

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

BY-LAW NO. 2012-1205

**BEING A BY-LAW TO ESTABLISH THE RULES GOVERNING THE ORDER AND
PROCEEDINGS OF COUNCIL AND COMMITTEES
OF THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS
(PROCEDURAL BY-LAW)**

WHEREAS, Section 238 (2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires that every municipality and local board shall pass a procedural by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS, Section 238 (2.1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires that the procedural by-law shall provide for public notice of meetings;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Township of Lanark Highlands enacts as follows:

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1.0 DEFINITIONS

For the purpose of this By-Law:

“Agenda” – shall mean the written Order of Business.

“Attendee” – shall mean a person, other than a Member of Staff, who is present at a meeting.

“By-Law” – shall mean a local law that has been enacted by Council in order to exercise a power provided in an Act.

“Chief Administrative Officer” – shall mean the Chief Administrative Officer (CAO) or designate duly appointed by the Township as prescribed in Section 229 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

“Clerk” – shall mean the person or designate duly appointed by the Township as prescribed in Section 228 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

“Deputy Clerk” – shall mean the person appointed by the Township who has all the powers and duties of the Clerk, as prescribed in Section 228 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended. A Deputy Clerk is not required to be an employee of the municipality.

“Close Debate (Call the Question)” – shall mean a motion requiring that debate be closed and the vote on the motion be taken immediately.

“Closed Session (In-Camera)” – shall mean a meeting or part of a meeting closed to the public as prescribed in Section 239 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

“Committee” – shall mean any Committee established by Council, including but not limited to, any Committee of the Whole, Steering or Sub-Committee.

“Chair (Presiding Officer)” – shall mean the member who presides at a Council or Committee meeting.

“Acting Chair” – shall mean the Member who is temporarily appointed to serve in the Chair's place.

“Committee of the Whole Meeting (COW)” – means a standing committee meeting of Council in which the entire Council becomes a committee for the purpose of conducting business and providing recommendations to Council.

“Communications” – shall include, but is not limited to, letters, memos, notices, emails, faxes, petitions, brochures, newspaper/magazine articles, etc.

“Community Events” – shall be deemed any event that requests the presence of the Mayor. These may include but are not limited to opening ceremonies, fund raisers/charity events, community celebrations and local fairs.

“Confidential Item” – shall include the following:

- (a) any matter marked “confidential” by Staff;
- (b) any matter or item of a confidential nature which has not been lawfully published, disclosed or provided to the public by the Township, or introduced, received or made available to the public at a public meeting or information session/centre;
- (c) a record of any matter in respect of which a meeting or part of a meeting may or shall be closed to the public pursuant to the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or under this By-law;
- (d) any matter which could form the subject matter of an exemption from disclosure or a prohibition against disclosure, pursuant to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56;
- (e) any matter which the Township is prohibited from disclosing pursuant to any contract, legislation or other lawful authority.

“Confirming By-Law” – shall mean a By-Law passed prior to adjournment of every Council meeting to confirm by By-Law the resolutions and actions of Council taken at that meeting.

“Council” – shall mean the Municipal Council of the Township in accordance with the Township Council Composition By-Law in effect (By-Law No. 2000-116).

“Council Meeting(s)” – include Regular, Special and Emergency Meetings of the Council of the Township.

“Councillor” – shall mean a person elected or lawfully appointed to the Council of the Township of Lanark Highlands.

“Debate” – shall mean discussion on the merits of the question/motion and whether the proposed action should or should not be taken.

“Delegation” – shall mean a person or group of persons who are not Members of Council or Township Staff who have requested and are permitted to address Council or Committee, individually or on behalf of a group, on a matter on the agenda for that meeting in accordance with the provisions of this By-Law.

“Department Head” – shall mean the person or designate in charge of a Township department and/or service area.

“Emergency” – shall mean a situation that poses an immediate threat to the municipality.

“Ex-Officio” – shall mean the Mayor who by virtue of office shall be a member of all

Committees and shall have the same rights and privileges as other members of the respective Committee, who is entitled to vote but does not form part of the quorum.

“Local Board” – shall mean a municipal service board, transportation commission, board of health, planning board or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities (joint boards), excluding a school board, a conservation authority, public library board and police services board.

“Majority Vote” – shall mean a vote where over half of the Members present, and eligible to vote, vote in the same manner.

“Mayor” – shall mean the Member of Council elected by general vote as the Mayor and is the Head of Council, the Ex-Officio and who normally presides at all Council meetings.

“Deputy Mayor” - shall mean the Member of Council appointed as the Deputy Mayor in accordance with this by-law.

“Designate” – shall mean any person the Clerk designates in writing, other than a member of Council to perform any of the Clerk’s powers and duties under Section 228 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, and/or any other act.

“Meeting Schedule” – shall be deemed the Council/Committee Calendar containing the dates of Council and Committee of the Whole meeting dates, including other reserved dates confirmed each year by resolution of Council.

“Member” – shall mean a Member of Council or a Member of a Committee.

“Minutes” – shall mean a record of the proceedings of a meeting, and shall be made by the Clerk without note or comment.

“Motion” – shall mean a recommendation made to Council for consideration.

“Main Motion” – shall mean a motion whose introduction brings business before the meeting.

“Notice” – shall mean an announcement by the Clerk under this by-law or the Township Notice Policy (By-Law No. 2007-820).

“New/Other Business” – shall mean business that is not currently listed on the agenda that is of an emergency, time sensitive, congratulatory or condolence nature.

“Order of Business” – shall mean the sequence of business under consideration at a meeting.

“Pecuniary Interest” – shall mean a direct or indirect pecuniary (monetary) interest within the meaning of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as

amended.

“Point of Order” – shall mean any alleged breach of the rules or irregularity in the proceedings of a meeting.

“Point of Privilege” – shall mean a statement by a Member calling attention to a matter where the integrity of an individual (personal) or the entire Council or Committee is perceived to be in question.

“Presentation” – shall mean the occurrence when, staff, an individual or group have been invited to present information to Council or Committee.

“Proceedings” – shall mean the business conducted at a meeting.

“Public Information Session/Centre (Open House)” – shall be deemed a meeting held for the purpose of presenting proposals and issues, educating and informing and/or receiving input.

“Public Meeting (Statutory)” – shall be deemed a meeting held for the purpose required under an Act or Regulation.

“Quorum” – shall mean the number of Members required to be present in the meeting room, in order that business may be conducted.

“Recess” – shall mean a break from a meeting.

“Recorded Vote” – shall mean documenting in the minutes of a Council Meeting the name of each Member and the Members’ vote on a matter or question.

“Resolution” – shall mean a motion that has been passed by Council.

“Scrutineer” – shall mean a person not on Council or not a member of Staff who examines votes at an election.

“Special Meeting” – shall be deemed a Council or Committee of the Whole Meeting which is in addition to the Meeting Schedule.

“Standing Committee” – shall be deemed a Committee of Council constituted to perform a continuing function and which has a continuous existence. For the purpose of this by-law the Committee of the Whole and Sub-Committees are deemed to be Standing Committees.

“Steering Committee” – includes any Steering Committee established by resolution of Council which goes out of existence as soon as it has completed the mandate as established by Council.

“Sub-Committee” – includes any Sub-Committee established by Council and approved through a resolution of Council which is a Standing Committee.

“Summer Recess” – shall be deemed to be the month of July each year where no Council or Committee meetings are held unless a Special Meeting is called by the Mayor or Chair or a petition of Council is received.

“Township” – shall mean the Corporation of the Township of Lanark Highlands.

“Two-Thirds Vote” – shall mean a vote where at least two-thirds of the members present, and eligible to vote, vote in the same manner.

2.0 INTERPRETATION

- 2.1** The rules and regulations contained in this By-Law shall be observed in all proceedings of Council to which they apply and shall be the rules and regulations for the order and dispatch of business at meetings of Council and its Committees.
- 2.2** All reference to the Mayor shall, in the absence of the Mayor, refer to the Deputy Mayor or to the person so named in accordance with the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.
- 2.3** Subject to the requirements of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, the rules and regulations contained herein may be suspended by resolution for a single occasion by a vote of at least two-thirds of the members present and eligible to vote, unless otherwise provided by law.
- 2.4** Committees may not pass a motion to suspend the rules of this By-Law.
- 2.5** Subject to the right of appeal by a Member, the Chair shall be responsible to interpret the rules of procedure under this By-Law with the advice and assistance of the Clerk.
- 2.6** The Clerk or designate shall be secretary of Council and Committees of Council and shall be in attendance at all times.
- 2.7** Where procedural matters of Council or Committees of Council are not provided for in this by-law and are not governed by the *Municipal Act, 2001* and the *Municipal Conflict of Interest Act*, Bourinot’s Rules of Order shall apply.

3.0 ROLE OF THE CHAIR

- 3.1** A Chair shall:
 - 3.1.1** preside over Council or Committee Meetings;
 - 3.1.2** provide order and decorum
 - 3.1.3** be the political liaison with other members of Council and Committee Members;
 - 3.1.4** review and understand the Agenda with the Clerk;

- 3.1.5 provide the Committee direction when required regarding meeting conduct and procedures;
- 3.1.6 represent Council initiatives and decisions to the public, where appropriate;
- 3.1.7 represent Committee initiatives and recommendations to the public, where appropriate;
- 3.1.8 consult with the CAO on matters of operational concerns and complaints;
- 3.1.9 not have the authority to direct Department Heads or staff;
- 3.1.10 work with the Mayor and CAO to take the lead role, where possible, on provincial delegations, in particular at the Association of Municipalities of Ontario (AMO) and the Ontario Good Roads Association/Rural Ontario Municipal Association (OGRA/ROMA).

4.0 RULES OF CONDUCT FOR MEMBERS, STAFF AND ATTENDEES

4.1 Chair at Meetings

4.1.1 It shall be the duty of the Chair of a meeting to:

- a) open the meeting by calling the meeting to order;
- b) ensure that a quorum is established and is maintained throughout the course of the meeting;
- c) announce the business in the order in which it is to be considered;
- d) direct discussion in such a manner that all questions and comments shall be presented through the Chair;
- e) receive and submit, in the proper manner, all motions presented by the Members;
- f) put to vote all motions which are moved, and seconded , or all motions that arise in the course of the proceedings, and to announce the result of each vote;
- g) decline to put to vote motions that infringe upon the rules under this By-Law or the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;
- h) ensure the Members, Staff and Attendees, conform to the rules of order under this By-Law;
- i) The Chair maintain an appearance of impartiality on all matters at all meetings;
- j) undertake all matters required to ensure the meeting proceeds in an orderly and efficient manner;
- k) authenticate by signature, when necessary, all applicable by-laws and resolutions;
- l) adjourn the meeting when the business is concluded, or at the designated time.

4.1.2 The Mayor may wear the Chain of Office at all Council meetings.

4.1.3 The Chair may vote on all motions.

4.1.4 In the absence of the Chair for Council, or when the Chair steps down,

the Deputy Mayor shall be the Acting Chair. In the absence of the Deputy Mayor, Council shall appoint an Acting Chair.

4.1.5 In the absence of a Committee Chair or when the Chair steps down, the Committee shall appoint an Acting Chair.

4.1.6 The Chair for Committees, while carrying out all of the usual functions in conducting the proceedings, enjoys the same right as any other member to participate in discussion and to vote on any issue. However, should the Chair wish to propose a motion, he or she should delegate the duties of the Chair to a Member of the Committee in accordance with the provisions of this By-Law, until the Member resumes the position of the Chair.

4.1.7 The Chair shall not resume the position of the Chair until the Chair has finished debating the issue, motion, etc., at which time the Acting Chair shall relinquish the position of the Chair.

4.2 Questions

4.2.1 All Members, Staff and Delegations shall address their questions and comments through the Chair.

4.3 Speaking at Meetings

4.3.1 When two or more Members wish to speak, the Chair shall name the Member who is to speak first.

4.3.2 When a Member is recognized by the Chair, the Member shall confine his/her remarks to the topic/motion under consideration.

4.3.3 When a motion is under debate, a Member may ask a question through the Chair of another Member, CAO, Department Head or other employee of the Township.

4.3.4 Any Member may require the motion under debate to be read at any time during the debate, but in doing so shall not interrupt a Member while speaking.

4.4 Materials

All materials shall be distributed through the Clerk.

4.5 Rules of Order

4.5.1 No person shall:

- a) disturb a meeting by any disruptive or distracting conduct,

- including private conversations among Members, Staff or Attendees at a meeting;
- b) use profane or offensive words or insulting expressions;
- c) disobey the rules of procedure;
- d) rise from their seat or make any noise or disturbance while a vote is being taken;
- e) speak until they have been recognized by the Chair;
- f) speak on any subject other than the subject under debate
- g) display signs, place cards, applaud, heckle or engage in telephone or other conversation or any behaviour which may be considered disruptive.

- 4.5.2** An Attendee shall not participate in a meeting, unless listed on the Agenda as a Delegation or Presentation and shall be subject to the rules and procedures of this By-Law.
- 4.5.3** Notwithstanding Section 4.5.2, an attendee may participate upon resolution of Council or Committee and shall be subject to the rules and procedures of this by-law.
- 4.5.4** No Member shall interrupt a Member who is speaking, except to raise a Point of Order or a Point of Privilege.
- 4.5.5** No Member shall permanently leave the meeting without advising the Chair or the Clerk.
- 4.5.6** In the event that a Member or Attendee persists in a breach of Subsection 4.5.1 above, after having been called to order by the Chair, the Chair shall without debate call the question "Shall the Member or Attendee be ordered to leave their seat for the duration of the meeting?", and this question shall not be debatable.
- 4.5.7** If Council or a Committee decides the question set out in Subsection 4.5.6 above in the affirmative by a majority vote of the Members present, the Chair shall order the Member or Attendee to leave their seat for the duration of the meeting.
- 4.5.8** If the Member or Attendee apologizes, the Chair, with the approval of Council or the Committee, may permit them to resume their seat.
- 4.5.9** If a Member or Attendee does not leave their seat after being ordered to do so by the Chair in accordance with Subsection 4.5.7 above, and if the Member or Attendee does not apologize in accordance with Subsection 4.5.8 above, then the Chair shall for a second time without debate call the question "Shall the Member or Attendee be ordered to leave their seat for the duration of the meeting?", and this question shall not be debatable.

4.5.10 If Council decides the question set out in Subsection 4.5.9 above in the affirmative by a majority vote of the Members present, the Chair shall direct the Clerk to seek the appropriate assistance from the Lanark County Ontario Provincial Police (OPP) and the meeting shall recess automatically.

4.5.11 No Member shall use cell phones and electronic devices not required for conducting a meeting. The device shall be either turned off or otherwise set so as not to emit any audible sound during a meeting.

4.5.12 During a Council or Committee meeting, Councillor and Staff laptops shall be used exclusively for Township business.

4.5.13 Recording devices shall be permitted provided that the Chair advises all in attendance prior to the start of the meeting.

5.0 COUNCIL AND COMMITTEE MEETINGS

5.1 Inaugural Meeting

5.1.1 The Inaugural Meeting shall be conducted in accordance with Schedule "A".

5.2 Council Meetings

5.2.1 Township Council meetings shall generally be held in the Council Chambers at the Lanark Highlands Municipal Office, 75 George Street, Lanark, on the fourth Tuesday of each month commencing at 7:00 p.m., as outlined in the Meeting Schedule.

5.3 Committee of the Whole

5.3.1 Committee of the Whole meetings shall generally be held in the Council Chambers at the Lanark Highlands Municipal Office, 75 George Street, Lanark, on the first and third Tuesdays of each month commencing at 2:30 p.m., as outlined in the Meeting Schedule.

5.3.2 Township Council shall conduct its business using a Committee of the Whole System. The Committee of the Whole meetings shall be separated into the following five (5) areas of service delivery:

5.3.2.1 Building, Planning & Protective Services

- a) Building
- b) Emergency Planning
- c) Fire Services
- d) Mississippi-Rideau Source Water Protection
- e) Mississippi Valley Conservation

- f) Planning
- g) Police Services Board
- h) Other Environmental and Rural Issues

5.3.2.2 Public Works & Waste Management

- a) Bridges
- b) Fleet
- c) Roads
- d) Sewer & Water
- e) Waste Management

5.3.2.3 Community Services

- a) Arena
- b) Community Centres
- c) Economic Development
- d) Museums
- e) Public Library
- f) Tourism
- g) Youth Centre

5.3.2.4 Corporate Services

- a) Accessibility
- b) Coordination of Policy for all Township Departments
- c) Corporate Contracts
- d) Finance
- e) Governance Issues
- f) Human Resources
- g) Information Technology
- h) Legislation Review and Comment
- i) Township Records and Communications
- j) Any issues not presently designated to another Committee of the Whole

5.3.2.5 General

- a) Budget
- b) Major Projects

5.3.3 The authority of the Committee of the Whole is limited to the making of recommendations to Council. No decision to take any action or do anything other than administrative in nature shall be recognized as emanating from the Committee of the Whole, and all affirmative Committee of the Whole recommendations shall be referred to the next regularly scheduled Council Meeting not less than two weeks later, unless directed by resolution of Committee, before becoming effective.

5.4 Election of Committee Chairs

5.4.1 Committee of the Whole

The Chair of the Committee of the Whole shall be the Deputy Mayor, or Councillors wishing to participate on a rotational basis, to be determined by Council.

5.5.2 Steering & Sub-Committees

Each Steering and Sub-Committee shall appoint a Member of that Steering or Sub-Committee to act as Chair on an annual basis at the first meeting each year.

5.5 Special Meetings

5.5.1 The Mayor at any time may call a special meeting of Council that is in addition to the published Meeting Schedule approved annually by Council.

5.5.2 The Mayor or Committee of the Whole Chair may call a special meeting of the Committee of the Whole that is in addition to the published Meeting Schedule approved annually by Council.

5.5.3 A special Council or Committee of the Whole meeting shall be called by the Clerk once a resolution to do so has been adopted by Council or upon receiving a petition from a majority of Council or Committee of the Whole Members, and with the provisions 5.5.1 and 5.5.2.

5.5.4 The resolution or petition shall clearly state the purpose, date and time of the special meeting. The petition shall be signed, by those Members calling the special meeting, and delivered to the Clerk.

5.5.5 The only business to be dealt with at a special meeting shall be that stated on the Agenda of the meeting.

5.5.6 A minimum of forty-eight (48) hours notice of all special meetings of Council or Committee shall be given to the Members and the Public by posting the meeting on the website.

5.5.7 In addition to the meeting notice, the meeting date and time shall also be posted on the window light of the front and rear door of the Municipal Office.

5.6 Emergency Meetings

5.6.1 The Mayor at any time may, in the event of an emergency, call an

emergency meeting of Council without giving forty-eight (48) hours notice of the meeting, provided that the Clerk has diligently attempted to advise all Members immediately upon being advised of the intention of the Mayor to hold an emergency meeting.

- 5.6.2** The only business to be dealt with at an emergency meeting of Council shall be with respect to that emergency.
- 5.6.3** In the case of an emergency meeting, Council may hold its meeting(s) and keep its public office at any convenient location within or outside of the Municipality.
- 5.6.4** Notice of all emergency meetings of Council shall be given to the Members and the Public by posting the meeting on the website. Notice may be given after the meeting.

5.7 Steering and Sub-Committees

- 5.7.1** Steering and Sub-Committee meetings shall generally be held in the Council Chambers at the Lanark Highlands Municipal Office, 75 George Street, Lanark.
- 5.7.2** Steering and Sub-Committee meetings shall generally be scheduled during regular office hours, Monday to Friday from 8:30 a.m. to 4:30 p.m.
- 5.7.3** Every Steering and Sub-Committee shall have a Terms of Reference approved by Council. The Terms of Reference shall contain a mandate and purpose, committee structure, number of meetings, number of members required for quorum, reporting process, staff and support services, budget (if applicable) and completion date.
- 5.7.4** The authority of any Steering or Sub-Committee is limited to making recommendations to the Committee of the Whole. No decision to take any action other than administrative in nature shall be recognized as emanating from any Steering or Sub-Committee.
- 5.7.5** Minutes of Steering and Sub-Committees shall be included in the Committee of the Whole agenda as information. Any action items requiring Council approval will be presented in the form of a motion to the Committee of the Whole for recommendation.
- 5.7.6** A Steering Committee shall be deemed to be dissolved at the completion of its mandate based on the Terms of Reference or by a resolution of Council.
- 5.7.7** Steering and Sub-Committees shall adjourn no later than thirty minutes prior to all Council and Committee of the Whole meetings.

5.7.8 Public Members shall be appointed by Council.

5.8 Boards & Commissions

5.8.1 Council shall appoint Members to sit on various Boards and Commissions for the term of Council unless directed otherwise by Council at the first regularly scheduled Council Meeting following the Inaugural Meeting, unless otherwise provided by an Act or Regulation.

5.8.2 The Member of the Board or Commission shall provide a verbal Report on the Board or Commission at the applicable Committee of the Whole Committee as information.

5.9 Closed Session ("In Camera")

5.9.1 Except as provided in this By-Law, all meetings of Council and its Committees shall be open to the public.

5.9.2 No person shall be excluded from a meeting except for:

- a) improper conduct determined by the Mayor/Chair or;
- b) where a meeting or portion of a meeting is closed to all persons other than the Members of that body and those identified to remain in the room.
- c) in the event that a Member or Attendee persists in a breach of Subsection 4.5.1 above, after having been called to order by the Chair, the Chair shall without debate call the question "Shall the Member or Attendee be ordered to leave their seat for the duration of the meeting?", and this question shall not be debatable.
- d) If Council or a Committee decides the question set out in Subsection 4.5.6 above in the affirmative by a majority vote of the Members present, the Chair shall order the Member or Attendee to leave their seat for the duration of the meeting.

5.9.3 The Clerk or designate shall remain in the room for all closed sessions.

5.9.4 When dealing with personal matters involving the CAO/Clerk, Council may appoint a Deputy Clerk to remain in the room who is not an employee of the municipality as per section 228 of the Municipal Act, 2001, c.25, as amended.

5.9.5 In accordance with Schedule "B" a meeting or part of a meeting may be closed to the public.

5.9.6 Should it become necessary to address more than one closed session matter on one agenda, each closed matter shall be

addressed in a separate closed session.

- 5.9.7** Council or Committee shall move into closed session by using the prescribed resolution form in Schedule “B”.
- 5.9.8** Closed meetings are to be listed on the agenda in such a way as to provide the most information possible without compromising confidentiality or adversely affecting the municipal position. For example, the agenda item should read: Litigation Matter – Litigation Regarding a Property Located at 123 Example Avenue.
- 5.9.9** A meeting shall not be closed to the public during the taking of a vote except where:
- a) the vote is for a procedural matter or giving directions or instructions to officers, employees or agents of the municipality or persons retained by or under contract with the municipality.
- 5.9.10** Confidential discussion during a closed session shall be limited to the issue described in the authorizing public resolution and nothing in this by-law confers the power of any Member or Members of Council to make any decision or take any action unless, or until such action is presented and decided upon at a duly called and constituted open meeting of Council.
- 5.9.11** No Member, Staff or other person present shall in any way, notify, distribute or make available to any person or other body, by any means, any reports or items, or disclose the nature or content of any documents or of discussions regarding any matters that are confidential without approval of such release by Council.
- 5.9.12** Members, Staff or other persons present may take notes during closed session.
- 5.9.13** Upon returning to open session, the Chair shall rise and report the following:
- a) a statement resulting from the closed session;
 - b) declarations of pecuniary interest during the closed session.
- 5.9.14** The Clerk shall be responsible to secure and maintain a confidential record of all original documentation distributed or presented, relating to closed sessions.
- 5.9.15** A separate set of closed session minutes shall be kept for each closed session.
- 5.9.16** Councillors are able to pick up confidential reports/documents,

prior to the meeting; confidential reports/documents distributed prior to or circulated during a meeting may be retained by Councillors or handed back to the Clerk for shredding.

- 5.9.17** Minutes of closed sessions shall be circulated by the Clerk via a secure folder located on the Township's website.. The minutes shall be kept in a secure and confidential location under the control of the Clerk and shall only be open to those in attendance at the meeting, to others approved by the Council or as legislated.
- 5.9.18** Where practical, closed sessions shall be scheduled at the end of the meeting.
- 5.9.19** All Members and Staff have a personal obligation to the Township to treat identified confidential documents in confidence and not to use them to the detriment of the Township.
- 5.9.20** The obligation to keep information confidential shall continue after the Member ceases to be a Member of Council or Staff ceases to be employed by the Township.

5.10 Public Information Sessions/Centres (Open Houses)

- 5.10.1** Public Information Sessions/Centres (Open Houses) may be scheduled from time to time as warranted.
- 5.10.2** A Public Information Session/Centre (Open House) shall be called by the Clerk once a resolution to do so has been adopted by Council or upon receiving a petition from a majority of Council Members. The petition shall clearly state the purpose, date, and time of the meeting, and the person who will act as Chair of the session.

5.11 Public Meetings (Statutory)

- 5.11.1** Public Meetings shall be scheduled as prescribed for the purpose of meeting the requirements of an Act, Regulation or By-Law.
- 5.11.2** A Public Meeting shall be called by the Clerk as required under the Public Notice Policy (By-Law No. 2007-820) and amendments thereto or as required under an Act or Regulation. The notice shall clearly state the purpose, date, time and location of the meeting, and the person who will act as Chair of the session.
- 5.11.3** The Clerk shall prepare an agenda for the meeting and keep a record of the proceedings.

5.12 Notice of Meetings

- 5.12.1** The Clerk shall give notice of each meeting to the Members, Department Heads, Media and the Public.
- 5.12.2** The meeting agenda shall constitute notice, except for Public Meetings (Statutory).
- 5.12.3** Notice for Public Meetings shall be as prescribed.
- 5.12.4** Council and Committee agendas shall be made available by 4:30 p.m. on the Thursday prior to the meeting.
- 5.12.5** Agendas shall be posted on the Township website, prior to 4:30 p.m. on the Friday prior to the meeting.
- 5.12.6** Refer to Subsections 5.6 and 5.7 for Special and Emergency Meetings.
- 5.12.7** Committee meetings may be cancelled in consultation with the , Chair, and Staff if insufficient business will be before the Committee. Notice of cancellation should be provided as soon as possible.
- 5.12.8** If it appears that inclement weather, or like occurrence, or an emergency situation will prevent the Members from attending a meeting, the Mayor or Committee Chair may direct the Clerk to postpone that meeting by contacting as many members as they are able to reach.

5.13 Meeting Schedule

- 5.13.1** A proposed Meeting Schedule will be presented by the Clerk to Council for approval by the end of December of each year, for the subsequent year.
- 5.13.2** The Meeting Schedule will outline the dates of Regular Council and Committee of the Whole meetings and Professional Development Events.
- 5.13.3** Regular Council Meetings are generally held once a month except during the month that has been declared the "Summer Recess".
- 5.13.4** Committee of the Whole Meetings are generally held twice per month except during the month that has been declared the "Summer Recess".
- 5.13.5** Special and Emergency Meetings may be called during the month that has been declared the "Summer Recess".
- 5.13.6** Any Council or Committee of the Whole Meeting that is not on the Meeting Schedule shall be deemed to be a "Special" Council or Committee of the Whole Meeting.

5.13.7 A rescheduled meeting shall not be considered a "Special" Council or Committee of the Whole Meeting.

5.14 Election Year

5.14.1 In the year of a municipal election, after the election an orientation shall be held for all members of Council to provide an overview of the expectations of elected office (ex. processes of Council, procedure by-law, code of conduct, payroll and a general overview of the Township's role and function).

5.14.2 The orientation shall be conducted by the Chief Administrative Officer/Clerk and Department Heads.

6.0 ORDER OF BUSINESS AND GENERAL RULES

6.1 Format of Agenda

6.1.1 Council Agenda

6.1.1.1 The Clerk shall have prepared for the use of the Members at all meetings, an agenda as follows:

- (i) Call to Order
- (ii) Playing of "O Canada"
- (iii) Disclosure of Pecuniary Interest and General Nature Thereof
- (iv) Approval of Agenda
- (v) Approval of Council Minutes
- (vi) Delegations & Presentations
- (vii) Communications
- (viii) Reports
- (ix) Motions
- (x) By-Laws
- (xi) New/Other Business
- (xii) Notice of Meetings

- (xiii) Questions/Comments from the Public
- (xiv) In-Camera Items
- (xv) Confirm Council Proceedings
- (xvi) Deferred Items
- (xvii) Adjournment

6.1.2 Committee of the Whole Agenda

6.1.2.1 The Clerk shall have prepared for the use of the Members at all meetings, an agenda as follows:

- (i) Call to Order
- (ii) Disclosure of Pecuniary Interest and General Nature Thereof
- (iii) Approval of Agenda
- (iv) Approval of Minutes
- (v) Delegations & Presentations
- (vi) Communications
- (vii) Reports
 - General
 - Community Services
 - Corporate Services
 - Building, Planning & Protective Services
 - Public Works & Waste Management
- (viii) New/Other Business
- (ix) In-Camera Items
- (x) Deferred Items
- (xi) Adjournment

6.1.3 “Special” and “Emergency” Meeting Agendas

6.1.3.1 The Clerk shall have prepared for the use of the Members at special and emergency meetings, an agenda as follows:

- (i) Call to Order
- (ii) Disclosure of Pecuniary Interest and General Nature Thereof
- (iii) "Business"
- (iv) Adjournment

6.1.4 Steering and Sub-Committee Meeting Agendas

6.1.4.1 The Clerk shall have prepared for the use of the Members at Steering and Sub-Committee meetings, an agenda as follows:

- (i) Call to Order
- (ii) Disclosure of Pecuniary Interest and General Nature Thereof
- (iii) Approval of Agenda
- (iv) Approval of Minutes
- (v) "Business"
- (vi) New/Other Business
- (vii) Next Meeting
- (viii) Deferred Items
- (ix) Adjournment

6.2 General

6.2.1 The business of each meeting shall be taken up in the order in which it stands on the agenda unless, by a majority vote, the Members decide otherwise.

6.2.2 The CAO/Clerk shall determine the appropriate meeting at which items of business shall be considered in accordance with this By-Law.

6.2.3 Where further information or reports are necessary for Council or Committees to review an item of business, the CAO/Clerk in consultation with the Chair may postpone the placement of an item on the Agenda.

6.2.4 Where employees of the Township have been directed by Council to

carry out a specific action and it is determined subsequently that the action cannot be carried out in accordance with Council's directions, the CAO/Clerk will notify Council as soon as possible of these findings and further direction shall be requested of Council.

6.2.5 The CAO/Clerk shall attend Council and Committee of the Whole meetings (both open and closed session).

6.2.6 Department Heads will not attend Council and Committee of the Whole meetings unless otherwise directed or notified by the CAO/Clerk.

6.3 Declaration of Pecuniary Interest

6.3.1 A Member shall declare a direct or indirect pecuniary interest in accordance with the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended which is attached in Schedule "C"

6.3.2 If the declared pecuniary interest under Section 6.3.1 above is with respect to an item on a closed session agenda, in addition to complying with the requirements of Section 6.3.1 above, the Member shall forthwith leave the closed session, or that part of the closed session during which the matter is under consideration. The Chair in their Rise and Report shall state the declaration of pecuniary interest disclosed during the closed session.

6.3.3 Where the interest of a Member has not been disclosed as required by Section 6.3.1 above, by reason of the Member's absence from the meeting, the Member shall disclose the interest at the first subsequent meeting thereafter.

6.3.4 A Council Member shall not ask another Member of Township Council, Township Staff, or Township Solicitors whether that member should declare a pecuniary interest.

6.3.5 Notwithstanding section 6.3.5 a Member of Township Council, Township Staff, or the Township Solicitor shall not offer an opinion to any Member of Council with regards to a potential conflict of interest.

6.3.6 A Member that requires a legal opinion regarding a pecuniary interest shall obtain independent legal counsel at their own expense.

6.4 Delegations and Presentations

6.4.1 Delegations

6.4.1.1 Persons who wish to appear as delegations must submit written/verbal request (Schedule "F" form) to the Clerk outlining the purpose of their delegation to appear before a Committee, by

Noon on the Thursday the week prior to the meeting.

- 6.4.1.2** The Clerk shall assign Delegations to a Committee of the Whole and Council agenda if required. .
- 6.4.1.3** Delegations with time sensitive issues or in regards to items on the agenda that have not submitted a request within the specified time may be heard by the Committee or Council by a majority vote.
- 6.4.1.4** A staff report will only be provided at a subsequent meeting for all delegations described in subsection 6.4.1.3, when directed by Council or Committee.
- 6.4.1.5** Delegations are to be limited to fifteen (15) minutes or as specified in the agenda followed by a question period for Committee or Council Members.
- 6.4.1.6** The number of Delegations per agenda shall be limited to two (2).
- 6.4.1.7** The role of delegations is to provide information and not enter into debate with Council or Committee Members, or Staff.
- 6.4.1.8** Verbal reports will be accepted however, written and electronic reports are preferred and shall be retained by the Clerk as part of the minutes.
- 6.4.1.9** Delegations may only speak at a meeting with respect to the topic listed on the agenda for that particular delegation.
- 6.4.1.10** Delegations that have previously appeared on the same subject matter shall be limited to providing new information only in their subsequent appearances.
- 6.4.1.11** Delegations consisting of more than one person shall be limited to two speakers, being limited to no more than ten (10) minutes each. The second speaker shall not repeat information provided by the previous speaker from that delegation and will be confined by the Chair to presenting new and/or additional information.
- 6.4.1.12** Questions directed to Staff by any delegate shall be received through the Chair.
- 6.4.1.13** Delegations requesting to appear at a Committee of the Whole or Council meeting may be declined if they have failed to follow established by-laws, policy, procedure or protocol or as

prescribed in an applicable governing statute or regulation.

6.4.1.14 No motions shall be made as a result of comments made during a delegation.

6.4.2 Presentations

6.4.2.1 The purpose of presentations shall be when staff, an individual or group have been invited to present information to Council or Committee.

6.4.2.2 Presentations shall be assigned to a Committee of the Whole agenda.

6.4.2.3 A staff report will be provided only if directed by Council or Committee.

6.4.2.4 Presentations are generally limited to fifteen (15) minutes, unless otherwise directed by the Clerk or CAO/Clerk, followed by a question period for Committee or Council Members.

6.4.2.5 The role of the presenter is to provide information and not enter into debate with Council or Committee Members or staff.

6.4.2.6 Verbal reports will be accepted, however, written and electronic reports are preferred and shall be retained by the Clerk as part of the minutes.

6.4.2.7 Questions directed to staff by any presenter shall be received through the Chair.

6.4.2.8 No motions shall be made as a result of comments made during a delegation.

6.5 Communications

6.5.1 Communications that are addressed to Council or that relate to Township matters shall be circulated to the Committee of the Whole.

6.5.2 Communications that may be of interest to Members of the Committee of the Whole and Council will be circulated to all members by the Clerk either by email or added to an upcoming Committee of the Whole agenda as communications.

6.5.3 The Councillor Communication Package shall be circulated in a timely manner and will be listed on the next Committee of the Whole Agenda for information. At that time any Member of Council may bring forward any communication item in the Package for discussion and/or action.

- 6.5.4 Communications that are not legible or that contain any defamatory allegations, or impertinent or improper matter, shall be circulated to Council in a confidential manner. Every communication shall be signed by at least one person giving their name and mailing address.
- 6.5.5 Communications delivered by electronic mail shall contain the electronic mail address of the sender as well as a name and mailing address, and have attached to it only those documents which are in a printable format.
- 6.5.6 Correspondence delivered by facsimile transmission shall contain the facsimile number as well as the name and mailing address of the sender.

6.6 Reports

6.6.1 Committee of the Whole Report to Council

- 6.6.1.1 The Committee of the Whole shall report to Council.
- 6.6.1.2 The Deputy Mayor as Chair of the Committee of the Whole shall offer a report for approval which shall contain an "A" section for information, and a "B" section requiring action by Council.
- 6.6.1.3 The "A" section of reports will be read only when the Chair of the Committee of the Whole is directed by Council, by unanimous consent, to do so.
- 6.6.1.4 Recommended motions for information only, may be included in Section "A" of the Report.
- 6.6.1.5 The "B" section of reports will be read by the Chair of the Committee of the Whole in its entirety unless otherwise requested or directed by Council, by majority consent, not to do so.
- 6.6.1.6 Prior to the adoption of a Committee of the Whole report, any Member may request that an item be separated for consideration, or to be voted on separately.
- 6.6.1.7 When a request to separate an item from the report is accepted by the Chair, a motion to consider the separated item will be the next order of business prior to the adoption of the remaining report.

6.6.2 Staff Reports to Committee of the Whole

- 6.6.2.1 The standard staff report format has been adopted as set out

in Schedule "D".

6.6.2.2 Staff shall summarize the report at the meeting, and speak to the recommendations.

6.6.3 Confidential Reports

6.6.3.1 Staff reports that are "confidential" will be copied onto coloured paper and marked "**CONFIDENTIAL**" when requested.

6.6.3.2 That confidential report's will be made available to Council via a secure folder located on the Township's website.

6.6.3.3 The Clerk shall ensure that any material relating to any matter, for which a meeting may resolve into "closed session" under the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, is circulated as confidential material pending Council's approval of release to the public.

6.7 New/Other Business

6.7.1 New/Other Business shall not be considered unless it is of an urgent nature or time sensitive and should otherwise be referred to the next meeting of the Committee of the Whole or the appropriate Committee.

6.7.2 New/Other Business at a Council meeting may be heard by a Two-Thirds Vote.

6.7.3 New/Other Business at a Committee meeting may be heard by a majority vote.

6.7.4 The request to hear New/Other Business shall not be debatable.

6.8 Questions/Comments from the Public

6.8.1 That question's will be limited to five (5) minutes per question, and that the maximum time allowed for questions shall be thirty (30) minutes. Once a question has been addressed, it may not be asked again.

6.8.2 No Motions shall be made as a result of comments made from the public. Members and staff shall not be engaged in a debate or discussion as a result of questions/comments from the public.

6.8.3 During questions/comments from the public, no member of the public shall:

- (a) speak disrespectfully of any person;
- (b) use improper or non-parliamentary language;
- (c) Disobey the rules of procedure or a decision of the Chair;
- (d) Speak to Council about matters
 - (i) Involving current or pending legislation;
 - (ii) Involving insurance claims;
 - (iii) Administrative complaints that have not been reported and investigated;
 - (iv) Beyond the jurisdiction of Council;
 - (v) Contrary to MFIPPA.

Comments made during this part of the meeting will not form part of the minutes of the meeting.

6.9 Deferred Items

6.9.1 Items on an agenda which have not been dealt with shall be repeated on each subsequent agenda until resolved or removed from the agenda by resolution and shall be listed under Deferred Items. Items listed under Deferred Items shall be reviewed quarterly by Council.

7.0 COMMENCEMENT AND ADJOURNMENT OF MEETINGS

7.1 Quorum

- 7.1.1** If no quorum is present thirty (30) minutes after the time appointed for a Meeting of Council or Committee, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the date of the next meeting; regular, special or emergency.
- 7.1.2** When quorum is lost as a result of declarations of pecuniary interest by one or more Members, the remaining Members shall be deemed to constitute quorum, provided the number is not fewer than two.
- 7.1.3** The Chair shall call the meeting to order as soon after the hour fixed for the holding of the meeting that a quorum is present.
- 7.1.4** If the Mayor is not available at the time appointed for a Meeting of Council, the Deputy Mayor will conduct the meeting until the arrival of the Mayor.
- 7.1.5** If the Chair is not available at the time appointed for a Meeting of Committee, the Committee shall appoint an Acting Chair to conduct the meeting until the arrival of the Committee Chair.
- 7.1.6** Member shall notify the Clerk when intending to be absent from a Council, Committee, Special or Emergency meeting for the purpose of

ensuring a quorum.

7.1.7 When a quorum is lost, the meeting shall stand recessed and no further action shall be taken. If a quorum is regained within 10 minutes the meeting shall proceed. However, if quorum is not regained within 10 minutes, the meeting shall stand adjourned.

7.2 Recess

7.2.1 At a Council or Committee meeting, the Council or the Committee shall recess by majority consent and shall set a time (ex. recess for 5 minutes) or state "until called to order by the Chair".

7.3 Adjournment

7.3.1 All Council meetings shall adjourn no later than 10:00 p.m., unless a motion to proceed beyond 10:00 p.m. is approved.

7.3.2 All Committee meetings shall adjourn no later than 5:30 p.m., unless a motion to proceed beyond 5:30 p.m. is approved.

8.0 MOTIONS

8.1 Motion Process

(Refer to the Motion Table in Schedule "E")

8.1.1 During a Public Meeting where members of the public are to be heard on a matter, no motion shall be received until they have been heard, and no further public participation shall be allowed at that meeting after the motion has been duly moved and seconded.

8.1.2 For Council and Committee of the Whole meetings, a motion shall be formally moved and seconded before the Chair can put the question or a motion can be recorded in the minutes.

8.1.3 For Steering and Sub-Committee meetings, a motion shall only need to be formally moved and seconded before the Chair can put the question or a motion can be recorded in the minutes.

8.1.4 A verbal Motion for a Council meeting shall be reduced to writing and shall contain the signatures of the mover and seconder.

8.1.5 A verbal Motion for a Committee meeting shall not need to be reduced to writing. A motion for Council/Committee shall be read prior to be voted on.

- 8.1.6** Every Member present is entitled to vote on every motion, unless the Member has declared a pecuniary interest.
- 8.1.7** Every Member present shall be deemed to vote against the motion if they decline or abstain from voting, unless disqualified from voting by reason of a declared pecuniary interest.
- 8.1.8** The Chair may vote on all motions.
- 8.1.9** After a motion has been duly moved, seconded, and read, it shall immediately be open to debate. The mover shall have the opportunity to make the introductory and closing remarks thereon.
- 8.1.10** No Member shall speak more than twice until every Member has had an opportunity to speak towards the motion.
- 8.1.11** Any Member may request that any motion under debate be repeated by the Clerk or Chair for the benefit of clarification but not so far as to interrupt a Member while speaking.
- 8.1.12** A motion on which the voting results in a tie shall be considered lost.
- 8.1.13** When the motion under consideration contains distinct recommendations, a Member may request that the vote be taken separately on each proposal. (See the motion to "Divide" in the Motion Table)
- 8.1.14** The Chair shall call the vote immediately after all Members desiring to speak to the motion have spoken.
- 8.1.15** Upon the Chair calling for a vote, no further speakers shall be permitted.
- 8.1.16** The manner of determining the vote on a motion shall be by show of hands.
- 8.1.17** No vote shall be taken at any meeting by any method of secret voting, except where permitted or required by law.
- 8.1.18** The Chair shall announce the result of every vote.
- 8.1.19** If a Member disagrees with the announcement of the result of any vote, the Member may object immediately to the announcement and require that the vote be retaken.

8.2 Reconsideration of a Motion

8.2.1 General Provisions

- 8.2.1.1** Reconsideration of a motion shall only be permitted at Council meetings.
- 8.2.1.2** A motion to reconsider a previous decision of Council may be introduced by any member.
- 8.2.1.3** A motion to reconsider may be seconded by any Member.
- 8.2.1.4** No original motion shall be reconsidered more than once, during a one year period.
- 8.2.1.5** When a motion to reconsider is defeated, another motion to reconsider cannot be put forward for a one year period.
- 8.2.1.6** A motion to reconsider shall not be in order if Council is made aware the question or by-law has been implemented, resulting in legally binding commitments as of the date the motion to reconsider is moved.

8.2.2 Notice of Intention

- 8.2.2.1** A notice of the intention to reconsider a motion shall be placed on the next Council agenda.

8.2.3 Motion to Reconsider

- 8.2.3.1** When a motion for reconsideration is introduced, no discussion of the original motion shall be allowed unless the motion for reconsideration is approved by at least two-thirds of the Council Members present.
- 8.2.3.2** Debate on a motion for reconsideration shall be confined to reasons for or against reconsideration or to such matters as new information which has come forward, an error in documentation presented or incorrect statements made during the original debate.
- 8.2.3.3** A reconsidered motion shall not be amended, but may be debated.
- 8.2.3.4** A motion to reconsider shall include the date of when the original motion is to be reconsidered. The original motion may be reconsidered as the next order of business.
- 8.2.3.5** Should a motion to reconsider be defeated, the original motion shall not be debated or voted upon until eligible under this By-Law.

8.2.4 Original Motion

8.3.4.1 The original motion being considered shall be stated in the exact manner in which it was first presented and voted on.

8.3.4.2 The debate on the original motion being considered as a result of an affirmative motion of reconsideration shall proceed as though it had never previously been voted on.

8.3 Recorded Votes

8.3.1 Recorded votes shall only be permitted at Council meetings.

8.3.2 A recorded vote shall be taken when called for by any Member or when required by law.

8.3.3 A Member may call for a recorded vote prior or immediately subsequent to the taking of the vote.

8.3.4 All Members, including the Mayor, shall be required to vote when a recorded vote is called for, except when absent or disqualified by a declared pecuniary interest.

8.3.5 When a recorded vote is permitted and required, the Chair will pose the question and the Clerk will call upon each Member in Ward order for their vote in favour or in opposition, with the Mayor voting last, at which time the Clerk shall record the Members vote. The Clerk will also record the number of Members absent and/or abstained.

8.3.6 On a recorded vote, failure to vote by a Member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed a negative vote.

8.3.7 When a recorded vote is taken, the names of those who voted for and those who voted against the motion and those absent shall be entered in the Council minutes.

8.3.8 The Clerk shall tabulate and announce the results of the vote.

8.4 Point of Privilege

8.4.1 A Member may raise a point of privilege directing attention to a matter that affects the rights of the Member or Members.

8.4.2 A point of privilege shall take precedence over any other matter except during verification of a vote.

- 8.4.3 A Member shall state the point of privilege to the Chair at the time of occurrence.
- 8.4.4 A Member shall not be permitted to enter into any argument or introduce any motion not related to the point of privilege.
- 8.4.5 The Chair shall decide upon the point of privilege and advise the Members of the decision.
- 8.4.6 Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.
- 8.4.7 If the decision of the Chair is appealed, the question "Shall the ruling of the Chair be upheld?" a vote shall be called without debate, and its results shall be final. A Recorded Vote shall not be permitted.
- 8.4.8 When the matter has been determined to be a point of privilege, the Member shall be afforded an opportunity to propose a motion in relation to that point of privilege.
- 8.4.9 When the integrity of the CAO/Clerk or other employee of the Corporation has been questioned, the CAO/Clerk shall be permitted to make a statement to the Members.

8.5 Point of Order

- 8.5.1 A Member may raise a point of order to a perceived violation of the rules of procedure, except during verification of a vote.
- 8.5.2 A Member shall state the point of order to the Chair at the time of the occurrence and shall quote the appropriate section of this By-Law.
- 8.5.3 The Chair shall decide upon the point of order and advise the Members of the decision.
- 8.5.4 Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.
- 8.5.5 If the decision of the Chair is appealed, the question "Shall the ruling of the Chair be upheld?" a vote shall be called without debate, and its results shall be final. A Recorded Vote shall not be permitted.

9.0 BY-LAWS

9.1 By-Law Approval Process

- 9.1.1 Every by-law shall be listed on the agenda by an identifying number, followed by a brief description of the intent of the By-Law.

- 9.1.2** No By-Law, except a By-Law to confirm the proceedings of Council, shall be presented to Council unless the subject matter thereof has been considered by Committee of the Whole.
- 9.1.3** Notwithstanding Subsection 9.1.2 above, new By-Laws of an urgent nature, requiring an immediate decision Shall be considered.
- 9.1.4** Upon accepting a motion to approve a by-law listed on the agenda, the Chair shall announce first, second and third reading of the by-law, pausing at third reading to determine if there are any questions or discussion by the Members, before putting final approval of the by-laws to a vote.
- 9.1.5** After third reading is introduced, every by-law may be debated, subject to amendment, and may be deferred or referred to a committee or staff for further consideration.
- 9.1.6** Every by-law passed by Council shall be signed by the Mayor and the Clerk, sealed with the seal of the Corporation, show the date of all readings, and shall be bound in a volume for the year in which it was passed.
- 9.1.7** The Clerk shall advise Council of minor corrections to any by-law resulting from technical, or typographical errors prior to the by-law being signed.

9.2 By-Law versus Resolution

- 9.2.1** A resolution is a less permanent rule and shall express the decision of a council in respect of a temporary or distinct matter. A resolution shall be passed to give direction to staff. A resolution shall not prescribe a permanent rule of local government. A resolution expresses the will of the governing body on a special occasion which is not likely to recur. A resolution shall not replace a by-law required by law.
- 9.2.2** A by-law shall be used, but not limited to, implement policy, memorandums of understanding, agreements and permanent rules. Whether an authorizing by-law is required depends on the subject matter of the item of business transacted by a municipal corporation and whether it is being transacted under the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or any other Act.

9.3 Confirming By-Law

- 9.3.1** The proceedings at every regular and special 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.

10.0 AMENDMENT OF PROCEDURAL BY-LAW

10.1 No amendment or repeal of this by-law or any part thereof shall be considered at any meeting of Council unless:

- a) Notice of intention of proposed amendment or repeal has been given at a previous regular meeting of Council; and
- b) One notice in a local paper, a minimum of fourteen (14) days prior to passing the by-law is given (By-Law No. 2007-820).

10.2 The waiving of section 10.1(b) of this By-law is prohibited (By-Law No. 2007-820)

10.3 The CAO/Clerk shall be responsible for reviewing this by-law at least once every term of Council.

11.0 ULTRA VIRES

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.

12.0 BY-LAWS TO BE REPEALED

THAT, By-Laws 2002-370, 2004-500, 2006-711, 2009-997, 2010-1078, 2012-1177 be repealed.

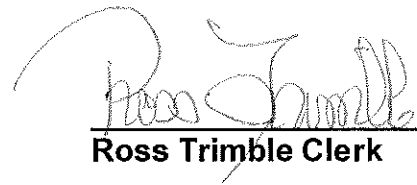
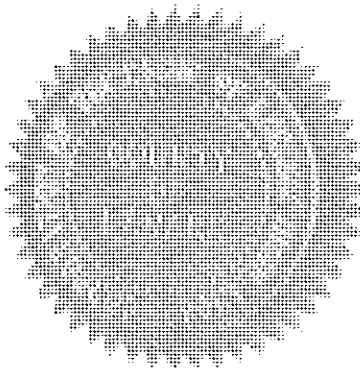
13.0 EFFECTIVE DATE

This By-Law will come into effect on the day of its passing.

This By-Law read a first, second and third time this 20th day of December, 2012.



Peter McLaren, Mayor



Ross Trimble Clerk

SCHEDULE "A"
Inaugural Meeting

	Agenda Item:	Rules:	Conducted By:
i	Call to Order	The first meeting of Council in the year of a Municipal Election shall be on the first Tuesday of December at 7:00 p.m. or at such hour as may be fixed by by-law. The Clerk shall notify all Members at least one (1) week in advance of the meeting as to time and date.	Clerk
ii	Roll Call	The Clerk shall ensure that a majority of the members are present.	Clerk
iii	Devotional Service	Selected by the Clerk	Reverend
iv	Declaration of Office for All Members of Council	Conducted as per Section 232 (1), the <i>Municipal Act, 2001</i> , S.O. 2001, c. 25, as amended.	Clerk
v	Oath of Office for All Members of Council		Clerk
vi	Mayor Assumes the Chain of Office	The Chain of Office is placed on the newly elected Mayor and the Mayor takes the Chair.	Clerk
vii	Councillor Remarks	Each Councillor, in reverse order of Ward may give opening remarks.	Mayor
viii	Mayor's Inaugural Remarks and Introduction of Special Guests		Mayor
ix	Singing of "O Canada"		Mayor

	Agenda Item:	Rules:	Conducted By:
x	Adjournment until Regular Meeting	Verbal Motion.	Clerk

SCHEDULE "B"
In-Camera Motion Form



The Corporation of
THE TOWNSHIP OF LANARK HIGHLANDS

**IN-CAMERA
MOTION FORM**

Date: _____ Topic: _____

Township Council Committee of the Whole Other _____

RESOLUTION #: _____

Moved By: _____ Seconded By: _____

"THAT, Council/Committee move "in camera" at _____ to address a matter pertaining to:

- security of the property of the municipality or local board;

- personal matters about an identifiable individual, including municipal or local board employees;

- a proposed or pending acquisition or dispersion of land by the municipal or local board;

- labour relations or employee negotiations;

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

- the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose;

- a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act;

- the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act.

regarding _____

Mayor/Chair

[M.A. 2001, c. 25, s. 239(2) &(3)]



The Corporation of
THE TOWNSHIP OF LANARK HIGHLANDS

**IN-CAMERA
MOTION FORM
(EDUCATION & TRAINING)**

Date: _____ Topic: _____

Township Council Committee of the Whole Other _____

RESOLUTION #: _____

Moved By: _____

Seconded By: _____

“**THAT**, Council/Committee move “in camera” at _____ to hold a meeting under subsection 3.1 of the Municipal Act, 2001 for the purpose of educating or training the members with regards to _____;

THAT, at this meeting no member will discuss or otherwise deal with any matter in a way that materially advances business or decision-making of the council, local board or committee.”

Mayor/Chair

[M.A. 2001, c. 25, s. 239(3)]

SCHEDULE "C"
Municipal Conflict of Interest Act

Français

Municipal Conflict of Interest Act

R.S.O. 1990, CHAPTER M.50

Consolidation Period: From July 1, 2010 to the e-Laws currency date.

Last amendment: 2009, c. 33, Sched. 21, s. 7.

Definitions

1. In this Act,

"child" means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family; ("enfant")

"controlling interest" means the interest that a person has in a corporation when the person beneficially owns, directly or indirectly, or exercises control or direction over, equity shares of the corporation carrying more than 10 per cent of the voting rights attached to all equity shares of the corporation for the time being outstanding; ("intérêts majoritaires")

"council" means the council of a municipality; ("conseil")

"elector" means,

- (a) in respect of a municipality, or a local board thereof, other than a school board, a person entitled to vote at a municipal election in the municipality, and
- (b) in respect of a school board, a person entitled to vote at the election of members of the school board; ("électeur")

"interest in common with electors generally" means a pecuniary interest in common with the electors within the area of jurisdiction and, where the matter under consideration affects only part of the area of jurisdiction, means a pecuniary interest in common with the electors within that part; ("intérêt commun à tous les électeurs")

"judge" means a judge of the Superior Court of Justice; ("juge")

"local board" means a school board, board of directors of a children's aid society, committee of adjustment, conservation authority, court of revision, land division committee, municipal service board, public library board, board of management of an improvement area, board of health, police services board, planning board, district social services administration board, trustees of a police village, board of trustees of a police village, board or committee of management of a long-term care home, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act in respect of any of the affairs or purposes, including school purposes, of one or more municipalities or parts thereof, but does not include a committee of management of a community recreation centre appointed by a school board or a local roads board; ("conseil local")

"meeting" includes any regular, special, committee or other meeting of a council or local board, as the case may be; ("réunion")

"member" means a member of a council or of a local board; ("membre")

"municipality" includes a board, commission or other local authority exercising any power in respect of municipal affairs or purposes, including school purposes, in territory without municipal organization, but does not include a committee of management of a community recreation centre appointed by a school board, a local roads board or a local services board; ("municipalité")

"parent" means a person who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child; ("père ou mère")

"school board" means a board as defined in subsection 1 (1) of the *Education Act*, and, where the context requires, includes an old board within the meaning of subsection 1 (1) of the *Education Act*; ("conseil scolaire")

"senior officer" means the chair or any vice-chair of the board of directors, the president, any vice-president, the secretary, the treasurer or the general manager of a corporation or any other person who performs functions for the corporation similar to those normally performed by a person occupying any such office; ("dirigeant")

“spouse” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage. (“conjoint”) R.S.O. 1990, c. M.50, s. 1; 1997, c. 25, Sched. E, s. 7; 1997, c. 31, s. 156 (1); 1999, c. 6, s. 41 (1); 2002, c. 17, Sched. F, Table; 2005, c. 5, s. 45 (1, 2); 2006, c. 19, Sched. C, s. 1 (1); 2006, c. 32, Sched. D, s. 10; 2007, c. 8, s. 219.

Indirect pecuniary interest

2. For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

- (a) the member or his or her nominee,
 - (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,
 - (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or
 - (iii) is a member of a body,
that has a pecuniary interest in the matter; or
- (b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. R.S.O. 1990, c. M.50, s. 2.

Interest of certain persons deemed that of member

3. For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3).

EXCEPTIONS

Where s. 5 does not apply

4. Section 5 does not apply to a pecuniary interest in any matter that a member may have,
- (a) as a user of any public utility service supplied to the member by the municipality or local board in like manner and subject to the like conditions as are applicable in the case of persons who are not members;
 - (b) by reason of the member being entitled to receive on terms common to other persons any service or commodity or any subsidy, loan or other such benefit offered by the municipality or local board;
 - (c) by reason of the member purchasing or owning a debenture of the municipality or local board;
 - (d) by reason of the member having made a deposit with the municipality or local board, the whole or part of which is or may be returnable to the member in like manner as such a deposit is or may be returnable to all other electors;
 - (e) by reason of having an interest in any property affected by a work under the *Drainage Act* or by a work under a regulation made under Part XII of the *Municipal Act, 2001* or Part IX of the *City of Toronto Act, 2006*, as the case may be, relating to local improvements;
 - (f) by reason of having an interest in farm lands that are exempted from taxation for certain expenditures under the *Assessment Act*;
 - (g) by reason of the member being eligible for election or appointment to fill a vacancy, office or position in the council or local board when the council or local board is empowered or required by any general or special Act to fill such vacancy, office or position;
 - (h) by reason only of the member being a director or senior officer of a corporation incorporated for the purpose of carrying on business for and on behalf of the municipality or local board or by reason only of the member being a member of a board, commission, or other body as an appointee of a council or local board;
 - (i) in respect of an allowance for attendance at meetings, or any other allowance, honorarium, remuneration, salary or benefit to which the member may be entitled by reason of being a member or as a member of a volunteer fire brigade, as the case may be;
 - (j) by reason of the member having a pecuniary interest which is an interest in common with electors generally; or
 - (k) by reason only of an interest of the member which is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the member. R.S.O. 1990, c. M.50, s. 4; 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (1).

DUTY OF MEMBER

When present at meeting at which matter considered

5. (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

- (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
 - (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.
- R.S.O. 1990, c. M.50, s. 5 (1).

Where member to leave closed meeting

(2) Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration. R.S.O. 1990, c. M.50, s. 5 (2).

When absent from meeting at which matter considered

(3) Where the interest of a member has not been disclosed as required by subsection (1) by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest and otherwise comply with subsection (1) at the first meeting of the council or local board, as the case may be, attended by the member after the meeting referred to in subsection (1). R.S.O. 1990, c. M.50, s. 5 (3).

RECORD OF DISCLOSURE

Disclosure to be recorded in minutes

6. (1) Every declaration of interest and the general nature thereof made under section 5 shall, where the meeting is open to the public, be recorded in the minutes of the meeting by the clerk of the municipality or secretary of the committee or local board, as the case may be. R.S.O. 1990, c. M.50, s. 6 (1).

Idem

(2) Every declaration of interest made under section 5, but not the general nature of that interest, shall, where the meeting is not open to the public, be recorded in the minutes of the next meeting that is open to the public. R.S.O. 1990, c. M.50, s. 6 (2).

REMEDY FOR LACK OF QUORUM

Quorum deemed constituted

7. (1) Where the number of members who, by reason of the provisions of this Act, are disabled from participating in a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, then, despite any other general or special Act, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two. R.S.O. 1990, c. M.50, s. 7 (1).

Application to judge

(2) Where in the circumstances mentioned in subsection (1), the remaining number of members who are not disabled from participating in the meeting is less than two, the council or local board may apply to a judge without notice for an order authorizing the council or local board, as the case may be, to give consideration to, discuss and vote on the matter out of which the interest arises. R.S.O. 1990, c. M.50, s. 7 (2).

Power of judge to declare s. 5 not to apply

(3) The judge may, on an application brought under subsection (2), by order, declare that section 5 does not apply to the council or local board, as the case may be, in respect of the matter in relation to which the application is brought, and the council or local board thereupon may give consideration to, discuss and vote on the matter in the same manner as though none of the members had any interest therein, subject only to such conditions and directions as the judge may consider appropriate and so order. R.S.O. 1990, c. M.50, s. 7 (3).

ACTION WHERE CONTRAVENTION ALLEGED

Who may try alleged contravention of s. 5 (1-3)

8. The question of whether or not a member has contravened subsection 5 (1), (2) or (3) may be tried and determined by a judge. R.S.O. 1990, c. M.50, s. 8.

Who may apply to judge

9. (1) Subject to subsection (3), an elector may, within six weeks after the fact comes to his or her knowledge that a member may have contravened subsection 5 (1), (2) or (3), apply to the judge for a determination of the question of whether the member has contravened subsection 5 (1), (2) or (3). R.S.O. 1990, c. M.50, s. 9 (1).

Contents of notice of application

(2) The elector in his or her notice of application shall state the grounds for finding a contravention by the member of subsection 5 (1), (2) or (3). R.S.O. 1990, c. M.50, s. 9 (2).

Time for bringing application limited

(3) No application shall be brought under subsection (1) after the expiration of six years from the time at which the contravention is alleged to have occurred. R.S.O. 1990, c. M.50, s. 9 (3).

Power of judge to declare seat vacant, disqualify member and require restitution

10. (1) Subject to subsection (2), where the judge determines that a member or a former member while he or she was a member has contravened subsection 5 (1), (2) or (3), the judge,

- (a) shall, in the case of a member, declare the seat of the member vacant; and
- (b) may disqualify the member or former member from being a member during a period thereafter of not more than seven years; and
- (c) may, where the contravention has resulted in personal financial gain, require the member or former member to make restitution to the party suffering the loss, or, where such party is not readily ascertainable, to the municipality or local board of which he or she is a member or former member. R.S.O. 1990, c. M.50, s. 10 (1).

Saving by reason of inadvertence or error

(2) Where the judge determines that a member or a former member while he or she was a member has contravened subsection 5 (1), (2) or (3), if the judge finds that the contravention was committed through inadvertence or by reason of an error in judgment, the member is not subject to having his or her seat declared vacant and the member or former member is not subject to being disqualified as a member, as provided by subsection (1). R.S.O. 1990, c. M.50, s. 10 (2).

Member not to be suspended

(3) The authority to disqualify a member in subsection (1) does not include the right to suspend a member. R.S.O. 1990, c. M.50, s. 10 (3).

Transition: disqualification

(4) A disqualification of a member of a school board under this section that would have continued after December 31, 1997 but for the dissolution of the school board continues for its duration with respect to membership on any board whose members are elected by members of the electoral group who elected the member. 1997, c. 31, s. 156 (2).

Definition

(5) In subsection (4),

“electoral group” has the same meaning as in Part VIII of the *Education Act* as the Part read on January 1, 1997. 1997, c. 31, s. 156 (2).

Appeal to Divisional Court

11. (1) An appeal lies from any order made under section 10 to the Divisional Court in accordance with the rules of court. R.S.O. 1990, c. M.50, s. 11 (1).

Judgment or new trial

(2) The Divisional Court may give any judgment that ought to have been pronounced, in which case its decision is final, or the Divisional Court may grant a new trial for the purpose of taking evidence or additional evidence and may remit the case to the trial judge or another judge and, subject to any directions of the Divisional Court, the case shall be proceeded with as if there had been no appeal. R.S.O. 1990, c. M.50, s. 11 (2).

Appeal from order or new trial

(3) Where the case is remitted to a judge under subsection (2), an appeal lies from the order of the judge to the Divisional Court in accordance with the provisions of this section. R.S.O. 1990, c. M.50, s. 11 (3).

Proceedings not invalidated but voidable

12. The failure of any person to comply with subsection 5 (1), (2) or (3) does not of itself invalidate any proceedings in respect of any such matter but the proceedings in respect of such matter are voidable at the instance of the municipality or of the local board, as the case may be, before the expiration of two years from the date of the passing of the by-law or resolution authorizing such matter unless to make void the proceedings would adversely affect the rights of any person acquired under or by virtue of the proceedings who acted in good faith and without actual notice of the failure to comply with subsection 5 (1), (2) or (3). R.S.O. 1990, c. M.50, s. 12.

Other procedures prohibited

13. Proceedings to declare a seat vacant or to disqualify a member or former member for conflict of interest, or to require a member or former member to make restitution where a contravention has resulted in personal financial gain, shall be had and taken only under this Act. R.S.O. 1990, c. M.50, s. 13.

GENERAL

Insurance

14. (1) Despite section 279 of the *Municipal Act, 2001* or section 218 of the *City of Toronto Act, 2006*, as the case may be, the council of every municipality may at any time pass by-laws,

- (a) for contracting for insurance;
- (b) despite the *Insurance Act*, to enable the municipality to act as an insurer; and
- (c) for exchanging with other municipalities in Ontario reciprocal contracts of indemnity or inter-insurance in accordance with Part XIII of the *Insurance Act*,

to protect a member of the council or of any local board thereof who has been found not to have contravened section 5, against any costs or expenses incurred by the member as a result of a proceeding brought under this Act, and for paying on behalf of or reimbursing the member for any such costs or expenses. R.S.O. 1990, c. M.50, s. 14 (1); 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (2).

Insurance Act does not apply

(2) The *Insurance Act* does not apply to a municipality acting as an insurer for the purposes of subsection (1). R.S.O. 1990, c. M.50, s. 14 (2).

Surplus funds

(3) Despite section 387 of the *Insurance Act*, any surplus funds and the reserve fund of a municipal reciprocal exchange may be invested only in such securities as a municipality may invest in under the *Municipal Act, 2001* or the *City of Toronto Act, 2006*, as the case may be. R.S.O. 1990, c. M.50, s. 14 (3); 1996, c. 32, s. 76 (1); 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (3); 2007, c. 7, Sched. 27, s. 1.

Reserve funds

(4) The money raised for a reserve fund of a municipal reciprocal exchange may be expended or pledged for, or applied to, a purpose other than that for which the fund was established if two-thirds of the municipalities that are members of the exchange together with two-thirds of the municipalities that previously were members of the exchange and that may be subject to claims arising while they were members of the exchange agree in writing and if section 386 of the *Insurance Act* is complied with. R.S.O. 1990, c. M.50, s. 14 (4); 2009, c. 33, Sched. 21, s. 7.

Local boards

(5) A local board has the same powers to provide insurance for or to make payments to or on behalf of its members as are conferred upon the council of a municipality under this section in respect of its members. R.S.O. 1990, c. M.50, s. 14 (5).

Former members

(6) A by-law passed under this section may provide that it applies to a person who was a member at the time the circumstances giving rise to the proceeding occurred but who, prior to the judgment in the proceeding, has ceased to be a member. R.S.O. 1990, c. M.50, s. 14 (6).

Conflict with other Acts

15. In the event of conflict between any provision of this Act and any provision of any general or special Act, the provision of this Act prevails. R.S.O. 1990, c. M.50, s. 15.

Français

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SCHEDULE "D"
Staff Report Format

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

COMMITTEE NAME
DATE

Report #
of the Authors Title

TITLE OF REPORT

STAFF RECOMMENDATION(S)

It is recommended:

THAT

BACKGROUND

DISCUSSION

OPTIONS CONSIDERED

FINANCIAL IMPLICATIONS

CONCLUSIONS

ATTACHMENTS

Prepared and Submitted By:

Approved for Submission By:

**Name,
Title**

**Name,
Chief Administrative Officer**

SCHEDULE "E"
Motions

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
Adjourn	YES	NO	<ul style="list-style-type: none"> shall be resolved prior to any other motion being moved 	<ul style="list-style-type: none"> Council shall immediately rise and no further proceedings shall take place all unfinished business on the agenda shall be included on the agenda of the next meeting 	<ul style="list-style-type: none"> the meeting shall resume at the point immediately prior to the point at which the motion to adjourn was moved a subsequent motion to adjourn at the same meeting may not be introduced prior to further business being conducted 	NO	<ul style="list-style-type: none"> shall not include qualifications or additional statements shall always be in order except when a Member is speaking or the Members are voting
Extend Curfew	YES	NO	<ul style="list-style-type: none"> shall be resolved prior to any other motion being moved 	<ul style="list-style-type: none"> no meetings shall proceed beyond the hour of 9:00 p.m. 	<ul style="list-style-type: none"> the Chair shall immediately declare the meeting adjourned 	NO	<ul style="list-style-type: none"> shall always be in order except when a Member is speaking or the Members are voting shall require a two-thirds vote of the Members present
Recess	YES EXCEPT AT COMMITTEE	NO	<ul style="list-style-type: none"> shall be resolved prior to any other motion being moved 	<ul style="list-style-type: none"> the meeting shall recess 	<ul style="list-style-type: none"> the meeting shall not recess 	TIME ONLY	<ul style="list-style-type: none"> shall be in order if no question is pending
Withdraw	YES Mover & Secondor of the main motion	NO	<ul style="list-style-type: none"> shall receive disposition prior to any other motion being presented 	<ul style="list-style-type: none"> the motion is withdrawn 	<ul style="list-style-type: none"> vote on the main motion 	NO	<ul style="list-style-type: none"> majority vote shall be in order if decision has not been made

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
Close Debate (Call the Question)	YES	NO	<ul style="list-style-type: none"> shall apply to the motion or amendment under debate 	<ul style="list-style-type: none"> Council shall immediately vote on the question without further debate or comment 	<ul style="list-style-type: none"> debate shall continue 	NO	<ul style="list-style-type: none"> shall not be permitted in any committee shall require a two-thirds vote of the Members present
Defer (Postpone/ Table)	YES	YES DATE AND TIME ONLY	<ul style="list-style-type: none"> shall be resolved prior to the main motion shall be resolved prior to the preceding motion 	<ul style="list-style-type: none"> no further debate until motion returns to the agenda 	<ul style="list-style-type: none"> vote on the main motion 	YES DATE AND TIME ONLY	<ul style="list-style-type: none"> shall not include qualifications or additional statements shall preclude amendment, but not debate, to the preceding motion until the motion to defer to a certain date and/or time is resolved
Refer (Commit)	YES	YES	<ul style="list-style-type: none"> shall preclude any amendment or debate to any previous motion unless resolved in the negative 	<ul style="list-style-type: none"> there shall be no further debate 	<ul style="list-style-type: none"> vote on the main motion 	YES	<ul style="list-style-type: none"> shall state the committee, employee or solicitor of the Corporation to which the matter shall be referred
Amend Main Motion (Primary Amendment)	YES	YES	<ul style="list-style-type: none"> shall receive disposition prior to the main motion 	<ul style="list-style-type: none"> Council shall vote on the main motion as amended 	<ul style="list-style-type: none"> vote on the main motion or secondary amendment may be proposed 	YES	<ul style="list-style-type: none"> shall not propose a negative to the main motion shall not propose two distinct proposals of amendment to the main motion shall not change the intent of the main motion shall have only one motion to amend the main motion at one time

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
"Friendly" Amendment	YES	YES	<ul style="list-style-type: none"> shall receive disposition prior to the main motion 	<ul style="list-style-type: none"> Council shall vote on the main motion as amended 	<ul style="list-style-type: none"> vote on the main motion or secondary "friendly" amendment may be proposed 	NO	<ul style="list-style-type: none"> shall not propose a direct negative to the main motion shall not propose two distinct proposals of amendment to the main motion shall not change the intent of the main motion shall have only one motion to amend the main motion at one time voted on formally unless adopted by unanimous consent
Amend Amendment (Secondary Amendment)	YES	YES	<ul style="list-style-type: none"> shall receive disposition prior to the primary amending motion 	<ul style="list-style-type: none"> Council shall vote on the primary amending motion as amended 	<ul style="list-style-type: none"> vote on the primary amending motion propose a secondary amendment 	NO	<ul style="list-style-type: none"> shall not propose a direct negative to the primary amending motion shall not propose two distinct proposals of amendment to the primary amending motion shall not change the intent of the primary amending motion shall have only one motion to amend the primary amending motion at one time an amendment of the third degree is not permitted

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
Defer Indefinitely (Postpone/ Table Indefinitely)	YES	YES	<ul style="list-style-type: none"> shall be resolved prior to the main motion shall be resolved prior to any preceding motion 	<ul style="list-style-type: none"> the preceding motion and any amendments thereto shall be removed from Council's consideration indefinitely the motion to defer indefinitely may be reconsidered 	<ul style="list-style-type: none"> disposition of the main motion cannot put forward another motion to defer indefinitely regarding the main motion 	NO	<ul style="list-style-type: none"> shall not include qualifications or additional statements shall preclude amendment, but not debate, to the preceding motion until the motion to defer indefinitely is resolved
Divide	YES	YES	<ul style="list-style-type: none"> shall receive disposition prior to the main motion 	<ul style="list-style-type: none"> the debate and vote shall be on separate and distinct proposals from the main motion 	<ul style="list-style-type: none"> disposition of the main motion in its entirety 	YES	<ul style="list-style-type: none"> shall only be in order when the main motion to be divided contains two or more separate and distinct proposals divide when pecuniary interest declared
Main	YES	YES	N/A	<ul style="list-style-type: none"> the motion is carried 	<ul style="list-style-type: none"> the motion is defeated 	YES	<ul style="list-style-type: none"> majority vote unless otherwise provided

Ranking Motions

The following list ranks motions in descending order, such that each takes precedence and shall be decided before others ranking below it in the list:

- a) adjourn;
- b) extend curfew;
- c) recess;
- d) withdraw;
- e) close debate (call the question);
- f) defer (postpone/table);
- g) refer (commit);
- h) amend amendment;
- i) amend main motion;
- j) defer indefinitely (postpone/table indefinitely);
- k) divide;
- l) main motion.



SCHEDULE "F"

75 George Street
Lanark, Ontario K0G 1K0
Telephone: (613) 259-2398
Fax: (613) 259-2291
Web: www.lanarkhighlands.ca

Request for Delegation before Council at Committee of the Whole

Person(s) to Appear: _____

Preferred Date: _____ Alternate Date: _____

Name	Title/Organization	Telephone and Email
------	--------------------	---------------------

Please provide a general outline of the subject matter:

Are you submitting a letter along with this request form? Yes No

Please select equipment required: Projector Laptop Other: _____

If you require use of the laptop you must provide an electronic version of your presentation in a compatible format (e.g. Microsoft Word, Excel, PowerPoint or PDF)

All delegation requests must outline the subject matter of the delegation. Requests must be provided to the Clerk's Office by 12:00 noon on the Thursday the week prior to the meeting.

Delegations are permitted 15 minutes to speak.

Delegations are intended for the presentation of information; any requests made to Council are considered at a later date.

Additional material may be circulated at the time of the delegation. Scheduling is at the discretion of the Clerk.

Disclaimer: All information submitted will be considered public information and therefore subject to full disclosure under the *Municipal Freedom of Information and Protection of Privacy Act*.

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

BY-LAW NO. 2015-1313

A BY-LAW TO AMEND BY-LAW 2012-1205 (PROCEDURAL BY-LAW)

WHEREAS Council has enacted By-law 2012-1205 being a by-law to establish the rules governing the order and proceedings of Council and Committees of the Corporation of the Township of Lanark Highlands;

AND WHEREAS Council deems it expedient to further amend By-law 2012-1205 with respect to the time and exceptions in which Council and the Committee of the Whole meetings are held;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS HEREBY ENACTS AS FOLLOWS:

- 1. THAT** Section 5.2.1 of By-law 2012-1205 entitled Council Meetings be deleted and replaced as follows:

"Township council meetings shall generally be held in the Council chambers at the Lanark Highlands Municipal Office, 75 George Street, Lanark, immediately following the Committee of the Whole meetings, as outlined in the Meeting Schedule."

- 2. THAT** Section 5.3.1 of By-law 2012-1205 entitled Committee of the Whole be deleted and replaced as follows.

"Committee of the Whole meetings shall generally be held in the council chambers at the Lanark Highlands Municipal Office, 75 George Street, Lanark, commencing at 6:00 p.m. as outlined in the Meeting Schedule."

- 3. THAT** Section 5.13.3 of By-law 2012-1205 which states that regular Council meetings are to be held once a month, be deleted and replaced as follows;

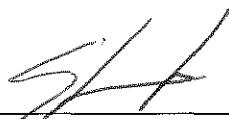
"Regular Council Meetings are generally held twice a month except during the month that has been declared the "Summer Recess" and as otherwise outlined in the Meeting Schedule."

4. THAT Section 7.3.2 of By-law 2012-1205 under Adjournment which states that all Committee meetings shall adjourn no later than 5:30 p.m., unless a motion to proceed beyond 5:30 p.m. is approved, be deleted and replaced as follows;

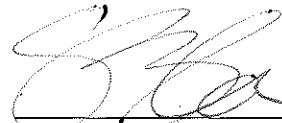
"All Committee meetings shall adjourn no later than 8:30 p.m., unless a motion to proceed beyond 8:30 pm is approved."

5. THAT this By-law shall come into full force and effect on the date of final passage hereof at which time all By-laws that are inconsistent with the provisions of this By-law and the same are hereby repealed insofar as it is necessary to give effect to the provisions of this By-law.

THIS BY-LAW read a first, second and third time and passed by the Council for the Township of Lanark Highlands this **13th day of January, 2015.**



Brian Stewart, Mayor



Stacey Blair, Acting Clerk



**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

BY-LAW NO. 2018-1470

PROCEDURAL BY-LAW AMENDMENT

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

AND WHEREAS, the Council of the Corporation of the Township of Lanark Highlands enacted and passed By-Law No. 2012-1205 and Amendment to By-Law 2015-1313, being a by-law to govern the proceedings of the Council of the Corporation of the Township of Lanark Highlands;

AND WHEREAS, Council deems it expedient to further amend By-Law No. 2012-1205 as hereinafter set out to address changes in legislation as a result of *Bill 8, Public Sector and MPP Accountability and Transparency Act, 2014* and *Bill 68, Modernizing Ontario's Municipal Legislation Act, 2017* ;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Township of Lanark Highlands enacts as follows:

1. GENERAL REGULATIONS

1.1 THAT, Section 1.0 be amended to replace "Council Meeting" with the following definition:
"Meeting" means any regular, special or other meeting of a council, of a local board or of a committee of either of them, where,

- a) a quorum of members is present, and
- b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

1.2 THAT, Schedule 'B' be amended to include items h) through n):

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

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS
BY-LAW NO. 2018-1470**

- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board;
- (l) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act;
- (m) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of this the *Municipal Act, 2001*, S.O. 2001, c. 25, or the investigator referred to in subsection 239.2 (1).
- (n) the meeting is held for the purpose of educating or training the members and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

**Note: The Township of Lanark Highlands will not be using item (k) as Council will be following the recommendation outlined in the Association of Municipal Clerks and Treasurers of Ontario's Submission on Bill 68 (April 2017).*

1.3 THAT, Section 4.1.4 be amended to add the following at the end of the paragraph:

And while so acting such member has all the powers and duties of the head of council or designated member, as the case may be, with respect to the role of presiding at meetings.

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS
BY-LAW NO. 2018-1470**

2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

3. BY-LAWS AMENDED

3.1 By-Law No. 2012-1205 is hereby amended.

3.2 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

4. EFFECTIVE DATE

ENACTED AND PASSED this 16th day of January, 2018.



Brian Stewart, Mayor



Allison Vereyken, Clerk/Administrator



**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

BY-LAW NO. 2021-1700

**A BY-LAW TO AMEND PROCEDURAL BY-LAW 2012-1205
AND
TO REPEAL AND REPLACE BY-LAW 2021-1681 BEING A BY-LAW TO PROVIDE FOR
ELECTRONIC PARTICIPATION OF MEETINGS DURING A
DECLARED EMERGENCY OR A DECLARED PANDEMIC**

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

AND WHEREAS, the Council of the Township of Lanark Highlands enacted and passed By-Law No. 2012-1205, being a by-law to govern the proceedings of the Council of the Township of Lanark Highlands, as amended;

AND WHEREAS, the Council of the Township of Lanark Highlands enacted and passed By-Law No. 2021-1681 to address changes in legislation as a result of *Bill 197, COVID-19 Economic Recovery Act, 2020*, which further amended the *Municipal Act, 2001*, to allow for electronic participation during a declared emergency or any period where the World Health Organization has declared a pandemic that includes the municipality;

AND WHEREAS, Council deems it expedient to implement changes to requirements for delegates, and in-person attendance and surrendering of electronic devices for in-camera sessions;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Township of Lanark Highlands enacts as follows:

1. GENERAL REGULATIONS

1.1 THAT, Section 1.0 DEFINITIONS be amended to add the following:

“Declared Emergency” – Shall mean where an Emergency has been declared to exist in all or part of the Municipality under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*. R..S.O. 1990, c. E.9., as amended.

“Pandemic” – shall mean an epidemic occurring worldwide, or over a very wide area, crossing international boundaries and usually affecting a large number of people.

THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS
BY-LAW NO. 2021-1700

“Electronic Meeting” – Shall mean a meeting convened by means of electronic communication, allowing each Member to be in contact with the anchor location and participate concurrently with all other Members in the conduct of such meeting.

“Electronic Participation” – Shall mean where a Member is not physically present but participates by means of electronic communication.

- 1.2 **THAT**, Procedural By-Law 2012-1205 is hereby further amended by adding Section **5.15. Electronic Meetings** and that all subsequent sections be renumbered.

5.15 Electronic Meetings

- 5.15.1** Electronic meeting provisions shall not apply to closed session meetings as in-person attendance is required for in-camera sessions.
- 5.15.2** During any period where a declared emergency exists in all or part of the municipality, an electronic meeting may be held.
- 5.15.3** During any period where the World Health Organization has declared a pandemic that includes the municipality, an electronic meeting may be held.
- 5.15.4** Electronic meetings may take place for any and all types of open session Council, Committee and Local Board meetings with notice in accordance with this By-law.
- 5.15.5** In accordance with Subsection (3.1 to 3.3) of Section 238 of the Municipal Act, S.O. 2001, c.25, a member of a council, of a local board or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time during an open session meeting.
- 5.15.6** Notice of the meetings shall be provided, and the public shall be entitled to be present at the meeting.
- 5.15.7** A conference call shall be set up and a number made available to the members and the public so that they may listen in live.
- 5.15.8** In the event that a conference call is not possible, a video-conference may be set up.

**THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS
BY-LAW NO. 2021-1700**

5.15.9 Members of Council, Committees and Local Boards shall identify themselves:

5.15.9.1 At the beginning of the meeting for the purpose of determining quorum; and

5.15.9.2 Upon the call of the vote of each motion and by-law to determine the vote.

5.15.10 Direction shall be given to the public by the Chairperson to place their phones on mute during the meeting so as not to interrupt the meeting.

5.15.11 The members and the public shall be made aware of the full contents of the virtual meeting.

5.15.12 The Clerk shall be responsible for the procedures associated with the conduct of the meeting.

1.3 **THAT**, Procedural By-Law 2012-1205 is hereby further amended by the following and that all subsequent sections be renumbered:

1.3.1.1 **THAT**, section 5.9.8 be added with the following wording
'Members shall surrender all electronic devices to the Clerk prior to an in-camera session for the duration of the session.'

1.3.1.2 **THAT**, section 6.4.1.1 be amended to replace the wording with
'Persons who wish to appear as delegations must submit a written request (Schedule "F" form) and supporting written documentation to the Clerk outlining the purpose of their delegation to appear before a Committee, by 12 Noon on the Monday prior to the meeting.'

1.3.1.3 **THAT**, section 6.4.1.3 be removed in its entirety.

1.3.1.4 **THAT**, section 6.4.1.4 be amended to replace the wording with
'A staff report will only be provided at a subsequent meeting for all delegations, when directed by Council.'

1.3.1.5 **THAT**, section 6.4.1.8 be amended to replace the wording with
'Supporting written reports and/or presentations are required and shall be retained by the Clerk as part of the minutes.'

**THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS
BY-LAW NO. 2021-1700**

1.3.1.6 THAT, section 6.4.2.6 be amended to replace the wording with 'Supporting written reports are required and shall be retained by the Clerk as part of the minutes.'

2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

3. BY-LAWS REPEALED

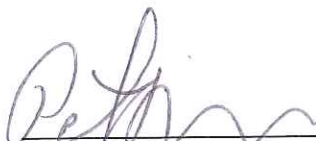
3.1 By-Law No. 2021-1681 is hereby repealed and replaced with the provisions of this by-law.

3.2 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

4. EFFECTIVE DATE

4.1 This by-law shall come into force and effect on the date it is passed by Council.

Read a first, second and third time and finally passed by Council this 24th day of August, 2021.


Peter McLaren, Reeve




Ryan Morton, CAO/Clerk