

**THE CORPORATION OF THE TOWNSHIP OF NORTH FRONTENAC**

**BY-LAW #40-18**

**BEING A BY-LAW TO REPEAL BY-LAW #14-18 AND TO ESTABLISH A PROCEDURAL POLICY FOR MEMBERS OF COUNCIL AND COMMITTEES**

**WHEREAS** Section 8 of the *Municipal Act*, S.O. 2001, provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance their ability to respond to municipal issues;

**AND WHEREAS** Section 9 of the *Municipal Act*, S.O. 2001, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**AND WHEREAS** Section 238(2) of the *Municipal Act*, S.O. 2001, c.25, as amended (the *Municipal Act*) provides that Council shall pass a procedure by-law for governing the calling, place and proceedings of Meetings;

**AND WHEREAS** Section 238 (2.1) of the *Municipal Act* provides that the procedure by-law shall provide for public notice of Meetings;

**NOW THEREFORE** Council repeals By-law #14-18 and enacts the attached Schedule "A" which shall be read and form part of this By-law as the Procedural Policy for the Council and Committee Members of the Corporation of the Township of North Frontenac;

**AND THAT** this "Procedural Policy" applies to and binds all Members of Council/Committees of the Township of North Frontenac;

**AND THAT** any additions to the Procedural Policy shall be authorized by By-law;

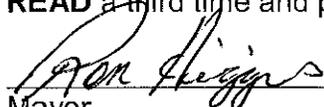
**AND THAT** should any sections of this By-law, including any section or part of any Schedules attached hereto be declared by a court of competent jurisdiction to be ultra vires, the remaining Sections shall nevertheless remain valid and binding;

**AND THAT** this By-law shall come into force and take effect on the date of final passing;

**AND THAT** all Resolutions, By-laws or parts of By-laws, which are contrary to or inconsistent with this by-law, are hereby repealed.

**READ** a first and second time this 1<sup>st</sup> day of June, 2018.

**READ** a third time and passed this 1<sup>st</sup> day of June, 2018.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**SCHEDULE "A" TO BY-LAW #40-18**

**COUNCIL AND COMMITTEE PROCEDURAL POLICY**

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## **SECTION 1.0 – INTRODUCTION**

These procedures and rules address both basic procedural items and other more complex questions and issues that might arise in Council or Committee Meetings. Well documented procedures and rules result in more productive Meetings and lessen the amount of extraneous debate on unrelated topics.

This Policy will provide the rules of conduct for Members of Council and Committees in order to govern the affairs of the Township of North Frontenac in an accountable and transparent manner, and sets the minimum standard for the behavior of Members in carrying out their functions. It has been developed to assist Members to:

- a. Understand the standards of conduct that are expected of them;
- b. Fulfill their duty to act honestly and exercise reasonable care and diligence;
- c. Act in a way that enhances public confidence in local government; and
- d. Identify and resolve situations which might involve a conflict of interest or a potential misuse of position and authority.

In all matters and under all circumstances, the Members of Council/Committees shall be guided by and shall have regard to the *Municipal Conflict of Interest Act, 1990 c.M 50*, or its successor, and amendments thereto.

Following a regular or new election, the Clerk shall provide each Member of Council/Committees with a copy of this Policy, including any amendments.

## **SECTION 2.0 – DEFINITIONS**

In this by-law:

**Accountability** means the principle that the Municipality will be responsible to its taxpayers/stakeholders for decisions made and policies implemented, as well as its actions or inactions. Additionally, accountability means how Members and Employees are held to account for their actions; and how actions are explained and justified in terms of appropriate criteria and in sufficient detail (*as stated in By-law #70-07 Accountability and Transparency Policy, as amended*).

**Agenda** means the Orders of the Day. (*see Section 5*)

**Amendment** means a change in the form of a Motion. An Amendment is designed to alter or vary the terms of the main Motion without materially changing the meaning. It shall propose that certain words be left out; certain words be omitted and replaced by others; or certain words be inserted or added. Every Amendment shall be strictly relevant to the Motion being considered.

**CAO** means the Chief Administrative Officer of the Corporation of the Township of North Frontenac, being the Senior Official for the Township having the authority to bind the Township; or in the CAO's absence, the Manager appointed by Council as the CAO Back-up.

**Censure** means a reprimand or the act of condemning sternly the actions of a Member whom the majority of Council believes is not conducting themselves in a manner

consistent with the traditions of integrity, honesty, respect and good faith expected of Members adhering to the Township's rules and procedures.

**Clerk** means the Clerk of the Corporation of the Township of North Frontenac, appointed by Council who shall perform all duties per Section 223(1) of the Municipal Act, as amended.

**Clerk – Delegation in Writing** means the Clerk may delegate in writing to any person, other than a Member of Council, any of the Clerk's powers and duties under the Municipal Act or any other Act, per Section 228(4) of the Municipal Act.

**Closed Session** means a Meeting or a part of a Meeting of Council or a Committee, which is closed to the public. All Meetings shall be open to the public except as provided for in the Municipal Act. No such Meeting shall be held without the Clerk present. (see Section 4.6)

**Committees of Council** means any advisory Committee, appointed by Council of which at least 50 per cent of the Members are also Members of Council per Section 238(1) of the Municipal Act. (see Section 4.7)

**Committee – External** shall be appointed by Council By-law in accordance with Legislation or an Agreement for a specific function and shall have its own Procedural Policy. External Committees presently include the Committee of Adjustment/Planning Advisory Committee and the Joint Fire Committee for the Kaladar/Barrie Fire Department.

**Confidential Information** includes information in the possession of the Township that the Township is either prohibited from disclosing, or is required to refuse to disclose, under the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, or other legislation. Generally, MFIPPA restricts or prohibits disclosure of information received in confidence from third parties of a corporate, commercial, scientific or technical nature; information that is subject to solicitor-client privilege and information that is deemed to be personal information, including:

- a. Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital and family status of an individual;
- b. Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- c. Any identifying number, symbol or other particular assigned to the individual;
- d. The address, telephone number, email address, fingerprints or blood type of the individual;
- e. The personal opinions or views of another individual about an individual;
- f. Correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence; and
- g. The individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

It also means any information that is of a personal nature to the Employees or clients or information that is not available to the public and that, if disclosed, could result in loss or damage to the Township or could give the person to whom it is disclosed an advantage. Confidential information includes, but is not limited to the following information:

- a. Disclosed or discussed at a Closed Session;
- b. That is circulated to Members and marked “Confidential”;
- c. That is given verbally in confidence in preparation of or following a Meeting that is closed to the public and includes, but is not limited to the following types of information:
  - i. Personal matters about an identifiable individual;
  - ii. Information about suppliers provided for evaluation which might be useful to other suppliers;
  - iii. Matters relating to legal affairs of the Township; sources of complaints where the identity of the complainant is given in confidence; items under negotiations; and
  - iv. Matters identified as solicitor-client privilege.

**Conflict of Interest Act/Pecuniary Interest** means, in accordance with the *Municipal Conflict of Interest Act* under “Purpose of Act”, to prohibit Members of Council and Local Boards/Committees from engaging in the decision making process (that is participation in debate or voting, as well as any attempt before, during or after the meeting to influence the vote) in respect of matters in which they have a personal economic interest.

**Council** means the Council of the Corporation of the Township of North Frontenac.

**Councillor Portfolios** means a Member appointed for action, activities or to provide a connection between Council and agencies or groups (such as, but not limited to, a Council appointed liaison for agencies/groups, Committees, Task Forces). (see section 10.1).

**County Council Second Member** means a Member appointed at the Inaugural Meeting of Council to serve on County Council along with the Mayor. (see section 10.2)

**County Council Alternate Member** means a Member appointed at the Inaugural Meeting of Council to act as the County Council Alternate Member appointed under Section 268 of the Municipal Act who will act in place of a County Council Member (Mayor or County Council Second Member) when the County Council Member is unable to attend a meeting of County Council for any reason (excluding a temporary vacancy). (see section 10.2)

**County Council Temporary Vacancy Alternate Member** means a Member appointed as an Alternate Member of County Council under Section 267 of the Municipal Act who will act in place of a County Council Member who is unable to act for a period exceeding one month. (see section 10.2)

**Defer** means to delay or postpone to a future Meeting of Council and/or Committee. (see Section 8.3)

**Delegation** means an address to Council by one or more persons who have requested to address Council and are not Members of Council or Employees.

**Deputy Clerk** means the Deputy Clerk of the Corporation of the Township of North Frontenac appointed who shall have all the powers and duties of the Clerk per Section 228(2) of the Municipal Act, as amended.

**Deputy Mayor** means a Member appointed at the Inaugural Meeting of Council to serve as the Deputy Mayor. (see section 10.3)

**Ex-Officio** shall refer to the Mayor who is permitted to act by virtue of office. The Ex-Officio shall not form part of the quorum or be permitted to vote at a Committee meeting, except in the case where another Member is absent.

**Holiday** means a Holiday as set out in the Employment Standards Act, 2000, and/or the Township's Personnel and Employment Policies and Procedures Manual, as amended, and currently are identified below:

- New Year's Day
- Family Day (3<sup>rd</sup> Monday in February)
- Good Friday
- Victoria Day
- Canada Day
- Labour Day
- Thanksgiving Day
- Christmas Day
- Boxing Day

Plus the following:

- Easter Monday
- Civic Holiday (first Monday in August)
- Remembrance Day

**Manager** as defined in the Personnel and Employment Policies and Procedure Manual.

**Mayor** is the Member of Council who is elected at large by general vote and shall perform the duties of Head of Council, as set out in the Municipal Act or any other Act, as amended. He/she shall preside at all meetings of Council.

**Meeting** means any Regular, Special or other Meeting of Council, or a Committee of Council, 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 Council or the Committee. No such Meeting shall be held without the Clerk present. (see Section 4.0)

**Member** means a Member of Council or a Member of a Committee of Council.

**Minutes** means a record, without note or comment, of all Resolutions, By-laws, decisions and other proceedings of Council or a Committee of Council and shall be adopted by Council, and the record shall be made by the Clerk.

Once adopted by Council, the Clerk's handwritten Notes shall be destroyed. (Prior to Council approval, the Clerk's handwritten Notes are a draft document/record, available upon request for inspection only, excluding Closed Session). The Clerk's Notes taken during Closed Sessions shall be used as the Clerk's reference only and they shall not become part of the Minutes for public viewing.

**Motion** means a formal written proposal for action, drafted by the Clerk and/or CAO, and presented for consideration, discussion and a vote by Council or a Committee of Council. (see Section 8.0)

**Municipal Act** means the *Municipal Act S.O.2001, c.25*, as amended.

**Point of Order** means bringing to the attention of the Presiding Officer that a rule has been broken or an error in procedure has been made as follows: (see Section 8.6)

- a. Breaches of the Rules of Order of Council/Committee.
- b. Difficulty in continuation of the Meeting.
- c. Improper, offensive or abusive language.
- d. Notice that the discussion is outside the scope of the Motion.
- e. Irregularities in the proceedings.

**Presentation** means at the invitation of Council and/or the CAO a presentation that is given by Township employees; a consultant; or representatives of an organization, agency, board or service partner including status reports concerning projects, initiatives, programs or services.

**Presiding Officer** means the person chairing the meeting. For Council it is the Mayor and in his/her absence is the Deputy Mayor For Committees, means the Chairperson at Meetings of Committees of Council, recommended by the Mayor and appointed by Council Resolution.

**Quorum** means greater than fifty per cent (50%) of the Members of Council (4 out of 7) or a Committee of Council. In the case of a Task Force a quorum shall include at least one (1) Member of Council and the CAO or a Manager and careful consideration shall be taken to ensure good representation from the voluntary sector. (see Section 6.0)

**Recorded Vote** means the recording of the last name and vote of every Member on a Motion, in alphabetical order with the Presiding Officer last, during the Meeting. (see Section 8.7)

**Refer** means to send an issue or request information from a Committee of Council and/or the CAO by Resolution. (see Section 8.3)

**Resolution** a written Motion adopted by a majority of Council and shall include the original Motion or an amendment to the original Motion. Committee Motions shall not be carried or become Resolutions until the Minutes are adopted by Council.

**Rules of Order** means the rules of procedure and order established by this By-law to regulate conduct during a Meeting of Council/Committees. In the event of a question of procedure arising from this By-law, “The Everything Robert’s Rules Book, Adams Media, 2004” as amended shall be referenced for clarification.

**Sanctions** include but are not limited to, censuring, removal from Committee assignments either permanently or for an interim period or demand of an apology. (see *Section 11.6*)

**Task Force** means individuals appointed by Resolution for a specific task to be addressed or special purpose. A Task Force shall not be governed by this Procedural By-law; but is governed by the mandate established by Council and the Terms of Reference approved by Council. (see *Appendix A*)

**Town Hall Information Session** means Information Sessions that are designed to allow the Township to communicate its activities to the ratepayers and to allow the ratepayers the opportunity to provide input for items on the Mayor’s agenda. (see *Section 4.9*)

**Township** means the Corporation of the Township of North Frontenac.

**Transparency** means the principle that the Municipality actively encourages and fosters taxpayers/ stakeholders participation and openness in its decision making processes. Additionally, transparency means that the municipality’s decision making process is open and clear to the public (as stated in By-law #70-07 Accountability and Transparency Policy, as amended).

**Website** means the official Website of the Corporation of the Township of North Frontenac – [www.northfrontenac.com](http://www.northfrontenac.com).

## **SECTION 3.0 – COUNCIL VACANCY APPOINTMENT PROCESS**

### **3.1 Vacant Position Declared**

Council declares the Council position vacant, and this position is to be filled within sixty (60) days of declaring the vacancy. (Subject to the Municipal Act, as amended). The position will be offered to the candidate from the vacant Ward who had the highest number of votes at the previous election, and if declined, to the candidate with the next highest number of votes, etc., provided the candidate received at least fifteen percent (15%) of the votes at the previous election. If no appropriate Candidate is available, the Clerk shall advertise the vacancy for public interest in filling the position, from the Ward in which the vacancy occurred.

The vacant position of Mayor shall be filled through a Bi-election.

### **3.2 Advertise Vacancy**

The Clerk shall advertise such vacancy with a response deadline, in a local newspaper for two (2) consecutive weeks, as well as having the advertisement placed on the Township’s Website.

### **3.3 Declaration of Qualifications**

All candidates submitting an application/resume to the Clerk shall also sign a Declaration of Qualifications to be witnessed by a Commissioner of Oaths, prior to nomination.

### **3.4 Applicants' Resumes**

Council shall receive a confidential copy of each Applicant's application/resume in the Closed Council Agenda package prior to the next Council Meeting at which a vote will be taken. Applications/resumes shall remain confidential and once the final decision is made all confidential copies shall be deleted, if electronic, or returned to the Clerk.

### **3.5 Applicant's Presentation**

The Clerk shall invite all Applicants to the next Council Meeting after the application/resume response deadline, at which time each Applicant, at the end of the Council Meeting, in alphabetical order, will be given an opportunity for a five (5) minute presentation to Council.

### **3.6 Nominations**

Following the Applicant presentations, the Mayor shall call on Council for nominations to fill the vacancy. The nominations shall come from the list of qualified Applicants.

### **3.7 Nomination Consideration by Council**

All nomination Motions shall have a Mover and a Secunder to be placed on the table for consideration by Council.

### **3.8 Nomination Vote by Council**

Each nomination Motion will be subject to a vote by Council. The nomination Motion shall receive the majority support of Council.

### **3.9 No Nominations**

The Mayor shall call three (3) times in a row for additional nominations and if he/she receives none, the Mayor will close the nomination process.

### **3.10 Tally of Votes**

Each nomination will be voted on by Council individually in an open manner, in the order they were nominated in. Each Member of Council may only vote for one Nominee. The votes will be tallied by the CAO and the Clerk.

### **3.11 Majority Vote**

The nominees that receive the majority support of Council will continue in the process. If only one (1) nominee receives the majority support of Council, the nominee will be the one appointed to fill the vacancy.

### **3.12**

#### **Multiple Majority Vote**

In the event that two (2) or more nominees receive the majority support of Council, Council will again vote on each nominee who received majority support in the order of the nomination.

### **3.13 Tie Vote**

If a tie continues with two (2) or more nominees, the names will be placed in a 'hat' and the CAO will draw one (1) name from the hat and the name so drawn will be the individual appointed to fill the vacancy.

### **3.14 No Majority Vote**

In the first round, or any subsequent round, if no one receives a majority vote from Council, a second round of voting will occur for up to three (3) rounds. If the lack of majority continues, all names will be placed in a "hat" and the CAO will draw one (1) name from that hat and the name so drawn will be appointed to fill the vacancy.

### **3.15 Motion to Appoint Nominee**

Council will immediately thereafter, pass a Motion to appoint the successful nominee to the vacant Member of Council position.

### **3.16 Swearing In of New Member of Council**

The swearing in of the new Member of Council will be held immediately following the vote and at the end of the Meeting of Council.

## **4.0 CONVENING OF MEETINGS**

### **4.1 Regular Meetings of Council**

Council shall determine the Regular Meeting of Council schedule for the subsequent year at a regularly scheduled Meeting in September or October of each year, including:

- i. First Meeting date of the year;
- ii. Day of the Week Meetings will be held (currently Friday);
- iii. Frequency of Meeting (currently every third week);
- iv. Time of Meetings (currently 9:00 a.m.); and
- v. The location of the Meetings.

If the date of a Regular Meeting of Council is a Holiday, the Council shall meet at the same hour on the proceeding or following day which is not a Holiday, as set out in the Regular Meetings of Council schedule.

Upon receipt of a petition of the majority of the Members of Council or a Resolution of Council, the Clerk shall, alter the date, time and/or place or dispense with a Meeting of Council, provided that forty-eight (48) hours' notice of the change is posted, by the Clerk, on the Township's Website and if time permits, published in a local newspaper.

### **4.2 Inaugural Meeting of Council**

The Inaugural Meeting of Council after a regular election shall be held the first Monday of December following the beginning of Councils' term unless otherwise directed by Resolution of Council.

The Clerk shall act as the Chair until the Mayor has taken the Oath of Office.

Members shall take the Oath of Office in the form prescribed by the Minister and administered by the Clerk.

Council shall set the Meeting dates for the upcoming year at the Inaugural Meeting.

The following shall be appointed at the Inaugural Meeting of Council by a majority of Council for the term of Council:

- a. Deputy Mayor (Resolution – to be followed by an Appointing By-law);
- b. County Council Second Member (Resolution – to be followed by an Appointing By-law);
- c. External Committees by By-law (i.e. Committee of Adjustment/Planning Advisory Committee and Joint Fire Committee for the Kaladar/Barrie Fire Department); and
- d. Outside Agency Appointments (i.e. Mississippi Valley Conservation Authority (MVCA)) (by Resolution).

#### **4.3 Special Meetings of Council/Committees**

A Special Meeting may be called (subject to the Municipal Act requirements) under the following circumstances at least 72 hours' notice before the date of the Meeting:

- a. The Presiding Officer may, at any time, summon a Special Meeting;
- b. Upon receipt of a petition of the majority of the Members, the Clerk shall call a Special Meeting for the purpose and at the time and date mentioned in the petition;
- c. By Resolution of Council;
- d. In the case of an emergency, within the meaning of the Township's Emergency Response Plan, an Emergency Meeting of Council may be called by the Mayor at any time and at any location as may be convenient, without giving the standard notice that applies to Council Meetings. *(Note: also see Emergency Plan – Calling of Meeting for the Community Control Group, which policies are separate from this Procedural By-law).*

Upon receipt of the summons or petition the Clerk shall contact Members to ensure a quorum can be established for the Special Meeting. Such meeting shall be held as soon as practicable following receipt of the summons or petition, Notice shall be given to Members and the CAO by email, telephone or personal contact as determined by the Clerk.

#### **4.4 Joint Councils Meeting**

Each Council shall consider an independent Motion at or following the Joint Meeting regarding any recommendation made during the Joint Councils Meeting which may be adopted by a Majority of Council.

#### **4.5 Open to the Public – Council; Committee and Task Force Meetings**

All Council; Committee and Task Force Meetings shall be open to the public, unless authorized to be Closed for reasons allowed under the Municipal Act.

#### **4.6 Closed Sessions – Council and Committee Meetings**

- a. A Meeting or part of a Meeting of Council or a Committee may be closed to the public if the subject matter being considered is:
  - i. The security of the property of the Municipality or local board.
  - ii. Personal matters about an identifiable individual, including Municipal or local board employees.
  - iii. A proposed or pending acquisition or disposition of land by the Municipality or local board.

- iv. Labour relations or employee negotiations.
  - v. Litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality or local board.
  - vi. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
  - vii. A matter in respect of which a Council, board or Committee of Council has authorized a Meeting to be closed under an *Act* of Legislature or an *Act* of Parliament.
  - viii. Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them.
  - ix. A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.
  - x. A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value.
  - xi. A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
  - xii. The meeting is held for the purpose of educating or training the members and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of council or local board.
- b. A Meeting shall be closed to the public if the subject matter being considered is:
- i. A request under the Municipal Freedom of Information and Protection of Privacy Act, if the Council is the head of an institution for the purposes of the Act.
  - ii. An ongoing investigation respecting the Municipality by the Ombudsman appointed under the Ombudsman Act.
- c. Prior to holding a Meeting or part of a Meeting that is to be closed to the public, Council or a Committee shall state by Resolution the fact that a Closed Session is being held, quoting the section of the Municipal Act authorizing the Closed Session and the general nature of the matter to be considered, providing as much information as possible, without compromising the confidentiality of the matter.
- d. A Meeting or part of a Meeting of Council or a Committee may be closed to the public and a vote may be taken in a Closed Session only if it pertains to a procedural matter or for giving directions or instructions, by Resolution, to the CAO or a Manager.
- e. Where, in accordance with Section 239(6) of the Municipal Act, a vote is held for a “procedural matter or for giving directions or instructions to Officers, Employees or agents of the Municipality, local board or committee of either of them or persons retained by or under contract with the Municipality or local board”, the appropriate Employee may record and retain the direction for their use if necessary.

- f. Sessions which are closed to the public shall be referred to as “Closed” Sessions. All information, including but not limited to Agendas and Minutes received, reviewed or taken in a Closed Session are confidential and once the final decision is made all confidential copies shall be returned to the Clerk or deleted if electronic.
- g. It is recognized that Members and Employees may do basic calculations on paper in the course of a Closed Meeting. Any such calculations shall be collected by the Clerk and destroyed prior to the closing of the Meeting. Any recordings outside of basic calculations shall not be permitted, with the exception of the Clerk or CAO’s confidential notes. Anyone exceeding these limits may be disciplined for improper conduct at a meeting. Repeated offences may be dealt with under the Members Code of Conduct section of this Policy.
- h. Microphones shall not be used during a Closed Session.
- i. The response of Members to inquiries about any matter dealt with by Council or a Committee of Council at a Closed Session, prior to it being reported publicly, shall be “*no comment*”, or words to that effect. No Member shall release or make public any information provided for or considered at a Closed Session or discuss the content of such a Meeting with any other persons other than an individual Member may obtain clarification from the CAO.
- j. On return to Open Session under the “Rise and Report” Section on the Agenda, the Presiding Officer shall provide an overview of the general nature of the Closed Session, with as much information as possible, without compromising the confidentiality of the matter.
- k. The release of any information about any matters dealt with at a Closed Session shall be by the Presiding Officer only during the Rise and Report section of the Agenda. Once the Presiding Officer has reported on the general nature of the Closed Session Agenda, this information only shall be considered to be public information and a Member may discuss only the information as reported by the Presiding Officer in Open Session without being considered to be in violation of this Policy.
- l. Members shall receive a confidential copy of each draft Closed Session Minutes in the electronic Closed Agenda package prior to the Meeting. All Closed Agenda packages shall be provided electronically by the Clerk to Members and the CAO only, and shall be password protected. The CAO may share appropriate Closed information and/or Resolutions with Managers at the CAO’s discretion.
- m. Approval of the Closed Session Minutes shall be considered by Council or the Committee at the next Closed Session by Closed Resolution or Motion of a Committee.
- n. The obligation to keep information confidential applies even if the Member ceases to be a Member of Council/Committee.

## **4.7 Committees of Council**

Within three months of the beginning of the term of Council, Council shall review the Council Committees which were in place during the previous term. Council shall by Resolution either appoint Members to the Committee or disband the Committee.

Council may from time to time appoint, by Resolution, Committees of Council and the Committee Chair, for a special purpose as set out in the Appointment Resolution. Committees of Council are governed by this Policy with the exception of the Committee of Adjustment/Planning Advisory Committee and the Kaladar/Barrie Joint Fire Committee which shall have their own Procedural By-law.

All Committees of Council shall comply with all applicable legislation and Municipal By-laws and Resolutions.

The Committee Chair shall confidentially report to Council any Committee Member who refuses or neglects to attend a Meeting without just cause. Council may then, by Resolution, remove that Member from the Committee and appoint another Member in his/her place.

Council may discharge from responsibility any Committee which refuses or neglects to give due consideration to any matter before it. Council may then, by Resolution, allot such responsibility to another Committee.

All Committees of Council are subject to the control and direction of Council. The Clerk shall submit for inclusion in an upcoming Council Agenda, reports including Minutes and recommendations on all matters connected with their duties.

Committees of Council shall:

- i. be made up of not more than three (3) Members of Council;
- ii. any public representatives on Committees of Council shall be appointed by Council Resolution; excluding the Personnel and Audit Committee which shall have Council representation only; and
- iii. be open to the public excluding Closed Sessions.

The Chair of the Committee shall:

- i. be recommended by the Mayor and appointed by Council Resolution;
- ii. call the meeting, as long as all Committee Members, Clerk, (to record Minutes and post notice of the meeting on the Township's Website forty-eight (48) hours in advance) and the CAO and applicable Managers as determined by the CAO, are advised well in advance of the meeting; and
- iii. ensure the Committee gives clear direction to the Clerk, by way of a Motion to be recorded in the Committee Minutes and such Motions shall not be carried or become Resolutions, until the Committee Minutes are adopted by Council by Resolution.

Committee Minutes shall be drafted by the Clerk and provided to the Committee Members for approval in principle, this may be done by email to ensure the Committee

Minutes are provided to Council in a timely manner. Once the Committee Minutes are approved in principle they shall be provided to the Clerk for inclusion in an upcoming Council Agenda. Once adopted by Council it is understood that Council is approving the Committee's Motions that will now become Resolutions of Council.

The Mayor as ex-officio shall be permitted to attend Committee Meetings but shall not be permitted to vote and shall not form part of the quorum except in the absence of an appointed Member.

#### **4.8 Local Boards**

Council shall from time to time appoint, by Resolution, a Member of Council to represent the Township on Local Boards. The Local Board shall act in accordance with the Local Board's mandate.

#### **4.9 Town Hall Information Session**

The Mayor may hold an Information Session in any Ward in accordance with the provisions of this Section.

The purpose of an Information Session is to allow the Township to communicate its activities to the ratepayers and to allow the ratepayers the opportunity to provide input for items on the Mayor's Agenda. The purpose of an Information Session is not to materially advance the decision-making of Council, but rather to allow Ward Councillors to become better informed of issues that are important to the public and to disseminate information of interest to the public. The Mayor shall advise Council, the Clerk, and the CAO of each information session at least ten (10) calendar dates in advance. The Clerk shall provide Notice.

The only Members of Council entitled to attend an Information Session are the Mayor and the two Ward Councillors representing the Ward where the Information Session is held. The Mayor shall be present and can hold the Meeting with or without the two Ward Councillors present. No Township Employees are required to be in attendance.

In the event that the number of Councillors attending an Information Session constitutes a quorum of Council, the Mayor shall immediately adjourn the Information Session.

In no circumstance shall any vote be taken at an Information Session, nor shall any debate amongst Council Members occur related to the business of Council.

Prior to commencing any Information Session, the Mayor shall read out a statement to the public advising that the Information Session is not a Meeting of Council and that no new business of Council shall be discussed or debated, nor shall any vote be taken. The Mayor shall advise the public that the purpose of the Information Session is to provide an update to the public on decisions and actions that Council has previously taken and to listen to comments and/or concerns from members of the public. It will be a decision of individual Councillors as to whether any issues raised at the Information Session are brought forward at a regular Council Meeting by way of a Councillor's Administrative Report.

#### **4.10 Notice Requirements for Meetings (Council and Committee)**

##### **a. To the Members**

All meetings of Council and Committees shall be held at a municipal facility at the Clerk's discretion depending on facility availability.

##### **i. Regular Council Meetings**

The Clerk shall provide written notice by email of all Regular Council Meetings to Members of Council and the CAO by means of an electronic Agenda. Any supporting documentation regarding matters to be addressed at the Meeting will be included in the Agenda.

Generally, Members of Council and the CAO shall receive notice at least five (5) calendar days before the day of the Regular Meeting. However, failure to receive the notice will not affect the Meeting itself, including the timing of or any actions taken thereat.

##### **ii. Special Council Meetings**

The Clerk shall provide written notice by email of a Special Meeting(s) to Members of Council and the CAO by means of an electronic Agenda. Any supporting documentation regarding matters to be addressed at the Meeting will be included in the Agenda.

##### **iii. Committee Meetings**

The Clerk shall provide written notice by email of all Committee Meetings to Members of the Committee, the CAO and all additional Council members for information purposes only. The notice shall be in the form of an electronic Agenda with all supporting documentation regarding matters to be addressed at the Meeting.

##### **b. To the Public**

The Clerk shall give annual Notice to the public of all Regular Meetings of Council by posting a schedule of Meeting dates on the Township's Website; at the Community Halls and Municipal Office front lobby, at the beginning of each calendar year.

The Clerk shall give Notice to the public of all Regular Committee Meetings by adding the Notice to the Township Website's Council/Committee Meetings calendar.

Council/Committee Public Agendas shall be posted on the Website and emailed to the local Newspaper not later than forty-eight (48) hours preceding the date of the Meeting.

The Clerk shall give notice to the public of any changes to Regular Council and Committee Meeting dates by posting a notice of the Township's website.

The Clerk shall give notice to the public of any Special Meetings of Council by posting a notice on the Township's Website as soon as possible after the date of the Special Meeting has been confirmed, but notice shall be no later than forty-eight (48) hours prior to the Meeting date.

#### **4.11 Curfew**

Regular Council and Committee Meetings shall stand adjourned after three (3) consecutive hours, but business may be continued only upon a Council Resolution or Committee Motion passed by a majority vote. Curfew is not applicable to Special or Public Meetings.

#### **4.12 Suspending the Rules of Procedure**

Council may decide by Resolution to suspend the operation of all or part of the rules of procedure, provided the suspension does not produce a result inconsistent with the requirements of statute or purport to suspend any statutory requirement. In the event of a conflict, statutory requirements always prevail over a By-law unless a statute provides otherwise.

Council may, by Resolution, “waive” or suspend a rule of procedure with a majority vote of the Members present.

### **SECTION 5.0 – AGENDAS**

The Clerk will prepare an electronic Agenda for the use of Members at Meetings.

All employee items of new business for the Agenda shall be presented in the form of an Administrative Report. All Member items of new business for the Agenda shall be presented in the form of an Administrative Report or Notice of Motion. A Council/Committee Administrative Report or Notice of Motion shall be received in writing by the Clerk by 4:00 p.m., no later than ten (10) calendar days prior to the Meeting date.

Additions to the Agenda by individuals or groups will not be accepted by the Clerk after 4:00 p.m. ten (10) calendar days preceding a regular Meeting.

The business of each Meeting shall follow the order in which it stands on the Agenda unless Council/Committee decides otherwise through a Council Resolution or Committee Motion to amend the Agenda. Any indisposed matters will be placed on the Agenda for the next Regular Meeting.

#### **5.1 Regular Council/Committee Meetings**

The Agenda will contain the following:

1. Call to Order.
2. Approval of Agenda.
3. Disclosure of Pecuniary Interest and General Nature Thereof.
4. Business Introductions (Section 5.6)
5. Presentation(s) (Section 5.4).
6. Delegation(s) (Section 5.3).
7. Adoption of Minutes – Council and Committees of Council.
8. Business Arising Out of Minutes.
9. Communications – Clerk’s Administrative Report (Section 5.5).
10. Members, CAO and Managers’ Administrative Reports.
11. External Committee/Local Boards/Task Force Notes and Reports;

*(not applicable for Committees).*

12. Bills and Accounts *(not applicable for Committees).*
13. Giving Notice of Motion. (Section 8.1 and 8.8)
14. Motions, Written Notice of Which Have Been Given (Section 8.1 and 8.8).
15. Council Portfolio Verbal Reports *(not applicable for Committees).*
16. Introduction and Reading of By-Laws *(not applicable for Committees).*
17. Public Forum (Section 4.12).
18. Closed Session (Section 4.6).
19. Rise and Report – from the Presiding Officer (Section 4.6).
20. Confirming By-law *(not applicable for Committees).*
21. Adjournment.

Note: The Clerk is required to add a Section at the beginning of the Meeting to include matters which were previously subject to a Public Meeting.

## **5.2 Special Council/Committee Meetings**

The Agenda for a Special Meeting may differ from a Regular Meeting Agenda, in that it shall only require the Sections required to meet the purpose of the Special Meeting and shall be at the discretion of the Clerk.

However the following shall be included in the Special Meeting Agenda:

1. Call to Order and Purpose of the Meeting.
2. Chair's Opening Remarks.
3. Approval of Agenda.
4. Disclosure of Pecuniary Interest and General Nature Thereof.
5. Public Forum (Re: Items on today's Agenda only).
6. Confirming By-law (not applicable for Committees).
7. Adjourn.

## **5.3 Public Meetings**

The following shall be included in a Public Meeting Agenda:

1. Call to Order and Purpose of the Meeting
2. Chair's Opening Remarks
3. Disclosures of Pecuniary Interest and General Nature Thereof
4. Council Input
5. Public Input
6. Adjourn

The matter discussed at a Public Meeting shall be considered at the beginning of the next scheduled Regular Council Meeting.

## **5.4 Delegations**

Persons who wish to appear as delegations must make a request to the Clerk outlining the purpose of their delegation to appear before Council or a Committee, at least fourteen (14) days prior to the meeting. The delegate shall provide the Clerk with a copy of their presentation by 4:00 p.m. ten (10) days prior to the meeting for inclusion in the meeting Agenda.

Delegations are limited to ten (10) minutes. The Presiding Officer may extend this time limit as deemed necessary. An additional ten (10) minute Council/Committee question period is permitted following each presentation.

If a delegation is requesting information or a decision from Council this matter shall be deferred until the next Regular meeting to allow Council to obtain the necessary information to make an informed decision. Council may instruct the Chief Administrative Officer to provide additional information at the next Regular meeting.

The number of Delegations and/or Presentations shall be limited to two (2) per Meeting. However, the Clerk may determine an exception, in relation to the amount of business for that particular Council/Committee Meeting as determined by the Clerk in preparing the Meeting Agenda.

Note: No individual(s) marketing their products shall be permitted as a Delegation unless approved by Council in advance.

No person shall be permitted to speak at a Meeting unless the above delegation rules have been followed or permitted leave-to-speak is given by the Presiding Officer or by Resolution.

### **5.5 Presentations**

Presentations are subject to Council or the CAO Invitation. The presenter shall provide the Clerk with a copy of their presentation by 4:00 p.m. ten (10) days prior to the meeting for inclusion in the meeting Agenda.

Presentations are limited to thirty (30) minutes for their presentation. The Presiding Officer may extend this time limit as deemed necessary. An additional ten (10) minute Council/Committee question period is permitted following each presentation. Time limits for Presentations do not apply to Presenters at a Special or Public Meeting that are set for that particular matter.

The number of Delegations and/or Presentations shall be limited to two (2) per Meeting. However, the Clerk may determine an exception, in relation to the amount of business for that particular Council/Committee Meeting as determined by the Clerk in preparing the Meeting Agenda.

### **5.6 Business Introductions**

Business owners within the Township of North Frontenac who wish to appear before Council may make a request to the Clerk to be included on an upcoming Agenda. The request must be provided at least fourteen (14) days prior to the meeting. The presenter(s) shall provide the Clerk with a copy of their presentation by 4:00 p.m. ten (10) days prior to the meeting for inclusion in the meeting Agenda.

The presenters are limited to five (5) minutes for their presentation. The Presiding Officer may extend this time limit as deemed necessary. An additional five (5) minute Council question period is permitted following each presentation.

The number of Businesses shall be limited to one (1) per Meeting. However, the Clerk may determine an exception, in relation to the amount of business for that particular Council Meeting as determined by the Clerk in preparing the Meeting Agenda.

## **5. Communications**

The Communications package is made up of two Sections one being “A” items which are received for information only, the other being “B” items which require Council’s consideration. The Clerk will circulate all communications received for the Communications package to the Members in advance of the Agenda being circulated. All Communications will be include in the “A” Section, excluding communications from residents or agencies which require a response these will be included by the Clerk in the “B” Section for Council’s consideration. If a Member wishes to have any item brought forward to the “B” section for action they shall notify the Clerk prior to the Agenda being circulated or by Resolution at the Council Meeting/Motion at the Committee Meeting. In order to assist with the preparation the draft Motion it is recommended a brief explanation and/or direction be provided at the time of the request.

### **5.8 Giving Notice of Motion**

All Member new business shall be brought forward through a Notice of Motion or an Administrative Report.

A Notice of Motion shall be given in writing by a Member to the Clerk not later than 4:00 p.m. at least ten (10) calendar days preceding the next Meeting so the matter shall be included in the Agenda package or presented by a Member at the Meeting.

The Member is not required to be present during the reading of the Notice.

The Notice of Motion shall have a mover and a seconder and be voted on by the Members. If the Motion is passed the matter shall be brought before Council/Committee at the next Regular Council/ Committee Meeting.

### **5.9 Motion, Written Notice of Which Have Been Given**

These include a Notice of Motion which was approved by Council/Committee at a prior Meeting.

### **5.10 Council Portfolio Positions**

No Action shall be taken under Council Portfolios. If a Member would like action on an item with respect to a portfolio it must be presented to Council as an Administrative Report or Notice of Motion.

### **5.11 Public Forum**

If a Council/Committee Meeting is completed in less than three (3) consecutive hours, the Presiding Officer shall invite questions from the gallery provided the question is pertinent to that Meeting’s Agenda items only. These Public comments will not form part of the Council Minutes.

## **SECTION 6.0 – QUORUM**

### **6.0 Electronic Participation**

It is Council's decision not to permit Members to participate electronically in any Council or Committee Meeting. Only Members physically present at the meeting can participate.

### **6.1 Regular or Special Meetings**

As soon as there is a Quorum after the hour fixed for the Meeting, the Presiding Officer will call the Members to order. The Clerk shall then record attendance. If a Member of Council and/or Committee of Council arrives late, or leaves before final adjournment, the Clerk will note the time of arrival or departure in the Minutes.

### **6.2 Time Limit**

The time limit for a Quorum is thirty (30) minutes after the time appointed for the Meeting. If no Quorum is present after thirty (30) minutes, the Council or Committee shall stand adjourned and all business shall be carried forward to the next Meeting. The Clerk shall record the names of the Members present at the expiration of the time limit and append this record to the next Agenda.

### **6.3 Loss of Quorum During a Meeting**

If a Quorum is lost during the Meeting then the Meeting shall stand adjourned and all unfinished business shall be carried forward to the next Meeting.

### **6.4 No Quorum Possible**

Should it become known in advance of a regularly scheduled or Special Meeting that a Quorum of Members will not be present, or due to inclement weather, the Mayor/Chair shall cancel the Meeting and all business will be carried forward to the next Meeting. The Clerk will provide Notice of Cancellation of the Meeting to all Members, the CAO, the Press and post it on the Township's website.

### **6.5 Conflict of Interest**

Notwithstanding Section 6.3, where the number of Members, who by reason of the provisions of the Municipal Conflict of Interest Act, are prohibited from participating in a Meeting is such that, at that Meeting, the remaining Members are not of sufficient number to constitute a Quorum, then the remaining number of Members shall be deemed to constitute a Quorum.

## **SECTION 7.0 – RESPONSIBILITIES OF MEMBERS DURING A MEETING**

### **7.1 Role of the Presiding Officer**

The Presiding Officer is responsible for:

- a. The preservation of good order and decorum throughout Council/Committee meetings so that business can be carried out efficiently and effectively, and to provide leadership.
- b. Ruling on Points of Order and privilege.

- c. Deciding all questions relating to the orderly procedure of the Meeting (subject to an appeal by any Member of Council/Committee from any ruling of the Presiding Officer).
- d. Open the Meeting by taking the Chair and calling the Members to order.
- e. Ensuring all Motions presented by the Members shall be received and submitted in the proper manner and acted upon in the order set out in the Meeting Agenda
- f. Put to a vote all Motions which are Moved and Seconded, or necessarily arise in the course of the proceedings, and to announce the result.
- g. Decline to put to vote Motions which infringe upon the Rules of Procedure.
- h. Authenticate by signature all By-laws, Resolutions and Minutes of Council/Committee.
- i. For Council, the Mayor shall recommend the Chairperson for all Committees for Council's consideration through a Resolution.
- j. Represent and support the Council/Committee, declaring its will and implicitly obeying its decisions in all things.
- k. Ensure the decisions of Council/Committee are in conformity with the laws and By-laws governing the activities of the Township.
- l. Adjourn the Meeting without question in the case of grave disorder arising in the Council Chamber/Meeting Room.
- m. Order any person or Member in attendance at the Meeting to cease and desist any behaviour which disrupts the order and decorum of the Meeting and to order the person or Member to vacate the Council Chamber/Meeting Room where such behaviour persists.
- n. The Presiding Officer should never allow anyone to publicly criticize identifiable individuals. It is the responsibility of the Presiding Officer to ensure that both parliamentary procedure and rules of etiquette are observed by those in attendance.

## **7.2 Absence of Presiding Officer**

For a Council Meeting, if the Mayor is not present within fifteen (15) minutes from the arranged time of the opening of the Council Meeting, the Deputy Mayor shall Chair the meeting, as Presiding Officer. If both the Mayor and Deputy Mayor are absent, Members of Council present will elect another Member of Council, by Resolution, to preside. That Member of Council will discharge the duties of the Presiding Officer for that Meeting, or until the arrival of the Mayor or Deputy Mayor, and while doing so shall have all the rights, authorities and powers of the Mayor.

For a Committee, if the Chair is not present within fifteen (15) minutes from the arranged time of the opening of the Committee Meeting, the Members present shall elect another Member to Chair the meeting.

### **7.3 Inappropriate Behaviour**

Members of Council, Committees, CAO and Managers, and Employees, delegates or visitors shall not:

- a. Speak disrespectfully of the Reigning Sovereign, any Member of the Royal Family, the Governor-General or a Lieutenant-Governor.
- b. Use offensive words or unparliamentarily language in or against the Council/Committee or against any Member, CAO, Manager, Employee and/or a Guest.
- c. Speak in a manner that is discriminatory in nature on the basis of the individual's race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status, or disability.
- d. Disobey the rules of the Council/Committee or decision of the Presiding Officer or of Council/Committee on questions of order or practice or upon the interpretation of the Rules of Order. In case a Member persists in any such disobedience, after having been called to order by the Presiding Officer, the Presiding Officer shall not recognize that Member, except for the purpose of receiving an apology from the Member tendered at the Meeting or subsequent Meeting.
- e. Leave his/her seat, make any noise or disturbance, or enter the Meeting while a vote is being taken and the result is declared.
- f. Interrupt a Member while speaking, except to raise a Point of Order.
- g. Pass between a Member who is speaking and the Presiding Officer.
- h. Disturb another or the Council, Committee, CAO, Manager, Employee and/or a Guest, by any disorderly conduct disconcerting to the speaker.
- i. Speak on any subject other than the subject in the debate.

### **7.4 Declarations of Conflict of Interest**

Members of Council and/or Committee shall at all times conduct themselves in accordance with the requirements of the *Municipal Conflict of Interest Act*, including any subsequent amendments, revisions and regulations thereto.

### **7.5 Early Departure and/or Absence from Meetings**

A Member who wishes to leave a Council or Committee Meeting prior to the adjournment shall advise the Presiding Officer. The Clerk shall note the Member's time of departure.

Any Member who will be absent from a Council or Committee Meeting shall notify the Clerk prior to the Meeting and the Clerk shall make note of the absenteeism in the Minutes.

## **SECTION 8.0 – MOTIONS**

### **8.1 General**

Every Motion, once presented to and read by the Clerk, becomes the property of the Township. A Member can withdraw a Motion only upon consent of the majority of the Members present. Motions shall be debated in the order of presentation to the Presiding Officer.

Any Member of Council or a Committee may request that the Clerk read the Motion under discussion at any time during the debate, except when another Member is speaking.

Any Member may request separation of a Motion. Each section of the Motion will be voted on separately.

When a matter is under debate, no Motions shall be in order other than:

- a. To refer/defer.
- b. To vote on the matter.
- c. To amend.

### **8.2 Refer/Defer**

A Motion to Refer or Defer takes precedence over any main Motion or Amendment, except a Motion to Adjourn. A Motion to Refer requires direction as to the body to which it is being referred. A Motion to Defer shall include a reason for deferral and an estimated return date.

### **8.3 Amendment**

A Motion to Amend proposes a formal change to the pending main Motion. The purpose of an Amendment is to make the main Motion more acceptable to Members and shall not introduce a new subject. Any Member may recommend an Amendment to a main Motion. An Amendment shall be written on the main Motion by the Clerk. This Amendment requires the initials of the Mover and Seconder of the main Motion prior to the Clerk reading the Amended Motion for consideration and discussion.

After a Motion, as amended, is finally put, no Member shall speak to the Motion nor shall any other Motion be made until after the vote is taken and the result is declared.

### **8.4 Rules of Debate**

The following rules of debate shall apply:

- a. Each Member of Council, Committee or an Employee shall be recognized by the Presiding Officer before speaking on any matter or Motion.
- b. Unless otherwise authorized by the Presiding Officer, all Members, the CAO, Managers and Employees and guests shall address Council/Committee through the Chair and only when recognized to do so. When two (2) or more persons

seek to address Council/ Committee, the Presiding Officer shall designate the person who shall speak first.

- c. Through the Presiding Officer, a Member may ask for an explanation of any part of the previous speaker's remarks. A Member may also, through the Presiding Officer, ask questions to obtain information relating to the Minutes presented to Council/Committee. However, this shall be done at the commencement of the debate on the Minutes.
- d. The Presiding Officer is permitted to debate.
- e. Debate shall be germane to the issue or subject under debate.
- f. Debate shall be courteous and respectful.
- g. Members having conflicts of interest shall not debate the subject.
- h. Members shall not debate issues with the public, and/or ask questions of the public during a meeting unless leave to speak has been given by the Presiding Officer.

#### **8.5 Point of Order and Privilege**

A Member of Council/Committee, CAO and/or Clerk may interrupt a speaker on a Point of Order if they believe the speaker is violating a Rule of Debate and/or is not complying with this Policy.

The Presiding Officer shall preserve order and decide questions of order.

- a. A Member may raise a point of order or privilege at any time, including interrupting another Member who has the floor, to bring Council/Committee's attention to:
  - i. a breach of the Rules;
  - ii. a deviation from the matter under consideration noting that the current discussion is not within the scope of the Motion on the table;
  - iii. any other informality or irregularity in the proceedings of Council/Committee;
  - iv. when the integrity of the Council, or a Committee, or the integrity of anyone present at the meeting has been called into question by another Member or by anyone present at the meeting.
- b. When a Member rises on a point of order or privilege, the Member shall ask leave of the Presiding Officer to raise the point of order/privilege, and the Presiding Officer shall grant such leave, following which the Member shall state the point of order/privilege, and the Presiding Officer shall decide on the point of order/privilege and state his/her ruling on the matter.
- c. Upon raising a point of order/privilege, no further discussion on the main issue shall be conducted until the Presiding Officer has decided and stated his/her ruling on the point of order/privilege.

- d. Where the Presiding Officer rules that a breach of privilege has taken place, he/she shall order that the offending Member or individual to cease the offending actions. Per Section 241(2) of the Municipal Act the Presiding Officer may expel any person for improper conduct at a Meeting.
- e. Upon hearing the point of order/privilege, a Member shall only address the Presiding Officer for the purpose of appealing the Presiding Officer's ruling.
- f. If no Member appeals, the ruling of the Presiding Officer shall be final.
- g. If a Member appeals the Presiding Officer's ruling on the point of order/privilege to the Council/Committee, the Member shall have the right to give reasons for the appeal, following which the Presiding Officer shall have the right to reply with reasons, and the Council/Committee shall decide the question: "*Shall the ruling of the Chair be sustained?*" without further debate and the decision of Council/Committee shall be final.

## **8.6 Voting**

Immediately prior to voting on a Motion, the Presiding Officer, or the Clerk if so directed to do so by the Presiding Officer, shall state the Motion in the precise form it is to be recorded in the Minutes, including any amendments to the Motion.

When a written Motion is read, it shall not be withdrawn without the consent of the majority of the Members.

All Motions shall be in writing and signed by the Mover and Seconder and recorded in the Minutes.

When a Member makes a Motion that the vote now be taken, it shall be put to a vote without debate. If a majority of the Members agrees to put a Motion to a vote, the Motion and any Amendments thereto will be submitted to a vote immediately without further notice.

No Members shall speak or present another Motion once the vote commences on a Motion. A Member choosing not to vote on a matter, for which he/she is entitled to vote, shall be deemed to have voted in the negative. Any Motion on which there is a tie vote shall be deemed to be lost, except where otherwise provided by any Act.

**Recorded Vote** – 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 vote in the following order when polled by the Clerk: Members in alphabetical order of surname followed by the Presiding Officer. The Clerk will note the names of those who voted for and against in the Minutes, and will announce the results.

On an unrecorded vote, the manner for voting on a Motion shall be at the discretion of the Presiding Officer and may be by voice, show of hands, standing, or otherwise as clearly identified by the Presiding Officer.

No vote shall be taken by ballot or any other method of secret voting and each vote so taken is of no effect.

### **8.7 New Matter**

A Member shall only introduce a new matter by serving a Notice of Motion or by an Administrative Report provided to the Clerk at least ten (10) calendar days prior to the Meeting (*see Section 5.2*), unless Council/Committee, without debate, dispenses with the notice requirement by a majority vote. (*See Section 8.1 – Notice of Motion.*)

### **8.8 Reconsideration**

Council may reconsider an entire resolution that was decided during any term of Council. A reconsideration of a portion of a resolution shall not be permitted. Such reconsideration can either amend the previous decision or rescind it.

- i. No matter shall be reconsidered more than once in a twelve (12) month period
- ii. A motion to reconsider shall not be reconsidered

A resolution that was decided by Council cannot be reconsidered if action has been taken in implementing the resolution resulting in legally binding commitments that are in place on the date the motion to reconsider is considered by Council.

If Council passes a resolution and adopts the same matter by By-law, only the resolution may be reconsidered. If the decision resulting from the reconsideration warrants, the By-law will be amended or repealed accordingly.

A motion to reconsider shall be introduced by way of a Notice of Motion and considered at a subsequent regular meeting of Council pursuant to Section 5.7 of this By-law.

- i. No delegations shall be permitted to speak on a motion to reconsider;
- ii. A motion to reconsider must be carried in the affirmative by a vote of a majority of Council;
- iii. If a motion to reconsider is decided in the affirmative:
  - Reconsideration of the original motion shall be considered under Motions at the next meeting, unless the motion specifies a future definite date; and
  - The reconsideration effectively returns Council to just prior to the original Council decision.

### **8.9 Adjournment**

A Motion to Adjourn shall be put forward to adjourn all Meetings.

## **SECTION 9.0 – BY-LAWS**

All By-laws shall be presented to Council in their Agenda package. By-laws shall be introduced by a Motion specifying the number assigned and the title or nature of the By-laws; and in typewritten form and shall contain no blanks except as may be required to conform to accepted procedure or to comply with provisions of any Act.

By-laws shall be given three (3) readings prior to passage. A Motion shall be considered for the first and second reading of the By-laws without amendment or debate. By-laws shall be given three (3) readings on the same day except when

requested otherwise by Motion of the majority of the Members present or as otherwise provided in law. Upon passage, By-laws shall be signed by the Presiding Officer and Clerk and embossed with the Corporate Seal of the Township.

Any proposed By-law may be referred by Council to a Committee, the CAO, or the Municipal Solicitor for review and comment.

All By-laws shall be passed in Council Meetings that are open to the public.

Council shall employ a Confirming By-law immediately prior to adjournment for the purpose of validating decisions or direction given which is minor in nature and not set out in a By-law.

## **SECTION 10.0 – GENERAL**

### **10.1 Council Portfolios Positions**

Council Portfolio positions that are not discretionary shall be filled (i.e. Mississippi Valley Conservation Authority Board Member, Lakelands Family Health Team, County Task Forces, etc.) as recommended by the Mayor and appointed by Resolution within three months of taking office or within the timeframe required by the outside agency and/or legislation. Discretionary Council Portfolio positions shall be determined by Council and filled accordingly (i.e. Conservationists of Frontenac Addington, liaison positions with community groups/organizations, etc.) as recommended by the Mayor and appointed by Resolution.

### **10.2 Appointment of County Council Member and Alternate Member(s)**

The County Council Second Member shall be appointed to serve on County Council along with the Mayor for the term of Council. At the Inaugural meeting of Council any member, excluding the Mayor may present his/her case to be selected as the County Council Second Member and once all presentations are complete Council will vote to select the County Council Second Member. The County Council Second Member shall be appointed by By-law.

The County Council Alternate Member appointed under Section 268 of the Municipal Act to act in place of a County Council Member when the County Council Member is unable to attend a meeting of County Council for any reason (excluding a temporary vacancy) shall be appointed at the Inaugural meeting of Council. Any member, excluding the Mayor or the Member appointed as the County Council Second Member may present his/her case to be selected as the County Council Alternate Member and once all presentations are complete Council will vote to select the Alternate Member. The County Council Alternate Member shall be appointed by By-law. When acting as the Alternate Member the Member shall follow the requirements of the County Council's Procedural By-law.

Section 267 of the Municipal Act permits the appointment of a Member for a temporary vacancy. If a County Council Member is unable to act as a Member for a period exceeding one month or the seat becomes vacant and will not be filled for a period exceeding one month, the local Council may appoint one of its Members as an Alternate Member to act in place of the Member until the Member is able to resume acting as member of County Council. Council will consider the appointment of this

Member by By-law as required. This Member is not permitted to represent a Member at the Inaugural Meeting of County Council and Council Liaison Meetings. When acting as the Alternate Member the Member shall follow the requirements of the County Council's Procedural By-law.

Per the County Council Procedural By-law the remuneration and/or reimbursement of appropriate costs incurred by the County Council Alternate Member or the County Council Temporary Vacancy Alternate Member while serving in this capacity shall be the responsibility of the Township. The Alternate or Temporary Vacancy Member shall be provided a per diem at the same rate as the County of Frontenac sets for members to attend special board meetings and/or Special Council meetings. It is also the responsibility of the County Council Member whose behalf an alternate will be serving to ensure a copy of the meeting agenda is provided to the alternate in advance of the Meeting.

### **10.3 Appointment of Deputy Mayor**

The Deputy Mayor shall be nominated at the Inaugural Meeting of Council. Any Councillor may be nominated, or nominate themselves, for the position of Deputy Mayor and then present their case for being the Deputy Mayor for a one year term. Once all the presentations have been completed, Council will vote to select the Deputy Mayor. The Deputy Mayor position will be open for nomination on an annual basis every December. The incumbent is free to run for this position. If no other Councillor wishes to run for the position of Deputy Mayor, the incumbent may remain in the position.

## **SECTION 11.0 – COMPLAINTS**

The role of Council is to forward any complaints to the CAO, in writing. Complaints shall be dealt with in accordance with the Complaint's Standard Operating Procedure (SOP) as established by the CAO.

## **SECTION 12.0 – POLICY REVIEW**

Council shall review the Procedural Policy for Members of Council/Committees during each term of Council.

This Policy may be amended from time to time as deemed necessary, but only by Council adopting an Amending By-law. No amendment or repeal of this Policy or any part thereof shall be considered at any Meeting of Council unless notice of the proposed amendment or repeal is given at a previous Regular Meeting of Council and the waiving of notice is prohibited.

This Procedural Policy will be included as part of an Orientation Workshop for each new term of Council. In addition, Members are expected to review this Policy themselves on a regular basis to assure compliance.

## **APPENDIX “A” TO BY-LAW #40-18**

### **TASK FORCE PROCEDURES**

#### **1. General**

Within three months of the beginning of the term of Council, Council shall review each Task Force including the Terms of Reference which were in place during the previous term. Council shall by Resolution either appoint Members to the Task Force or disband the Task Force.

Task Force means individuals appointed by Resolution for a specific task to be addressed or special purpose. A Task Force shall not be governed by this Procedural By-law; but is governed by the mandate established by Council and the Terms of Reference approved by Council.

The draft Terms of Reference shall be established at the Inaugural Meeting of the Task Forces and shall include, but is not limited to, a Mission Statement; Membership; Tasks and Milestones; Time Frame and Meetings.

#### **2. Composition**

The Task Force shall be made of:

- a. At least one (1) but not more than three (3) Members of Council;
- b. The CAO and/or at least one (1) Manager;
- c. Voluntary sector members whose knowledge of the Task Force’s mandate would be an asset;
- d. A Secretary.

#### **3. Appointment**

Council by Resolution shall appoint the Council Member(s) and CAO and/or Manager(s) who will be members of the Task Force. The Presiding Officer shall appoint the Chair of the Task Force from the Council Member(s) appointed. The Chair appointment shall be included in this Resolution.

The Chair shall bring back suggested individual names for voluntary sector participants as Representatives on the Task Force for approval by Council Resolution, prior to holding the Task Force Inaugural Meeting. These individuals may include members from volunteer groups and/or individuals. Knowledge of the Task Force’s mandate would be an asset.

The CAO shall appoint a Secretary from Municipal Employees.

#### **4. Procedural Matters**

The CAO and/or Manager sitting on the Task Force shall prepare an electronic Agenda (with the assistance of the Clerk’s Department) and circulate to all Task Force Members and post notice of the meetings on the Township’s Website forty eight (48) hours in advance of the meeting.

The Task Force shall:

- a. Comply with all applicable legislation and Municipal By-laws and Resolutions.
- b. All Task Force Meetings shall be open to the Public. The Task Force is not permitted to have a Closed Session.
- c. Not make any decisions or expend any monies without Council approval by Resolution over \$500 annually.
- d. Task Force Notes shall, once approved in principle by the Task Force, be provided to the Clerk for inclusion in the next Council Agenda for information purposes. Task Force Notes shall provide written clear recommendations (i.e. identifying options) in the conclusion of the Notes of the meeting, with supporting documentation. These recommendations, once approved in principle by the Task Force, shall be presented as Motions to Council for consideration.
- e. once the Notes of a Task Force meeting have been received by Council, they shall be posted by the Clerk on the Township's Website.
- f. disband in accordance with their Terms of Reference, unless otherwise approved by Council. *(For housekeeping purposes only, the Clerk will have Council pass a Resolution to disband all Task Forces).*

## **5. Operating Principles for Task Force Meetings**

- a. Quorum  
Although Task Force membership is non-substituted, Council agrees that it is not necessary to establish the number of Members necessary for a Quorum; however, at least one (1) Member of Council and the CAO or Manager shall be present and careful consideration will be taken to ensure good representation from the voluntary sector when discussions on key issues take place or recommendations are formulated.
- b. Reaching Agreement  
Task Force Members will seek to reach consensus wherever possible. If for whatever reason, consensus cannot be achieved, the Task Force Members may agree to a recommendation, through another process, such as voting or permitting dissenting reports.
- c. Expert Members and Invited Guests  
The Task Force may require experts, academics or other government/voluntary sector Representatives to attend meetings as presenters, advisers or observers because of their knowledge of the subject, of the sector or as part of another existing Committee or Task Force of Council. Such invitations shall be agreed to in advance by the Task Force and the Chair or CAO shall make the requests.  
  
Community Policing Advisory Committee (CPAC) Task Force Ontario Provincial Police (OPP) members may be permitted to participate electronically or by teleconference in a meeting.
- d. Expenses Incurred by Task Force Members  
Task Force Members' travel expenses to attend Task Force meetings and related business will be reimbursed by the Township. The Task Force Members shall be paid mileage expenses at the per kilometer rate as determined by Council.

e. **Indemnification of Voluntary Sector Members**

Voluntary sector Representatives serving as Members of the Task Force are extended the same risk management principles as Members of Council/Committees and Employee(s) when it comes to matters of liability and insurance; and would therefore be considered "volunteers" under this policy.

**6. Voluntary Sector Members**

The Voluntary Sector Members shall:

- a. Be accountable for their accessibility and responsiveness, and to each other, as Members of a team, for participating, collaborating and doing their best to advance the joint process in good faith.
- b. act with honesty, integrity and openness in advancing the joint process.
- c. not use their position on the Task Force to benefit materially from the process or the outcomes.
- d. not be eligible on an individual basis for contracts or other paid work commissioned by the Task Force or Council, unless the Procurement By-law requirements are met.

**7. Sub Committee(s)**

Sub Committee may be established to deal with a specific task/matter that is specific to a Task Force and shall:

- a. Be appointed by Council at the recommendation of the Task Force;
- b. Make recommendations to the Task Force.