had never been made. If another member objects, however, the Presiding Officer will have to ask for a vote on the issue. A motion to withdraw cannot be debated or amended.

Priority of Disposition

- 18.6** A motion properly before the Council for decision must receive disposition before any other motion can be received except for exceptions as further noted.

Refer to Committee

- 18.8** A motion to refer a matter under discussion by the Council to a Committee or Board shall preclude all amendments of the main question until it is decided.

Amendments

- 18.9** A motion to amend:

- a) shall be presented in writing for the agenda,
- b) shall receive disposition immediately,
- c) shall not be amended more than once,
- d) shall be relevant to the question or matter in progress,
- e) shall not be received negating the question,
- f) may propose a separate and distinct disposition of a question.

18.10 A motion cannot be put forth on the previous question when an amendment is under consideration.

To adjourn

18.11 A motion to adjourn:

- a) shall always be in order except as provided by these rules,
- b) is not in order when a member is speaking or during the verification of a vote.

Privilege

18.12 A motion on a matter of privilege shall receive disposition immediately upon receipt by the Council, and when settled the question so interrupted shall be resumed from the point where it was suspended.

Reconsideration

18.13 When a Council has decided either for or against a certain question, it shall NOT reconsider the same question during the same calendar year, unless a motion to reconsider, presented by a prevailing member (one who voted on the prevailing or affirmative side of the original motion), has been passed by the majority of the members present.

18.14 No question upon which a notice of reconsideration has been accepted shall be considered more than once, nor shall a vote to reconsider be reconsidered unless new information is received in writing, which would suggest otherwise.

18.15 No discussion of the main question shall be allowed until the Council has dealt with the motion to reconsider. The member who gives the notice of reconsideration shall have the privilege of stating his/her reasons for doing so.

18.16 If a motion to reconsider is decided in the affirmative, such reconsideration shall not be made until a subsequent meeting of Council and must be presented to the Clerk in the form of a Notice of Motion prior to the preparation of the Agenda for that meeting.

18.17 Debate on a motion to reconsider must be confined to reasons for or against reconsideration.

18.18 In the event of a resolution that was defeated due to an equality of votes, both sides shall be considered as prevailing.

Notice of Motion

- 18.19** Before Meeting - A notice of motion may be submitted to the Clerk by a member at any time and, each notice of motion the Clerk has received prior to the preparation of the Agenda, shall be included on the Agenda for that meeting under the item "Notice of Motion". In this event, the Presiding Officer shall read the notice of motion. It shall be duly recorded in the minutes and shall form part of the Agenda for the meeting under the item "New Business".
- 18.20** At Meeting - A member may also submit, in writing, a notice of motion during the meeting under the Agenda item "Notice of Motion". In this event, the Presiding Officer shall read the notice of motion. It shall be duly recorded in the minutes and shall form part of the Agenda for the subsequent meeting under the item "Notice of Motion".
- 18.21** A motion not on the Agenda shall not be presented without the prior notice required under this section.
- 18.22** Withdrawal of Notice - Notwithstanding section 17.19, any motion may be introduced without notice, if Council dispenses with such notice by resolution passed by a majority of the members present.
- 18.23** The presentation of a notice of motion does not require a mover or a seconder until it comes before a meeting for debate.
- 18.24** A motion for which notice was given in accordance with this by-law must be moved and seconded at the meeting on which it appears on the agenda for debate.
- 18.25** A notice of motion must be presented in the appropriate motion format.

19. Voting on Motions

Question stated:

- 19.1** Immediately preceding the taking of the vote, the Presiding Officer shall state the question in the precise form in which it will be recorded in the minutes.

No interruptions

- 19.2** After the Presiding Officer commences to take a vote on a question, no member shall speak to such question or present any other motion until a vote has been taken on such question.
- 19.3** The Presiding Officer shall vote on any matter without having to vacate the room when a recorded vote is called for.

Vote not Allowed

- 19.4** A member, not present when a question is put forth, shall not be allowed to vote on this question.

Unrecorded Vote

- 19.5** The manner of determining the decision of the Council on a motion shall be a show of hands, except when a recorded vote is requested by any member.

Recorded Vote

- 19.6** If a member present at a meeting at the time of a vote requests immediately before or after the taking of the vote that the vote be

recorded, each member present, except a member who is disqualified from voting by any Act, shall announce his or her vote openly and the Clerk shall record each vote. (Ref 246(1))

- 19.7** The Clerk shall call by name the Members present in alphabetical order and then the Presiding Officer and the Clerk shall so record each member's vote, and such vote shall be recorded in the Minutes.
- 19.8** A failure to vote by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote. (Ref 246(2))
- 19.9** After completion of the recorded vote, the Presiding Officer shall announce the results.
- 19.10** Record Vote For/Against - If there is no request for a recorded vote, a member may request the Clerk to record his/her vote only, either for or against the question, as the case may be. Such vote shall be recorded in the Minutes.
- 19.11** Votes Equal - Any question on which there is a tie vote shall be deemed to be lost, except where otherwise provided by any Act. (Ref 245)

20. Rules of Debate

- 20.1** Every member wishing to speak on any motion or question shall address the Presiding Officer for permission to speak. When two or more members request to speak at the same time, the Presiding Officer shall decide who has the floor.
- 20.2** When a Member is speaking no other Member shall interrupt him/her except to raise a point of order.
- 20.3** 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.
- 20.4** No Member shall speak more than once to the same question without leave of the Council, except that a reply shall be allowed to be made only by the member who has presented the motion, but not by any member who has moved an amendment or a procedural motion.
- 20.5** No Member, shall speak to the same question, or in reply, for longer than five minutes.
- 20.6** A Member may ask a question only for the purpose of obtaining information relating to the matter under discussion.
- 20.7** When the Presiding Officer calls for the vote on a question, each Member shall occupy their seat and shall remain in place until the results of the votes has been declared by the Presiding Officer.
- 20.8** If a Member disagrees with the announcement of the Presiding Officer that a question is carried or lost he/she may, but only immediately after the declaration by the Presiding Officer, appeal the declaration and request that a recorded vote be taken.
- 20.9** A failure to vote by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote. (Ref 246(2))

20.10 The following matter of motions may be introduced orally without written notice and without leave:

- a) a point of order or personal privilege
- b) presentation of petitions
- c) to table the motion
- d) to postpone to specific time or indefinitely
- e) to move the previous question

20.11 The following motions may be introduced without notice and leave, but shall be in writing and signed:

- a) to refer
- b) to adjourn
- c) to amend
- d) to suspend the rules of procedure

20.12 In all cases not provided for in the proceedings of the Council, the matter shall be decided by the Presiding Officer, subject to an appeal to the Council on a point of order.

21. Points of Order and Privilege

21.1 The Presiding Officer shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meetings.

21.2 When a member wishes to call attention to what the member believes to be a violation of the rules of procedure, the member shall, when once recognized by the Presiding Officer, raise the point of order. On raising the point of order, a member shall state the point of order with a concise explanation and the Presiding Officer shall rule upon the point of order.

21.3 Unless a member immediately appeals the ruling of the Presiding Officer, the ruling on the point of order shall be final.

21.4 If an appeal is made, the member appealing shall, after announcing the appeal, state the reasons for the appeal and the Presiding Officer may then indicate why the appeal should be rejected and the ruling upheld.

21.5 Without debate, the members by roll call will then vote on the appeal and its decision shall be final.

21.6 If the appeal is upheld, then the Presiding Officer shall change his/her ruling accordingly. If the appeal is rejected, then the Presiding Officer's ruling stands.

22. Amendment or Repeal of By-Law

22.1 Except as otherwise provided, no amendment or repeal of this by-law shall be considered at any meeting unless notice of the proposed amendment or repeal has been given at a previous regular meeting and in accordance with the provisions of the Municipal Act, 2001.

22.2 Notwithstanding Section 22.1, this by-law shall be reviewed at least once during every term of Council.

23. Effective Date

23.1 This by-law shall become effective upon the date of enactment.

23.2 That By-Law No. 2021-24 are hereby repealed in their entirety.

READ A FIRST AND SECOND TIME ON THIS 12th DAY OF DECEMBER, 2023.

READ A THIRD TIME AND FINALLY PASSED THIS DAY OF , 2024

MAYOR

CLERK