

**THE CORPORATION OF
THE MUNICIPALITY OF NORTH GRENVILLE**

BY-LAW NO. 16-25

*Being a By-law of the Corporation of the Municipality of North Grenville to
Regulate Proceedings of Council and its Local Boards and Committees*

WHEREAS the *Municipal Act, 2001*, c. 25 S. 5 (1) provides that the powers of a Municipal Corporation are to be exercised by its Council;

AND WHEREAS the *Municipal Act, 2001*, c. 25 S. 5 (3) provides that the powers of every Council are to be exercised by By-law;

AND WHEREAS the *Municipal Act, 2001*, c. 25, S. 238 (2) requires every Municipality and Local Board to pass a procedure By-law for governing the calling, place and proceedings of Meetings;

AND WHEREAS Council of the Corporation of the Municipality of North Grenville deems it necessary to set rules and regulations with regard to Council proceedings.

NOW THEREFORE the Council of the Corporation of the Municipality of North Grenville enacts as follows:

- 1.0** That the rules and regulations contained in this By-law as set out in Schedule "A" and Schedule "B", attached hereto and forming part of this By-law, shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business in the Council and Committees thereof. The Clerk shall assure that a copy of this By-law is available at every Council Meeting.
- 2.0** This By-law shall come into force and effect on the date of passing.
- 3.0** That By-law 4-19, as amended, is hereby repealed.

Read a first time on this 12th day of February, 2025.

Read a second time on this _____ day of _____, 2025.

Read a third time and passed on this _____ day of _____, 2025.

MAYOR

CLERK

DRAFT

“Schedule A” – By-law No. 16-25

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1.0 DEFINITIONS

“Municipal Act” shall mean *the Municipal Act 2001, S.O. 2001, c.25, as amended*.

“Acting Head of Council” shall mean the Deputy Mayor as per Section 5.4 of this By-law, or another Member designated by Council as per Section 5.5 of this By-law, in accordance with Section 226 of the Municipal Act.

“Alternate Member of County Council” shall mean a Member appointed by Council to attend and contribute to County Council when one of the County Council representatives is unable to attend a Meeting.

“By-law” shall mean a By-law enacted by Council to exercise a power provided by legislation. It is the most formal document used for complex and legal matters providing authority and direction for the corporation to act on its own affairs.

“CAO” shall mean the Chief Administrative Officer of the Corporation of the Municipality of North Grenville as duly appointed by Council.

“Clerk” shall mean the Clerk of the Corporation of the Municipality of North Grenville, or designate, as duly appointed by Council.

“Closed Session” shall mean a Meeting or part thereof that is closed to the public in accordance with Section 239 of the Municipal Act.

“Committee” shall mean any advisory or other Committee, subcommittee or similar entity composed of Members appointed by Council resolution.

“Consent Agenda” means a component of a Meeting agenda that enables Council to group routine items and motions under one resolution to enact and is a single item that encompasses all the things Council may approve with little comment at a Council Meeting..

“Council” means the Council of The Corporation of The Municipality of North Grenville.

“County Council” shall mean Council of the United Counties of Leeds Grenville.

“Deputation” means a maximum of three persons, who wish to provide information to Council/Committee(s) of Council on a particular subject matter.

“Electronic Participation” shall mean to participate in a Meeting remotely via electronic means (e.g. video or audio teleconference) while having the same rights and responsibilities as if in physical attendance.

“Emergency” means a situation or an impending situation that constitutes a danger

of significant impact that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether, intentional or otherwise.

"Head of Council" shall mean the Mayor.

"Local Board" shall be as defined by the Municipal Act.

"Materially Advances" shall mean to substantially, measurably or identifiably advance a matter/issue or contribute meaningfully to the discussion or debate of such matter/issue.

"Meeting" shall mean any regular, special, or other Meeting of Council, of a Local Board or of a Committee of Council or Local Board, where:

- A Quorum of Members is present, and,
- 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.

"Member" shall mean a Member, Local Board or of a Committee of Council and includes the Head of Council or Chairperson.

"Pecuniary Interest" means a *Pecuniary Interest*, direct or indirect, in any matter within the meaning of the *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50*.

"Presiding Officer" is the person presiding over the Meeting, who is charged with the responsibility to decide questions and points of order or practice, preserve order and maintain decorum in the proceedings of Council, Local Boards or Committees.

"Quorum" shall be as defined under Section 237 of the Municipal Act.

"Rules of Procedure" shall mean the provisions contained in this By-law.

2.0 GENERAL INTENT

The rules and regulations contained in this By-law shall be observed and applied in all proceedings of Council and shall be the rules and regulations for the order and dispatch of business at Meetings of Council and any Local Boards or Committees thereof.

Where a matter being considered by Council arises that is not covered in this By-law and are not government by the Municipal Act, or other applicable legislation, the latest edition of "Robert's Rules of Order" shall apply.

3.0 ROLES AND RESPONSIBILITIES

- 3.1. The roles and responsibilities of Council shall be as set out in Section 224 of the Municipal Act
- 3.2. The role and responsibilities of the Head of Council shall be as set out in Section 225 of the Municipal Act.
 - 3.2.1 In addition, the Head of Council shall also act as Chief Executive Officer of the Municipality as set out in Section 226.1 of the Municipal Act.
 - 3.2.2 The Head of Council is also responsible for interpreting this By-law as Presiding Officer with the advice and assistance of the Clerk.
- 3.3. The roles and responsibilities of the CAO shall be in accordance with Section 229 of the Municipal Act.
- 3.4. The roles and responsibilities of the Clerk shall be in accordance with Section 228 of the Municipal Act and as prescribed under another other Act or By-law of the Municipality.
- 3.5. The role and responsibilities of the officers and employees of the municipality shall be in accordance with Section 227 of the Municipal Act.

4.0 COUNCIL MEETINGS

- 4.1 Meetings of Council shall be held in the Council Chambers located at 285 County Road 44, Kemptville, or at such other location designated by Council. All Meetings may be audio and/or visually recorded, broadcasted and/or live streamed publicly by the Municipality, with the exception of closed Meetings.
- 4.2 Regular Council Meetings shall be held in accordance with the Meeting schedule approved by Council in the previous calendar year. A proposed Meeting schedule will be presented to Council for approval by resolution each December (exception during a municipal election year) for the following year.
- 4.3 The schedule approved by Council in accordance with Section 4.2 shall be posted on the Municipal website and the social media platforms determined by the Communications Division. Council reserves the right to dispense or alter the time, day or place of any Meeting with forty-eight (48) hours (not including weekends or holidays) of the Meeting. Any changes shall be posted on the Municipal website and the social media platforms determined by the Communications Division.
- 4.4 The inaugural Meeting of a newly elected Council shall take place following the October election in accordance with Section 230 of the Municipal Act subject to the notice provisions of this By-law. All Members of Council shall take the declaration of office prior to participating in any Meeting of Council.

- 4.5 All regular Meetings of Council will commence at 6:30 p.m. An exception may occur where a public Meeting, Closed Session, or special Meeting precedes a Council Meeting.
- 4.6 No person shall be excluded from attending a Meeting that is open to the public except for improper conduct and/or non-compliance with health and safety regulations and/or policies established by the Municipality.
- 4.7 In the case of special Meetings, notice shall be given as per Section 4.8 or by posting a notice as soon as is practicable after a special Meeting has been scheduled.
- 4.8 The CAO or Clerk, in consultation with the Mayor, have the authority to schedule or cancel any regular Meeting provided notification has been given at a prior Meeting or within forty-eight (48) hours (not including weekends or holidays) of the Meeting.
 - 4.8.1. Notice of a new Meeting shall be sent by electronic transmission to all Members, municipal staff and guests scheduled to attend and be posted to the Municipal website and social media platforms determined by the Communications Division.
 - 4.8.2. Notice of a cancellation shall be sent by electronic transmission to all recipients on the agenda distribution list, be posted to the Municipal website and on social media platforms determined by the Communications Division.
- 4.9 The CAO or Clerk, in consultation with the Mayor, have the authority to cancel any Meeting of Council due to inclement weather conditions. Notice of cancellation shall be posted on the main entrance and other public access areas of the municipal office located at 285 County Road 44, Kemptville, on the Municipal website and social media platforms determined by the Communications Division.
- 4.10 At a Meeting, should a break be required for any purpose, a Motion to recess shall be brought forward and shall set a time (ex. recess for 5 minutes) or state “until called to order by the Chair”, the chair being the Presiding Officer.

4.11 SPECIAL & EMERGENCY MEETINGS

- 4.11.1 In accordance with Section 240 (a) of the Municipal Act the Mayor may at any time call a special Meeting of Council in accordance with the provisions of this By-law. The special Meeting shall be held on the date, time and location as designated for this purpose by the Mayor.

4.11.2 In accordance with Section 240 (b) of the Municipal Act the Clerk shall call a Meeting upon receipt of a petition from the majority of the Members of Council for the purpose and at the time and place mentioned in the petition.

4.11.3 Notice of Meetings of Council, whether regular Meetings, special Meetings, Closed Sessions or otherwise, shall be given in accordance with Section 4.8 of this By-law. The only business to be dealt with at a special Meeting is that which is listed in the notice of the Meeting.

4.11.4 Notwithstanding the notice requirement set out in Section 4.8, the Mayor may, in the event of a bona fide Emergency as herein defined, call a Meeting of Council without notice of the Meeting, provided that the Clerk has diligently attempted to advise all Members and the public immediately upon the decision to hold an Emergency Meeting. The only business to be dealt with at the Meeting shall be respecting that Emergency. The Meeting may be held at public offices, kept at any convenient location within or outside the Municipality or host virtually. The Clerk or designate shall make their best efforts to provide as much notice as is reasonable under the circumstances.

4.11.5 The Clerk may prepare and use a shortened agenda for special Meetings, Emergency Meetings and Closed Sessions.

4.12 CLOSED SESSION IN-CAMERA MEETINGS

4.12.1 All Meetings shall be open to the public except as provided in Section 239 of the Municipal Act, or another Act as applicable.

4.12.2 Before all or part of a Meeting is closed to the public:

- i. Council shall state by resolution the fact of the holding of the Closed Session, the subsection of the applicable Act in which the Closed Session qualifies, and the general nature of the matter to be considered during the Closed Session;
- ii. The Clerk shall have the Closed Meeting agenda prepared, identifying the subject and qualifying subsection in accordance with the Act, under which each matter is to be considered in the Closed Session. The agenda will be distributed at the Meeting to all Members in attendance; and,
- iii. The Clerk shall record without note or comment all procedural matters, directions or instructions at a Closed Session. Minutes shall be circulated by the Clerk at the following Closed Session for adoption.

- 4.12.3 A Meeting shall not be closed to the public during the taking of a vote with, the exception of the following:
- i. The Meeting is closed to the public and is a Closed Session in accordance with The Municipal Act or other applicable Act; and,
 - ii. The vote is for a procedural matter or for giving directions or instructions to officers, staff or agents of the Municipality, Local Board, Committee or persons retained by or under contract with the Municipality or Local Board.
- 4.12.4 Council, a Local Board or Committee may invite any person deemed appropriate a the Closed Session of the Meeting for a specific item of business, or as specifically outlined in the Municipal Act.
- 4.12.5 Members, staff and invited guests shall keep confidential any information:
- i. Disclosed or discussed at a Closed Session. The obligation to keep information confidential applies even if the Member ceases to be a Member; and,
 - ii. Received in confidence verbally in preparation of the Closed Session Meeting.
- 4.12.6 Discussion during a Closed Session shall be limited to that stated by the resolution passed prior to holding the Closed Session. Additional items require a resolution of Council in open session prior to holding the Closed Session to discuss the items.
- 4.12.7 All reasonable efforts shall be made to ensure that the Closed Session minutes are kept in a secure and confidential location under the control of the Clerk. These minutes shall only be open to those in attendance at the Meeting, to others approved by Council, or as legislated.
- 4.12.8 All documents handed out during a Closed Session shall be returned to the Clerk following the Closed Session. Once the Closed Session has ended, the Members shall return to open session by way of resolution recording the time of return.
- 4.12.9 A Member declaring a Pecuniary Interest in a Closed Session item, must be absent for that portion of the Closed Session in which the interest was declared.
- 4.12.10 If, an investigation of a Closed Session is completed, the investigator's report will be considered by Council in the open Meeting and a resolution will be passed to address recommendations resulting from the

investigation.

4.13 ELECTRONIC MEETINGS AND PARTICIPATION

- 4.13.1 Electronic Meetings may be held at any time. If during an electronic Meeting the public is not able to attend and/or observe the electronic Meeting due to an Emergency and/or health and safety regulations and/or policies, and the Meeting cannot be recorded, broadcasted or livestreamed, the Meeting will adjourn and be re-scheduled. Notice of the re-scheduled Meeting shall be posted in accordance with the notice requirements of Section 4.8.
- 4.13.2 Members may opt for Electronic Participation in both open Meetings and Closed Sessions. Members shall be responsible to take all reasonable measures to ensure security and confidentiality during a Closed Session during their Electronic Participation.
- 4.13.3 During Electronic Participation the Member shall vote with a show of their physical hand, provided all Members of Council can be seen by each other and seen on the recording, broadcast or livestream during a vote. Alternatively, each Member shall announce their vote verbally when called.
- 4.13.4 Regular Meeting rules apply when a recorded vote is called during Electronic Participation.
- 4.13.5 Members who wish to participate in a Meeting electronically shall provide the Clerk a minimum of six (6) hours' notice.
- 4.13.6 During a declared Emergency, Local Boards and Committees may meet by way of electronic Meeting at the discretion and direction of Council.

4.14 QUORUM AND ATTENDANCE

- 4.14.1 If no Quorum is present one-quarter hour (15 minutes) after the scheduled Meeting time, the Presiding Officer shall notify the public and those in attendance verbally, the Clerk shall record the names of the Members present and the Meeting shall stand adjourned until the date of the next regular Meeting.
- 4.14.2 Meetings shall be limited to a duration of 3.5 hours. Any extension shall be determined by a majority vote of the Members present.

5.0 CONDUCT AND PROCEEDINGS OF MEETINGS

- 5.1. Members are responsible for being prepared for every Meeting by reviewing all the material supplied including agendas and staff reports to facilitate discussion and the determination of action at the Meeting.
- 5.2. Members are encouraged to submit questions and inquiries to staff regarding the materials supplied in advance of the Meeting. Questions and inquiries that are not submitted in advance may not have a response at the time of the Meeting.
- 5.3. Members shall have regard for their roles and responsibilities in accordance with the Municipal Act, any other Act as applicable and this By-law during discussions at the Meeting.
- 5.4. The Mayor shall preside at all Meetings of Council. However, subject to the provisions of the Municipal Act, in case the Head of Council does not attend within fifteen (15) minutes after the time appointed for a Meeting of Council and a Quorum is present, the Deputy Mayor shall preside until the arrival of the Head of Council and shall have all the powers of the Head of Council for the purpose of presiding at a Meeting in the absence of the Head of Council.
- 5.5. Notwithstanding Section 5.4, in the absence of both the Mayor and the Deputy Mayor at a Meeting of Council, an Acting Head of Council shall be appointed from the Quorum of Members present and they shall preside until the arrival of the Head of Council or Deputy Mayor and shall have all the powers of the Head of Council for the purpose of presiding at a Meeting in the absence of the Head of Council or Deputy Mayor.
- 5.6. It shall be the duty of the Head of Council, Acting Head of Council or Presiding Officer:
 - 5.6.1. To open the Meeting of Council by taking the chair and calling the Members to order;
 - 5.6.2. To announce the business before Council in the order in which it is to be decided upon;
 - 5.6.3. To receive and submit, in the proper manner, all motions presented to or by Members;
 - 5.6.4. To put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result;
 - 5.6.5. To decline to put to vote motions which infringe the Rules of Procedure;

- 5.6.6. To restrain Members, within the Rules of Procedure and order, when engaged in debate;
- 5.6.7. To enforce, on all occasions, the observance of order and decorum among Members;
- 5.6.8. To call, by name, any Member persisting in breach of the rules or procedure or order thereby ordering the Member to vacate the Meeting location;
- 5.6.9. To receive all messages and other communications and announce them during the Meeting, as applicable;
- 5.6.10. To authenticate, by their signature, all By-laws and resolutions of Council, Local Board or Committee;
- 5.6.11. To inform Council, when necessary or when referred to for the purpose, on a point of order or usage;
- 5.6.12. To represent and support Council, declaring its will, and implicitly obeying its decisions in all things;
- 5.6.13. To ensure that the decisions are in conformity with the legislation, Municipal By-laws, purpose and/or mandate applied to Council, a Local Board or Committee;
- 5.6.14. To adjourn the Meeting, without question, in the case of grave disorder arising during the Meeting;
- 5.6.15. To order any Member, individual or group in attendance at the Meeting to cease and desist any behaviour which disrupts the order and decorum of the Meeting and to order an Member, individual or group to vacate the Meeting location where such behaviour persists; and,
- 5.6.16. To require all Members, individuals or attendees to disclose the use of any recording devices prior to the start of any Meeting.

5.7 Conduct of Members, Municipal staff, Guests and Attendees

- 5.7.1. A Member who desires to speak on any motion shall, upon recognition of the motion, respectfully address comments through the Presiding Officer. Discussions shall be confined to the subject matter as listed on the agenda and as applicable to the staff report and supporting documentation.

- 5.8. No Member, municipal staff or guest invited to address Council shall:
- 5.8.1. Use offensive words of unparliamentary language in or against any Member, Municipal Staff, guest invited to address Council, or attendee;
 - 5.8.2. Speak disrespectfully of the reigning sovereign, any of the Royal Family, of the Governor General, the Lieutenant Governor, any Province, or any Member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario;
 - 5.8.3. Use their own recording, broadcasting and/or live streaming devices without notifying and obtaining permission from the Presiding Officer and Clerk in advance of the Meeting.
 - 5.8.4. Disturb Members, Municipal staff, guests invited to address Council by any disorderly conduct disconcerting to the speaker or the assembly;
 - 5.8.5. Speak on any subject other than the subject in debate;
 - 5.8.6. Criticize any decision of the Members except for the purpose of a Member moving that the motion be reconsidered;
 - 5.8.7. Disobey the Rules of Procedure and order or a decision of the Presiding Officer or of Council, motions of order or practice, or upon the interpretation of the rules of Council;
 - 5.8.8. Retake their seat after being ordered to vacate by the Presiding Officer, having committed a breach of any Rules of Procedure or order, until the next Meeting and after making an apology to Members;
 - 5.8.9. Interrupt a Member who has the floor, except to raise a point of order;
 - 5.8.10. No person, except Members of Council, shall approach Council or speak to Council without having registered as a Deputation or guest to speak to Council and being called upon by the Presiding Officer or without having permission from the Presiding Officer to approach Council during the Questions from the Public & Media portion of the agenda in accordance with Section 10.18; and,
 - 5.8.11. When the Presiding Officer is putting the motion forward no Member shall make a disturbance.

6.0 RULES OF DEBATE

- 6.1 Every Member, prior to speaking, shall be recognized by the Presiding Officer. Every Member present at a Meeting when a question is put, shall vote thereon unless prohibited by statute.
- 6.2 When the Presiding Officer calls for the vote on a question, each Member shall occupy their seat and shall remain in their place until the result of the vote has been declared by the Presiding Officer, and during such time no Member shall speak to any other Member or make any disturbance. Without limiting the generality of the foregoing, no Member shall communicate with any other Member during a debate or vote, by electronic means or otherwise, or receive communications from any other person.
- 6.3 When a Member is speaking, no other Member shall pass between them and the Presiding Officer or interrupt them except to raise a point of order.
- 6.4 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.
- 6.5 Unless otherwise authorized by the Presiding Officer, all Members of Council, Municipal staff and guests invited to address Members shall address Members "Through the Chair" and only when recognized by the Presiding Officer, do so.
- 6.6 When two (2) or more Members seek to address Council, the Presiding Officer shall identify the Member who may speak first.

6.7 POINTS OF ORDER AND PRIVILEGES

- 6.7.1 The Presiding Officer shall preserve order and decide questions of order.
- 6.7.2 A Member who directs a request to the Presiding Officer or through the Presiding Officer to another Member or to Municipal staff, for information relevant to the business at hand shall raise a "Point of Information".
- 6.7.3 A Member who desires to call attention to a violation of the Rules of Procedure shall raise a "Point of Order".
- 6.7.4 A Member who desires to call attention to acts that a Member considers a breach of the Procedural By-law or Code of Conduct as they relate to conduct disparaging of Municipal staff, a guest or the public or raising a question of their integrity or the integrity of Council, a Member shall raise a "Point of Privilege".

- 6.7.5 Except when another Member is speaking, except in the case of Section 6.3, a Member may raise a point of order, point of information or point of privilege in respect of a matter under consideration by Council at any time prior to the Presiding Officer calling a vote on the matter, but at no time thereafter. When the Presiding Officer has granted leave, the Member shall state the point of order, point of information or point of privilege with a concise explanation and shall follow the decision of the Presiding Officer. A speaker in possession of the floor when a point of order, a point of information or point of privilege is raised shall have the right to the floor when the debate resumes.
- 6.7.6 A Member called to order by the Presiding Officer shall immediately remain in their seat until the point is dealt with and shall not speak again without the permission of the Presiding Officer unless to appeal the ruling of the Presiding Officer.
- 6.7.7 The decision of the Presiding Officer when ruling on a point of order point of information or point of privilege is final, subject to an immediate appeal.
- 6.7.8 If the decision is appealed, the Presiding Officer shall give concise reasons for the ruling and, if so appealed to, the Presiding Officer shall call a vote without debate, on the following question: "Shall the Chair be sustained?". The decision of Members shall not be appealed.

7.0 COMMITTEES OF COUNCIL – GENERAL RULES

- 7.1 The Mayor shall, ex officio, be a Member of all Committees of Council and be entitled to vote at all Meetings thereof. Any other Members of Council may attend any Meetings of Committees and may, with the consent of the Committee, take part in the discussion, but shall not be entitled to vote.
- 7.2 The general duties of a Committees shall be as follows:
- 7.2.1 The mandate, purpose, term, Membership, minimum number of Meetings and assigned support staff shall be as stipulated in the By-law or resolution establishing that Committee;
- 7.2.2 Insofar as possible, the Rules of Procedure for the Committees shall be the same as those set out for the Council, it being understood that Committees act in an advisory capacity only and that, unless decision making authority has been delegated by Council, motions presented and resolutions passed at the Committee level shall be deemed proposals and recommendations to Council respectively.

- 7.2.3 Committees shall report to Council from time-to-time, as often as the interests of the Municipality may require. All matters connected with the duties imposed the Committee in accordance with subsection 7.2.1 respectively and to recommend such action by Council in relation thereto as may be deemed necessary. All Committee recommendations shall be referred to Council, with or without an accompanying staff report;
- 7.2.4 Committees shall consider and report upon all matters referred to them by Council and adhere strictly in the transaction of all business to the Rules of Procedure and rule prescribed by the By-laws of Council, including that imposed in accordance with subsection 7.2.1;
- 7.2.5 Each Committee shall, at its first Meeting, fix a day of the month and hour for regular Meetings and shall elect two (2) co-chairpersons who shall rotate acting as Presiding Officer at all Meetings of the Committee. One (1) elected co-chairperson must be a Member of Council as appointed to the Committee by Council;
- 7.2.6 Members of Council may recommend, at any time, the establishment of a special Committee or ad hoc Committee to study, evaluate, negotiate, investigate, prepare a special report, or make recommendations for the resolution of a specific matter or issue;
- 7.2.7 A motion of Council to establish a Committee of Council shall contain:
- i. the general nature of the issue or issues the Committee is directed to study, evaluate, negotiate, prepare a special report or make recommendations;
 - ii. the persons appointed to the Committee; and,
 - iii. shall direct staff to prepare a By-law in accordance with subsection 7.2.1.
- 7.2.8 A Committee of Council shall be automatically dissolved once its work is complete and recommendations have been reported to Council, upon the dissolution by Council of such Committee, or at the end of the term of Council.

8.0 County Council

- 8.1 The Mayor shall be a Member of County Council upon:
- 8.1.1 Certification from the Clerk; and,
 - 8.1.2 Taking the declaration of office for the position.

8.2 An Alternate Member of County Council shall exercise all the rights of a Member of County Council solely for the Meeting so attended, with the exception of the Head of County Council. A Member shall become an alternate Member upon:

8.2.1 Being chosen by a vote of Members of Council;

8.2.2 Certification from the Clerk; and

8.2.3 Taking the declaration of office for the position.

9.0 VACANCIES AND ATTENDANCE

9.1 Subject to the Municipal Act, if the office of a Member of a Municipality becomes vacant if the Member,

9.1.1 Becomes disqualified from holding the office of a Member under Section 256, 257 or 258;

9.1.2 Fails to make the declaration of office before the deadline in Section 232;

9.1.3 Is absent from the Meetings of Council for ninety (90) days without being authorized to do so by a resolution of Council, the Local Board or Committee;

9.1.4 Resigns from their office and/or the resignation is effective under Section 260;

9.1.5 Is appointed or elected to fill any vacancy in any other office on the same Municipal Council;

9.1.6 Has their office declared vacant in any judicial proceeding;

9.1.7 Forfeits their office under the Municipal Act or any other Act; or

9.1.8 Dies, whether before or after accepting office and making the prescribed declarations.

9.2 A Member may resign from office by notice in writing filed with the Clerk.

9.3 If a vacancy occurs in the office of a Member of Council, Council shall fill the vacancy by,

9.3.1 Appointing a person who has consented to accept the office if appointed; or,

9.3.2 Holding a by-election to fill the vacancy in accordance with the Municipal Elections Act, 1996, S.O. 1996, c. 32, Sched., as amended; or,

9.3.3 Appointing the non-elected candidate who, during the last municipal election, obtained the second most votes after the candidate whose seat is declared vacant, to fill the vacancy.

9.4 A Member is permitted to be absent from Meetings for 20 consecutive weeks or less as a result of a Member's pregnancy, the birth of the Member's child or adoption of a child by the Member.

10.0 ORDER OF BUSINESS AND GENERAL RULES

10.1 Prior to each Meeting the Clerk shall set the agenda. The Clerk shall prepare, for the use of the Members at Meetings, an agenda under the following headings, as required, subject to reorder and/or removal of non-applicable items, at the discretion of the Clerk:

- i. Call to Order
- ii. Land Acknowledgement
- iii. Opening Remarks
- iv. Adoption of Agenda
- v. Declarations of Pecuniary Interest and General Nature Thereof
- vi. Public Meetings
- vii. Deputations
- viii. Consent Agenda
- ix. Minutes of Previous Meetings
- x. Closed Session
- xi. Open Session
- xii. Reports
- xiii. Correspondence
- xiv. Motions and Notices of Motions

- xv. Petitions and Written Communications from the Public
- xvi. Miscellaneous/Unfinished Business
- xvii. Period for Questions from the Media & Public
- xviii. Confirmation By-law
- xix. Adjournment

10.2 Call to Order

- 10.2.1. The Presiding Officer shall call the Members to order as soon after the appointed time of the Meeting if there is a Quorum present.
- 10.2.2. Upon the call to order, all Members of Council, Municipal Staff, guests invited to address Members and attendees shall immediately take their seats.

10.3 Land Acknowledgement

- 10.3.1. The Presiding Officer, or a Member identified by the Presiding Officer, shall deliver the land acknowledgment included in the agenda package.
- 10.3.2. A land acknowledgement shall be read at all Council and Committee Meetings regardless of the size of the Meeting.

10.4 Opening Remarks

At the discretion of the Presiding Officer, opening remarks may be read and/or stated by the Presiding Officer and/or another Member identified by the Presiding Officer to promote the Municipality and/or to address current events related to or occurring within the Municipality.

10.5 Adoption of Agenda

- 10.5.1. After the agenda has been posted, additions and amendments shall only be made to the agenda at the Meeting by successful resolution.
- 10.5.2. Additions to the agenda shall only be made during the Adoption of the Agenda portion of the Meeting.

10.6 Declarations of Pecuniary Interest and General Nature Thereof

- 10.6.1. Prior to a particular matter being addressed, Members of Council shall declare any Pecuniary Interests they may have, and the general nature thereof, in connection with that matter pursuant to the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, as amended. Such Members shall then be precluded from participating in any way regarding the matter in question and may choose to leave the Meeting location during discussion of the matter in question.
- 10.6.2. A Member shall declare a direct or indirect Pecuniary Interest or a conflict of interest by asking to speak during the Meeting upon realizing the interest. Following the Meeting, the Member shall document their declared interest and general nature of the interest using the prescribed form in Appendix 'B' of By-law 16-25 and shall file it with the Clerk.
- 10.6.3. If the declared Pecuniary Interest or conflict of interest is with respect to an item in a Closed Session, in addition to complying with the requirements of subsection 10.6.2, the Member shall forthwith leave the Closed Session, or that part of the Closed Session during which the matter is under consideration.
- 10.6.4. Where the interest of a Member has not been disclosed by reason of a Member's absence from the Meeting, the Member shall disclose the interest at the first subsequent Meeting thereafter in which they are in attendance. Following the Meeting, the Member shall document their declared and general nature of the interest using the prescribed form provided by the Clerk and shall file it with the Clerk.

10.7 Public Meetings

- 10.7.1. Public Meetings shall be scheduled as prescribed for the purpose of Meeting the requirements of an Act, Regulation or By-law.
- 10.7.2. A Public Meeting shall be called by the Clerk as requested by Council or as required under an Act or Regulation. The notice shall clearly state the purpose, date, time and location of the Meeting, and will provide a brief description of the purpose of the Meeting or shall include any information as otherwise prescribed by legislation.

10.8 Deputations and Proclamations

- 10.8.1. Persons wishing to address Council to present information orally on matters of fact or make a request of the Council shall give notice outlining concerns and/or requests to the Clerk by 4:00 p.m. a

minimum of seven (7) days preceding the Council Meeting.

- 10.8.2. Requests in accordance with subsection 10.8.1 shall be in writing and state, in detail, the nature of the matter to be presented and discussed. The request shall include the name, address and telephone number of a spokesperson(s) making to make the presentation.
- 10.8.3. Deputations will be encouraged to discuss matters of concern with the appropriate staff prior to appearing before Council.
- 10.8.4. Each Deputation shall be limited to not more than ten (10) minutes. Extensions to these limits will be at the discretion of the majority of Council.
- 10.8.5. In the event that the subject brought to the Members at a Meeting by a Deputation is also dealt with in any other item listed on the agenda, the Presiding Officer may call for a motion to amend the order of business so that the item may be brought forth at the same time as the consideration of the Deputation item.
- 10.8.6. Upon completion of a presentation by a Deputation, any dialogue between the Members and spokesperson(s) shall be limited to Members asking questions for clarification and to obtain additional, relevant information only. Members shall not enter into debate with the Deputation respecting the presentation.
- 10.8.7. Deputations shall not use indecent, offensive or insulting words, profanity or unparliamentary language against Council, staff, guests or individuals.
- 10.8.8. The Clerk will review Deputation requests with the CAO and Mayor. A Deputation may be denied if:
 - i. The matter is not within the jurisdiction of the municipality or Council;
 - ii. A Deputation on the same matter has been accepted by the same individual during the current term of Council;
 - iii. The Deputation fails to follow established By-laws, policies, procedures, protocols or as prescribed in applicable governing legislation; or,
 - iv. If the matter is operational and has not yet been considered by staff.
- 10.8.9. The number of Deputations per Agenda shall be limited to two (2)

unless otherwise approved by the Head of Council.

- 10.8.10. Where Council received a request for proclamation for a message of importance, interest or benefit to a significant number of citizens within the Municipality, the request shall be brought forward to Council for consideration as a Deputation, applying the Rules of Procedure within Section 10.8.
- 10.8.11. The Clerk will review proclamation requests with the CAO and Mayor. A request for proclamation may be denied if:
- i. The proclamation request is made by an individual or organization which is not within the geographic boundaries of the Municipality;
 - ii. The Clerk and requestor have not agreed on the text of the proclamation;
 - iii. The same proclamation request has been brought forward in the last twelve (12) months;
 - iv. The proclamation causes the municipality to incur expenses relating to advertising and promotion;
 - v. The matter is politically or religiously motivated or represents individual conviction;
 - vi. Campaigns or any events or activities that are contrary to Municipal By-laws or policies;
 - vii. The proclamation espouses discrimination, hatred, violence or racism; or,
 - viii. The matter is related to or intended for profit-making purposes.

10.9 Consent Agenda

- 10.9.1. For the purpose, convenience, or expediting a Meeting of Council, matters of repetitive or routine nature may be included in the Consent Agenda at the discretion of the CAO and Clerk. All such matters of business contained in the Consent Agenda are voted on collectively.
- 10.9.2. A Member may request that an item listed on a Consent Agenda be singled out from the Consent Agenda to allow debate or separate vote. The remaining matters of business contained in the Consent Agenda are voted on collectively.
- 10.9.3. The following procedure shall be applied for the introduction of Consent Agenda items:
- i. The Clerk shall bring one Consent Agenda motion to pass and receive all of the items referred to in subsection 10.9.1;
 - ii. Each item referred to in subsection 10.9.1 shall also require its

- own separate motion; and,
- iii. Where a Member declares a Pecuniary Interest in a matter on the Consent Agenda, that Member shall not participate in the vote or dealings of the Consent Agenda in any way.

- 10.9.4. Any Member who wishes to debate any item(s) set forth in the Consent Agenda motion shall so advise the Presiding Officer, following which:
 - i. The item(s) shall be separated from the Consent Agenda motion without question or debate;
 - ii. The motion for the items separated from the Consent Agenda shall be separated as presented in the Consent Agenda and shall be voted and adopted separately;
 - iii. Amendments to the separated item(s) may be proposed during the course of the debate; and
 - iv. Each separated item shall be voted on individually.

10.10 Minutes of Previous Meetings

- 10.10.1. The Clerk shall prepare the minutes of the Meeting with copies available to all Members. The minutes shall record:
 - i. the place, date and time of the Meeting;
 - ii. the names of the Presiding Officer, the Members and municipal staff in attendance;
 - iii. In the case of a Public Meeting, the names of the public in attendance;
 - iv. any declarations of Pecuniary Interest;
 - v. the reading, if requested, correction and adoption of the minutes of the prior Meeting(s);
 - vi. each item considered by Council and the decisions of the Meeting,
 - vii. without note or comment; and
 - viii. the results of any Recorded Vote(s).
- 10.10.2. Unless otherwise decided, the minutes of each Meeting shall be submitted to Council for confirmation or amendment at its next Regular Meeting or as soon thereafter as is reasonably practicable.

10.11 Closed Session (Refer to Subsection 4.12)

10.12 Open Session (Refer Section 4)

10.13 Reports

- 10.13.1. Staff Reports will be placed on the agenda in the order determined by the Clerk.

- 10.13.2. Reports are due to the CAO for approval by 12:00 p.m. (noon) on the Wednesday preceding the Meeting
- 10.13.3. If the report is not submitted to the CAO at the timeline stipulated in subsection 10.13.2, the report will be placed on the subsequent Meeting agenda.

10.14 Correspondence

- 10.14.1. Information Items are matters that are principally for the information of Council and may not require action or response from Council. All correspondence items are due to the Clerk by 12:00 p.m. (noon) on the Wednesday preceding the Meeting.
- 10.14.2. Correspondence intended to be presented to Council or a Committee must be legible and must not contain any defamatory allegations, or impertinent or improper information or be vexatious and frivolous in nature. The Clerk may return communications that do not comply with this Section. Correspondence that does not comply, will not be included on the agenda.
- 10.14.3. Communications are generally considered public documents and are therefore subject to the Municipal Freedom of Information and Protection of Privacy Act.
- 10.14.4. Any Member may request that a correspondence item be pulled for discussion at the next Meeting.

10.15 Notices of Motions

- 10.15.1. Any Member who wishes to introduce a motion pertaining to a matter not included in the agenda (other than a routine matter) must do so by a notice of motion.
- 10.15.2. A Notice of motion may be introduced by any Member verbally at a regular Meeting of Council for consideration at a subsequent Meeting or may be given in writing to the Clerk by 4:00 p.m. on the Wednesday preceding the regular Council Meeting for insertion in the agenda and for introduction of the motion.
- 10.15.3. A notice of motion shall not be debated at the Meeting in which it is introduced.
- 10.15.4. Notices of motion shall be listed on the agenda under two (2) categories:

- i. Notice of motion for consideration at this Meeting; and,
- ii. Notice of motion for consideration at a future Meeting of the Council.

10.16 Petitions and Written Communications from the Public

- 10.16.1. Every communication, including a petition, from the public shall be legibly written or printed and shall not contain any obscene, defamatory or improper language, shall be signed by at least one person and filed with the Clerk in accordance with the established policies and procedures of the Municipality.
- 10.16.2. A petition or communication may only be introduced at a Council Meeting with the consent of Council expressed by way of motion.
- 10.16.3. Where Council grants consent in accordance with subsection 10.16.2, the Clerk shall include on the subsequent agenda of Council the correspondence or petition addressed to Members of Council, except if such correspondence is deemed inappropriate by the CAO.
- 10.16.4. Correspondence or a petition addressed to a single Member shall not be distributed.

10.17 Miscellaneous/Unfinished Business

- 10.17.1. Items set out in the agenda which have not been disposed of, shall be included in the unfinished business listing.
- 10.17.2. New items of an urgent nature may be considered under the joint category of miscellaneous/unfinished business if, in the opinion of Council, they require an immediate decision.

10.18 Period for Questions from the Media & Public (Refer to Section 4)

10.19 Confirmation By-law

The proceedings of every Meeting of Council shall be confirmed by By-law, so that every decision, unless required by an Act, Regulation or By-law, of Council at that Meeting and every resolution passed thereat shall have the same force and effect as if each and every one of them had been the subject matter of a separate By-law duly enacted.

10.20 Adjournment

- 10.20.1. Notwithstanding subsection 4.14.2, no Meeting of Council shall proceed beyond the hour of 11:00 p.m. All items on an agenda remaining upon the deadline, shall be moved to the next regularly scheduled Meeting.
- 10.20.2. There shall be no updates, questions or discussions once a Meeting has been adjourned.

11.0 MOTIONS

- 11.1. The actions and decisions of Council shall be presented and decided by way of motions or resolutions, duly introduced, seconded, debated and voted upon.
- 11.2. All motions must be formally seconded before they can be considered or be recorded in the minutes.
- 11.3. When a motion is presented to Council in writing, it shall be read, or if it is a motion which may be presented orally, it shall be stated by the Presiding Officer before debate.
- 11.4. All motions may be supported or opposed by the mover and seconder.
- 11.5. A “Principal or Main Motion” is a motion to consider any subject that is brought before Council for its consideration. Principal or main motions yield to Privileged and Subsidiary or Secondary motions.
- 11.6. A “Subsidiary or Secondary Motion” is a motion which affects the disposition of a Principal Motion. Subsidiary or Secondary Motions take precedence over Principal or Main Motions and must be decided before the Principal Motion can be acted upon. Examples include motions to:
 - i. Refer;
 - ii. Amend;
 - iii. Divide;
 - iv. Lay on the table;
 - v. Take from the table; or
 - vi. Postpone indefinitely or to a certain day.
- 11.7. A “Privileged Motion”, due to its importance, takes precedence over all other questions and is not debatable. Examples include motions to:
 - i. Adjourn (or fix a time to adjourn);
 - ii. Questions relating to the rights and privileges of Members.
- 11.8. Motions with respect to the following matters may be introduced orally, without notice and without leave, except as otherwise provided by the Rules of Procedure:
 - vii. A point of order or privilege;

- viii. To move the question to be put; and,
- ix. To adjourn.

- 11.9. There shall never be more than one principal or main motion before Council at one time.
- 11.10. When the motion under consideration contains two or more proposals, the same shall, at the request of any Member, be voted on separately.
- 11.11. The Clerk shall note the date on each motion, along with the results of the vote.
- 11.12. The Presiding Officer, except where said individual is disqualified to vote by reason of interest or otherwise, may vote with the other Members on all questions, and any question on which there is an equality of votes shall be deemed to be negative.
- 11.13. Every Member shall be present in the Meeting location when a question is put to vote thereon unless they are disqualified to vote on the question.
- 11.14. The Presiding Officer shall state the names of the Members moving and seconding the motion and read the motion.
- 11.15. After a motion has been duly moved and seconded, it shall be deemed to be in the possession of Council and it may only be withdrawn before decision or amendment with the permission of Council. A Motion to Withdraw shall be moved and seconded and disposed of prior to any other secondary motion being presented.
- 11.16. If a Member disagrees with the announcement of the results of the vote by the Presiding Officer, they may object immediately to the results and require that a recorded vote be taken.
- 11.17. Voting shall be done by a show of hands unless there has been a request for a recorded vote or unless a recorded vote is required by the *Municipal Act, 2001*. Where a vote is taken for any purpose, a Member may request prior to or immediately subsequent to the taking of the vote, that the vote be recorded.
- 11.18. With respect to recorded votes, during in-person Meetings, the Clerk shall ask those Members in favour to stand and then those Members opposed to stand and shall record the name and vote of every Member. During Electronic Participation or electronic Meetings, the Clerk will call on Council in alphabetical order starting with the Councillors, then the Deputy Mayor and then the Mayor.
- 11.19. No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

11.20. Proxy voting is not permitted.

11.21. Members shall not speak more than once to the same motion without the consent of the Presiding Officer.

11.22. Reconsideration:

A substantive resolution, By-law or any question or matter that has previously been adopted by Council may be reconsidered by Council subject to the following:

11.22.1. A notice of motion, moved by a Member on the prevailing side, must be introduced according to the procedures for notices of motion;

11.22.2. Such motion must be supported by a majority vote of the Members of the whole Council before the matter to be reconsidered can be debated;

11.22.3. Once a vote to reconsider is passed the matter being reconsidered shall immediately be put on the floor as a resolution as if it had not been voted on previously; and,

11.22.4. A vote to reconsider shall not be considered more than once in any twelve-month period.

11.22.5. A motion to reconsider is prohibited when a motion pertains to a decision of a previous term of Council.

11.22 Motion to Amend

A Motion to Amend shall:

- i. Be presented in writing or verbally;
- ii. Not be further amended more than once provided that further amendment may be made to the main motion;
- iii. Be relevant to the main motion; and,
- iv. Not propose a direct negative to or contradict the main motion.

11.22.1. Only an amendment or a sub-amendment to a question is allowed at the same time. When both have been dealt with, the Presiding Officer may entertain a further amendment or sub-amendment, as the case may be. Amendments shall be voted on in reverse order to their introduction. For greater certainty, the amendment to the amendment must be disposed of before the amendment and the amendment must be voted on before the main motion.

11.22.2. The mover of a motion may, with the consent of the seconder

agree to incorporate a “friendly” amendment into the main motion.

11.23 Motion to Adjourn

The purpose of a Motion to Adjourn is to bring a Council Meeting to an end. A motion to adjourn:

- i. is not in order when a Member is speaking or between the times a vote is called and the results of the vote have been declared;
- ii. may be verbal;
- iii. if resolved in the affirmative, shall cause Council to immediately rise and take no further proceeding until the next Meeting and the time of adjournment shall be noted by the Clerk;
- iv. if resolved in the negative, shall entitle Council to resume its debate to a point immediately prior to the point at which the motion to adjourn was moved; and,
- v. is not debatable.

- 11.23.1. A Motion to Adjourn to a specific time, or to reconvene upon the happening of a specific event, if carried, suspends the Council Meeting to continue at such time or upon the happening of such specified event.

11.23 Motion to Refer

The purpose of a Motion to Refer is to refer a question to a Local Board or Committee. A Motion to Refer:

- i. Need not be presented in writing;
- ii. Shall receive disposition of Council before the main motion;
- iii. Shall state the Committee or municipal staff to which the matter shall be referred;
- iv. Can be amended as to the method of disposition, size of Local Board or Committee or other similar instructions;
- v. Shall preclude all amendments of the main question until it is decided;
- vi. Shall not be debatable except that debate may be permitted on the advisability or propriety of the referring question.

11.24 MOTION TO TABLE

The purpose of a Motion to Table removes the subject from consideration until a vote of Council lifts it from the table. A Motion to Table cannot be debated or amended.

- 11.24.1. A Motion to Table with some condition, opinion, or qualification added to the Motion to Table shall be deemed to be a motion to postpone or defer.

- 11.24.2. Council shall not consider the matter tabled again until a motion has been made to take up the tabled matter at the same or subsequent Council Meeting, or until such time as is identified in the Motion to Table.
- 11.24.3. A motion to take up a tabled matter is not subject to debate or amendment.
- 11.24.4. A motion that has been tabled at a previous Council Meeting cannot be lifted off the table unless notice is given in accordance with the notice of motion procedures.
- 11.24.5. A motion that has been tabled and not taken from the table for six (6) months is deemed to be withdrawn and cannot be taken from the table.

11.25 MOTION TO POSTPONE OR DEFER

- 11.25.1. The purpose of a Motion to Postpone or Defer is to have a matter postponed or deferred to a definite date.
- 11.25.2. A Motion to Postpone or Defer indefinitely shall be treated as a Motion to Table.

11.26 THE QUESTION BE NOW PUT

The purpose of a motion “That the Question Be Now Put” is to close debate and bring Council to a vote on a pending question. A motion “That the Question Be Now Put”;

- i. Is not debatable;
 - ii. Cannot be amended;
 - iii. Cannot be moved when there is an amendment under consideration.
- 11.26.1. If a motion “That the Question Be Now Put” is resolved in the affirmative, the Presiding Officer shall forthwith put the main motion as a question.
 - 11.26.2. If a motion “That the Question Be Now Put” is resolved in the negative, debate may continue on the main motion.

11.27 ORDER OF CONSIDERATION

- 11.27.1. When a motion is under consideration, no motion shall be received except a procedural motion or motion to amend.
- 11.27.2. Procedural motions shall be considered immediately upon receipt and are subject to debate as follows:
 - i. To extend the time of the Meeting (not debatable);

- ii. To adjourn (not debatable);
- iii. To defer indefinitely or to a certain day (debatable); or
- iv. Any other procedural motion (debatable).

12.0 BY-LAWS

- 12.1. Every By-law shall be introduced by written motion and shall be considered to have been read a first, second and third time short.
- 12.2. Every proposed By-law may receive three readings or a combination thereof, on the same day unless otherwise required by other legislation or directed by Council.
- 12.3. If Council so determines, a By-law may be taken as read.
- 12.4. The Clerk shall set out on all By-laws enacted by Council, the date of the several readings thereof.
- 12.5. Every By-law enacted by Council shall be numbered and dated and shall be sealed with the seal of the corporation, signed by the Clerk and the Presiding Officer and shall be deposited by the Clerk in their office for records keeping.
- 12.6. By-laws that require public notice shall be given in accordance with the notice policy of the Municipality and or in accordance with applicable legislation. Legislated notice requirements shall take precedence over the notice policies and/or provisions.
- 12.7. At the conclusion of all Meetings of Council, and prior to adjournment, a Confirmation By-law shall be brought forward to confirm the proceedings of the Council at that Meeting in respect of each motion, resolution or other action. A Confirmation By-law then introduced, shall be taken as read a first, second and third time and finally adopted without debate.

13.0 SUSPENSION OF RULES

In rare instances, Council may suspend the Rules of the Procedure By-law with a two-thirds majority vote of Council. In no circumstances may Council suspend any statutory procedures from the Act or any applicable legislation. Council may not suspend the Rules of Procedure for the purpose of reconsidering a matter.

14.0 AMENDMENT OF PROCEDURAL BY-LAW

- 14.1. No repeal of this By-law shall be considered at any Meeting of Council unless notice (verbal or written) of intention of the proposed repeal has been given.
- 14.2. From time to time amendments to this By-law, or any part thereof, may be

considered at any Meeting of Council provided notice (verbal or written) is given.

15.0 SEVERABILITY

The provisions of this By-law are severable. If any provisions, section or word is held to be invalid or illegal, such invalidity or illegality shall not affect or impair any of the remaining provisions, sections or words of this By-law.

16.0 CONFLICT

Where the terms of any By-law passed prior to this By-law conflict with this By-law, the terms of this By-law shall prevail.

17.0 EFFECTIVE DATE

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

DRAFT

**CORPORATION OF THE
MUNICIPALITY OF NORTH GRENVILLE
Declaration of Interest Form**

Meeting Date: _____

Member Name: _____

Item in which interest was declared (Title): _____

General nature of the interest (please describe):

Member Signature

Date