



**TOWN OF GRIMSBY
PROCEDURAL BY-LAW 20-65
CONSOLIDATED**



TOWN OF
GRIMSBY

Amendments to Procedural By-law 20-65

By-law #	Effective Date	Sections Amended
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THE CORPORATION OF THE TOWN OF GRIMSBY

BY-LAW NO. 20-65

A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL,
LOCAL BOARD AND COMMITTEE MEETINGS

Whereas subsection 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 Town of Grimsby deems it expedient to enact a by-law in this regard and to repeal the prior Procedural by-law No. 07-81, as amended.

Now therefore the Council of the Corporation of the Town of Grimsby enacts as follows:

1. DEFINITIONS

For the purposes of this by-law,

“**Advisory Committee**” means a Committee created by Council, to report to the Standing Committees and provides advice and recommendations to Council.

“**Budget Committee of the Whole**” means a Committee comprised of all Members of Council that directly reports to Council.

“**By-law**” means a by-law of Council.

“**Chair**” means the person presiding over a meeting of a Committee or Council.

“**Chief Administrative Officer**” means the Chief Administrative Officer of the Town.

“**Clerk**” means the Clerk of the Town or their designate.

“**Closed Meeting**” or “**Closed Session**” means a meeting, or part of a meeting of Council or a Committee, which is closed to the public in accordance with the *Municipal Act, 2001*.

“Committee” means Committee of the Whole, Standing Committee, Advisory Committee or other committee, sub-committee or similar entity.

“Confirming By-law” means a by-law passed at the conclusion of Council meetings, confirming the actions of Council taken at that meeting and any previous meetings which did not have a confirming by-law, in respect of each resolution and other actions taken, so that every decision of Council at that meeting shall have the same force and effect as if each and every one of them had been the subject-matter of a separately enacted by-law.

“Consent Motion” means a listing of items that include, but are not limited to, those with no delegations, where no discussion is anticipated, informational items, noncontroversial, routine matters and approved collectively by a single motion.

“Council” means the Council of the Town, comprised of the Mayor and Councillors.

“Council Endorsement Package” means a package on the Council agenda that contains any motions outside of regular business for all Advisory Committees, which require Council approval.

“Councillor” means a Member of Council, other than the Mayor.

“Delegation” means any person, group of persons, firm or organization, who is neither a Member of the Budget Committee of the Whole, Standing Committee of Council, or Town Staff, has submitted a request for delegation to the Clerk within the prescribed timelines to address the relevant Committee in relation to a matter appearing on the agenda or which is within the jurisdiction and mandate of Committee or Council to take action on.

“Deputy Mayor” means the Councillor who is appointed, to serve for the six month term, in the place of the Mayor, when the Mayor is absent or refuses to act or the office is vacant.

“Friendly Amendment” means the motion under debate is amended with the consent of the mover and seconder, and without the requirement of an amending motion to be made.

“Head of Council” means the Mayor of the Town.

“Electronic Device” means computers, smartphones, personal digital assistants, tablets, voice recorders, cameras or any other similar device.

“Ex-officio” means by virtue of the office, the Mayor is an ex-officio Member of all Committees established or appointed by Council.

“Live stream” means a live transmission of a Meeting or event over the internet, typically through YouTube.

“Local Board” means a local board of the Town as defined in the *Municipal Act, 2001*.

“Majority” means, for the purpose of voting, unless otherwise specified, more than half of the Members of Council or Committee present at the vote and not prohibited by statute from voting.

“Mayor” means the head of Council and includes the Deputy Mayor when acting in place of the Mayor.

“Meeting” means any Regular or Special Council or Committee meeting when a quorum is present as defined in the *Municipal Act, 2001*.

“Member” means, according to the circumstances, a Member of Council, including the Mayor, or a Member of a Committee or a Local Board, including the Chair.

“Motion” means a proposal, moved by a Member and seconded by another Member, for the consideration of Council or a Committee.

“Notice of Motion” means a written notice received by the Clerk’s Office, given by a Member, advising Council that the motion described therein will be brought forward at a subsequent meeting.

“Open Meeting” means a meeting which is open to the public.

“Pecuniary Interest” means a direct or indirect financial interest in accordance with the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50.

“Public Meeting” means a meeting of Council, or part thereof, conducted pursuant to the Planning Act, other provincial legislation, or the Town’s Notice By-law.

“**Quorum**” means a majority of the Members.

“**Recorded Vote**” means a written record of the name and vote of each Member who votes on a question and of each Member present who does not vote.

“**Recording**” means the action of recording sound and/or video for subsequent reproduction or broadcast.

“**Resolution**” means a motion, moved by a Member and seconded by another Member, for the consideration of Council or a Committee where a decision has been rendered.

“**Regular Meeting**” means a meeting of Council or Committee held at the times and dates specified in this By-law and approved by Council or Committee as part of an annual calendar.

“**Special Meeting**” means a separate meeting of Council or Committee held at a time different than a Regular Meeting and which is focused on one or more particular and specific items or subjects.

“**Standing Committee**” means a standing committee of Council and includes Community Services Committee, Corporate Services Committee, Finance Committee, Planning and Development Committee, and Public Works Committee.

“**Town**” means The Corporation of the Town of Grimsby.

“**Two-Thirds Majority**” means, for the purpose of voting, if specified, more than two-thirds of the Members of Council or Committee present at the vote and not prohibited by statute from voting.

“**Workshop**” means a meeting convened for the purpose of education or training the Members, for providing the Members with information, or to solicit input from the Members.

2. GENERAL APPLICATION:

2.1 The rules provided for in this By-law shall be observed in all proceedings of Council and shall be the rules for the order and dispatch of business in council.

- 2.2 All matters not specifically provided for in this By-law, Robert's Rules of Order in the most current version may be consulted as an interpretive aid in resolving the problem. This By-law shall prevail where a conflict exists with Robert's Rules of Order.
- 2.3 Matters not governed by this By-law or dealt with in Robert's Rules of Order shall be decided by majority vote of the Members present.
- 2.4 In the event of conflict between the provisions of this By-law and any superior legislation, the provisions of the superior legislation shall prevail.
- 2.5 The Clerk shall be responsible for the interpretation of the procedures under this By-law.

3. COUNCIL AND COMMITTEE MEETINGS – GENERAL:

3.1 Meetings Open to the Public

- (1) Except as provided in this By-law, all meetings will be open to the public.
- (2) The Chair may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting.
- (3) Council, Budget Committee of the Whole, and Standing Committee meetings will be live streamed. Advisory Committee meetings will not be live streamed, save and except Committee of Adjustment and the Grimsby Heritage Advisory Committee.
- (4) Members of the public may be on camera during live streamed meetings.
- (5) No person, other than the Clerk or designate, may use an electronic devices to record the proceedings of a meeting. Notwithstanding the foregoing, members of the media may receive exception to this section if they submit a written request to the Clerk's Office no later than twenty-four (24) hours before the start of a meeting, and the Clerk approves the request.

- (6) If an unauthorized recording device is discovered or reported during a meeting, the Clerk or designate will request the owner of the device to erase the recording to the satisfaction of the Clerk, and the owner of the device shall promptly comply with such request. If the owner of the device is non-compliant to the request of the Clerk, local police services may be called for assistance.
- (7) To ensure all members of the public are comfortable participating in meetings and to avoid disruption to the proceedings, signs, banners, emblems, and flags are prohibited in the Council Chambers or any space where a meeting is being held.
- (8) Should a meeting attendee contravene any procedures in this By-law, the Chair may direct that the attendee be removed from the meeting.

3.2 Inaugural Meeting

- (1) The first meeting of Council following a regular election shall be held on the first Monday after Council takes office pursuant to the Municipal Elections Act, 1996 at 5:30 p.m. in the Council Chambers of Town Hall or at such alternate location as determined by the Clerk.
- (2) At the inaugural meeting, each Member present shall make their declaration of office and sign the Town of Grimsby Code of Conduct. The Clerk may provide additional policies or procedures to Council as appropriate. Council shall not proceed with any regular business at this meeting.

3.3 Regular Meetings

- (1) An annual calendar of Council and Committee meetings will be prepared by the Clerk for Council approval. Scheduling of Committee and Council meetings may be amended from time to time by the Clerk, in consultation with the Chair and with appropriate notice, postpone or cancel any Committee or Council meetings, to recognize insufficient agenda items or identified scheduling conflicts or if it appears that

inclement weather or an emergency situation will prevent the Members from attending.

- (2) There will be a reduced schedule of one (1) Council meeting in January, June, July, August, and December. Summer (June, July, August) meetings will begin at 5:30 p.m.
- (3) Council may by resolution alter the time, day and place of any meeting previously approved under sections 3.3(1) and 3.3(2).

3.4 Special Meetings

- (1) A Special Meeting of Council may be called (i) at any time by the Mayor; (ii) upon approval of a Council resolution authorizing a Special Council meeting; or (iii) upon receipt of a petition of the majority of Members of Council by the Clerk, upon which the Clerk shall call a Special Meeting of Council for the purpose and at the time specified in the petition or resolution.
- (2) No additional business may be considered at a Special Meeting of Council other than that specified in the agenda.
- (3) A special Meeting of Council shall require a minimum notice of 24 hours provided by the Clerk, which may be waived by resolution of Council.

3.5 Standing Committees of Council

- (1) The Standing Committees of Council will comprise of the following five (5) divisions:
 - (a) Corporate Services
 - (b) Finance
 - (c) Community Services
 - (d) Public Works
 - (e) Planning and Development
- (2) Members of Council will appoint up to (4) representatives to each of the (5) Standing Committees as well as up to (3)

members of the community, save and except Corporate Services Committee.

- (3) Chairs of Standing Committees must be a Member of Council.
- (4) Standing Committee meetings will be scheduled and published to the Council and Committee Calendar found on the Town's website. Standing Committee Meetings will be held in at Town Hall, 160 Livingston Avenue or an accessible space with appropriate public notice provided.
 - (a) An annual calendar of Committee meetings will be prepared by the Clerk for Council approval.
 - (b) There will be a reduced schedule of one (1) Standing Committee meeting across July and August.
 - (c) Standing Committee meetings may be cancelled if there is a lack of agenda items to be considered. Cancellations shall be reflected on the Town's website.
- (5) Provisional meetings or workshops may be scheduled as necessary and as determined by the Clerk in consultation with the Mayor.
- (6) Reports may only be submitted to one Standing Committee for consideration. In cases where a matter may fall within the role of more than one Standing Committee, the decision on which Standing Committee shall consider the matter, or whether the matter shall be reported directly to Council, shall be made by the Clerk, in consultation with the Mayor.
- (7) The Chair of the Standing Committees will present their reports to Council. These reports will be no more than 5 minutes in length.
- (8) Standing Committee recommendations become resolutions of Council upon approval.

- (9) The Rules of Procedure contained in this By-law shall be observed in Standing Committee meetings, with the following modifications:
 - (a) the number of times a Member may speak on any question shall not be limited;
 - (b) the length of time a Member may speak on any question shall be limited to 10 minutes;
 - (c) written Notices of Motion are due at noon (12 p.m.) seven (7) days before the Committee meeting; and
 - (d) any Member may request a recorded vote in accordance with Section 11.6 of this By-law.
- (10) Members of Council who are not appointed to a Standing Committee may attend the meeting but cannot engage with delegates, staff, or enter into debates or voting at the meeting. A brief written statement may be provided to the Chair and read on the record prior to discussion starting, at the discretion of the Chair.

3.6 Advisory Committees

- (1) Advisory Committee minutes will be received for information by their corresponding Standing Committee as outlined in the Standing Committee Terms of Reference. Motions from the Advisory Committee requiring Council endorsement, which shall be in a form prescribed by the Clerk, shall be placed in a “Council Endorsement Package” with a cover memorandum and the corresponding minutes, to be included on the Council agenda for approval.
- (2) The Rules of Procedure contained in this By-law shall be observed in Advisory Committee meetings, with the following modifications:
 - (a) the number of times a Member may speak on any question shall not be limited;

(b) the length of time a Member may speak on any question shall be limited to 10 minutes;

(c) written Notices of Motion are due at noon (12 p.m.), seven (7) days before the Advisory Committee meeting and must be in the prescribed template; and

(d) any Member may request a recorded vote in accordance with Section 11.6 of this By-law.

- (3) Advisory Committees shall consider and report on such matters only as have been referred to them by Council, their respective Standing Committee or such matters as come within their terms of reference.
- (4) Members of Council who are not appointed to an Advisory Committee may attend the meeting but cannot engage with delegates, staff, or enter into debates or voting at the meeting. A brief written statement may be provided to the Chair and read on the record prior to discussion starting, at the discretion of the Chair.

3.7 Closed Session

- (1) A part of a meeting may be closed to the public if the subject being considered is so authorized to be considered in a Closed Session pursuant to the provisions of the *Municipal Act, 2001*.
- (2) For any meeting at which there are items to be considered in a Closed Session, the agenda for that meeting shall identify the subsection(s) of the *Municipal Act, 2001*, which authorizes each item to be considered at the Closed Session.
- (3) Before a meeting is closed to the public, Council, Committee or local board shall state by resolution as to:
 - (a) The fact that a Closed Meeting is to be held;
and

- (b) The subsection(s) of the *Municipal Act, 2001*, which authorizes each item to be considered at the Closed Session; and
 - (c) The general nature of the matter to be considered at the Closed Meeting.
- (4) Members are prohibited from discussing any additional matters during a Closed Session other than those identified by resolution passed under section 3.7(3).
- (5) Subject to section 3.7(6), a meeting shall not be closed to the public during the taking of a vote.
- (6) Despite section 3.7(5), during a Closed Session, a vote may be taken for a procedural matter or for giving directions or instructions to officers, employees or agents of the Town, local board or Committee or persons retained by or under contract with the Town or local board.
- (7) On reconvening in public session, the Chair will accept a resolution regarding the matters discussed in Closed Session, or alternatively that a direction has been provided during the Closed Session in accordance with section 3.7(6). For greater clarity, the determination whether and to what extent matters from a Closed Session will be reported out shall be in the sole discretion of the Council, Committee or local board.
- (8) The use of electronic devices to record proceedings of a Closed Session is prohibited. Notwithstanding the foregoing the Clerk shall be permitted to make a recording of a Closed Session in accordance with the Town's Audio and Video Recording of Closed Session Policy.
- (9) The use of electronic devices during Closed Session is prohibited, except for accessing reports in eScribe via a laptop or tablet.

- (10) Any reports or items part of a Closed Session shall be submitted to the Clerk prior to the Meeting of Council for circulation.
- (11) No Member shall distribute any reports or items or disclose the nature or content of discussions regarding any matters that are part of a Closed Session without the prior approval of Council.
- (12) The Clerk is responsible for maintaining a confidential copy of all original documentations and confidential minutes of all Closed Sessions.
- (13) The Clerk may require that copies of any reports or documents circulated at a Closed Session be collected and destroyed.
- (14) Attendance in Closed Sessions of Council will be limited to the Members of Council, Clerk, Chief Administrative Officer and those specifically invited to remain by Council or the Chief Administrative Officer.

3.8 Duration of Meetings

- (1) No meeting shall extend beyond 10:30 p.m., without the consent of a majority of the Members present at the meeting.
- (2) Where a resolution to continue is approved, a consent of majority of the Members present shall be required at every hour beyond 10:30 p.m.
- (3) Where a resolution to continue is not approved, the meeting shall adjourn, but in the case of a meeting of Council, only after:
 - (a) all the By-laws arising out of business dealt with by Council at that meeting to the time of the proposed adjournment have been presented and dealt with by Council; and
 - (b) a Confirming By-law of the proceedings of that meeting up to the time of the proposed

adjournment has been presented and dealt with by Council.

- (4) A resolution to continue beyond 10:30 p.m. to finish addressing only those matters as identified may be passed by consent of a majority of the Members present at the meeting without discussion or debate.
- (5) The items on the agenda for a meeting adjourned before all items have been dealt with, shall be placed on the agenda for the next scheduled meeting.

3.9 Disclosure of Pecuniary Interest

- (1) It is the responsibility of each Member to identify and disclose a pecuniary interest on any item or matter before Council or Committee in accordance with the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50. Members shall not request the Clerk or other Staff members to provide advice or comment on whether a Member has a Pecuniary Interest. Advice pertaining to whether a Member should declare a Pecuniary Interest shall be obtained by the Member from the appointed Integrity Commissioner.

3.10 Attendance Requirement

- (1) Should any Member of a Committee, who is not a Member of Council, fail to attend three (3) consecutive Regular Meetings of that Committee without authorization from the Committee by resolution, that Member's membership on the Committee will be deemed to have resigned their appointment and Council shall appoint a new Member to fill that vacancy.
- (2) Members of Council and Committee shall inform the Clerk in writing, by noon on the day of the meeting, of all planned absences, late arrivals, and early departures from a meeting in order for the recording of the minutes of such meeting may accurately reflect attendance. In the case of absence by reason of "other municipal business" or "personal", the

Members may advise the Clerk of the general nature of the matter to be recorded in the meeting minutes.

4. NOTICE OF MEETINGS

4.1 The Clerk shall provide public notice of all Council and Committee meetings, agendas, cancellations and re-scheduling by:

- (1) Posting the annual schedule of meetings on the Town's website and by distributing copies upon request;
- (2) Updating the Town's website calendar of any changes made to the schedule and will indicate the date, time and location of the meeting; and
- (3) Electronic delivery of the agenda shall constitute written notice.

4.2 The agenda for each Regular Council or Committee meeting shall be posted to the Town's website with as much notice as possible.

4.3 For Council meetings, the agenda will be published the Wednesday prior to the meeting.

4.4 For all other Committee meetings, the agenda will be published three (3) business days prior to the meeting, not inclusive of the meeting date.

4.3 The agenda for each Special Meeting of Council shall be posted on the Town's website not less than twenty-four (24) hours prior to such Special Meeting, which may be waived by Council.

4.4 Notice of a Special Meeting of Council shall be posted on the Town's website calendar and will indicate the date, time and location of the meeting.

4.5 Lack of receipt of the notice shall not affect the validity of holding the meeting nor any action taken at the meeting.

5. ROLES AND RESPONSIBILITIES:

5.1 Mayor

- (1) It is the role of the head of Council to:
 - (a) Carry out the responsibilities of their roles as described in section 225 of the *Municipal Act, 2001*.
 - (b) Represent and support the Council and its decisions in all matters.
 - (c) Represent the Town at official functions.
 - (d) Preside over all Council meetings, unless unavailable, in which case the Deputy Mayor will act as the presiding officer.
- (2) The Mayor shall act as the Chair and presiding officer for Council meetings.
- (3) The Mayor shall be an ex-officio Member of all Committees established or appointed by Council, save and except Standing Committees. Where a Committee is established by a reference to a particular number of Members without specifically providing for the membership of the Mayor, such number is automatically increased by one, except where prohibited by law. For greater clarity, where the Mayor is an ex-officio member of a Committee, the Mayor shall not be permitted to vote and shall not be counted towards quorum, unless the Terms of Reference of the Committee provide otherwise.

5.2 Deputy Mayor

- (1) The Deputy Mayor shall act in the absence of the Mayor in the following circumstances:
 - (a) The Office of Mayor is vacant.
 - (b) The Mayor gives notice to the Clerk that they will be absent from the Town.

- (c) The Mayor is absent through illness or scheduling conflict.
 - (d) The Mayor refuses to act.
 - (e) The Mayor declares a matter of pecuniary interest.
- (2) The Deputy Mayor has and may exercise all the rights, powers and authority of the Head of Council in the Mayor's absence.
- (3) In the event that both the Mayor and Deputy Mayor are absent, the Clerk shall call the Council to order and, if a quorum is present, the Members thereof shall choose a presiding officer from amongst the Members present and such presiding officer, during such absence, has and may exercise all the rights, powers and authority of the Head of Council.
- (4) At the start of each term of Council, Council shall determine a schedule and appoint Deputy Mayor to serve for six month terms, in the place of the Mayor during an absence.

5.3 Chair

- (1) The Chair, will act as presiding officer for the meeting.
- (2) If the Chair desires to leave the Chair for the purpose of taking part in the debate or otherwise, they will call on the Vice-Chair, or in the absence of the Vice-Chair, on another Member, to fill their place until resuming the Chair.
- (3) The Chair is not permitted to preside over a meeting remotely by electronic means, unless in the case of an emergency. The Vice-Chair, or in the absence of the Vice-Chair, another Member, attending in person shall preside over the meeting.
- (3) It is the role of the Chair of a meeting to:

- (a) Open the meeting by taking the Chair and calling the meeting to order.
- (b) Ensure that 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) Put to vote all motions which are moved, and seconded when necessary, or all motions that arise in the course of the proceedings, and to announce the results of the votes.
- (e) Decline to put to vote motions that infringe upon the rules of procedure.
- (f) Restrain the Members, within the rules of order, when engaged in debate.
- (g) Enforce on all occasions the rules and the observance of order and decorum amongst the Members, the conduct of Members, and members of the public.
- (h) Authenticate by signature, when necessary, all applicable By-laws, resolutions and minutes.
- (i) Call by name any Member persisting in breach of the procedure of Council, thereby ordering the Member to vacate the Council Chambers.
- (j) Decide all questions of order at the meeting, subject to an appeal by any Member on any question of order in respect to business before Council.
- (k) Adjourn the meeting when the business is concluded or at 10:30 p.m. unless otherwise determined by a majority vote of the Members present.

- (l) Receive and submit, in the proper manner, all motions presented by the Members.

5.4 Members of Council

- (1) It is the role of the Members of Council to:
 - (a) Represent the interests of the community by attending and participating at meetings and making decisions together with the other Members of Council.
 - (b) Uphold the By-laws and policies of the Town.
 - (c) Deliberate on the business submitted to Committee and Council.
 - (d) Vote on all motions before Council.
 - (e) Respect the rules of procedures at all meetings.

6. COMMENCEMENT OF MEETING AND QUORUM

6.1 Commencement of Meeting

- (1) 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.
- (2) In the event the Chair/Mayor does not attend within fifteen (15) minutes after the time appointed for a meeting, the Vice Chair/Deputy Mayor shall assume the Chair for the meeting and call the meeting to order and shall preside until the arrival of the Chair/Mayor.

6.2 Quorum

- (1) A majority of the Members are required to be present in order to constitute a quorum.
- (2) If a quorum is not achieved within fifteen (15) minutes after the time appointed for the commencement of the meeting, the Clerk shall record the names of the Members present

and the meeting shall not be called to order. All items on the agenda shall be included on the agenda for the next Regular Meeting or until any Special Meeting is called.

- (3) Where the number of Members who are unable to participate in a meeting by reason of the provisions in the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, such that at that meeting the remaining Members are insufficient to constitute quorum, the remaining Members will be deemed to constitute a quorum, provided such number is not less than two.
- (4) If during the course of a meeting, the quorum is lost, then the meeting shall stand recessed and shall reconvene when a quorum is regained. In the event that the quorum is not regained within fifteen (15) minutes, the Chair will declare that the meeting be adjourned until the date of the next Regular Meeting. The Clerk shall record in the minutes the names of the Members present and the time the quorum was lost. All remaining items on the agenda for that meeting shall be placed on the agenda for the next Regular Meeting or Special Meeting as the case may be.

7. ORDER OF BUSINESS AT MEETINGS

7.1 Preparation of the Agenda

- (1) Prior to each meeting of Advisory and Standing Committees, the Clerk or designate shall prepare an agenda with a list of all items to be considered.
- (2) Prior to each meeting of Council, the Clerk shall prepare an agenda with a list of all items to be considered.

7.2 Order of Business

The order of business may be affected without requiring amendment to this By-law at the discretion of the Clerk, in consultation with the Chair, and all business shall be dealt in the order on which it appears on the agenda unless otherwise decided by Council on a majority vote during approval of agenda.

7.3 Approval of Agenda

- (1) The agenda for a meeting shall be adopted by a resolution at the start of the meeting, including any new business.
- (2) Any matter may be deleted or deferred from the agenda by majority vote.
- (3) In the absence of a Notice of Motion, the addition of any new time-sensitive business shall require a two-thirds (2/3) vote of the Members present in order to be added to the agenda.

7.4 Adoption of Minutes of Committees; Approval of Minutes of Council

- (1) The Clerk shall prepare minutes of all meetings which shall record:
 - (a) The place, date and time of meeting.
 - (b) The name of the Chair and the attendance of the Members and staff. Should a Member leave prior to adjournment, the time shall be noted by the Member's name.
 - (c) All declared pecuniary interest.
 - (d) The general nature of the proceedings of the meeting, without note or comment, per the *Municipal Act, 2001*
 - (e) The time of adjournment.
- (2) The minutes of each meeting of the Advisory Committees and local boards shall be presented to their corresponding Standing Committee or Council to be received for information.
- (3) The minutes of each meeting of Standing Committees shall be presented at the next regular Council meeting for approval of the recommendations therein.
- (4) The minutes of each meeting of Council shall be presented at the next Regular Meeting of Council for approval.

- (5) The minutes of a Closed Meeting shall be presented at the next Closed Meeting of a Regular Meeting of Council for approval.
- (6) The Clerk shall be authorized to make minor technical or clerical corrections to the minutes after they have been adopted, so long as the intent and integrity of the information and/or resolution is not changed.
- (7) Should a Member wish to lift an item from the Minutes of a Standing Committee for discussion at a Council meeting, the Member shall notify the Clerk in writing no later than 12 p.m. (noon) the day of the meeting, with the resolution and/or item number, and indicate the nature of the reason for additional discussion.
- (8) A Member may only lift an item from the Previous Minutes of Council or Previous Minutes of an Advisory Committee or a local board in order to correct errors or omissions, which changes shall require a majority vote of Council.

7.5 Delegations

- (1) Delegations may be permitted to appear at a Committee meeting or a Council meeting in accordance with this Section 7.5. Delegations shall generally be referred to Standing Committee meetings and not to Council meetings. The Clerk shall have discretion to direct delegations to the appropriate Committee and the appropriate meeting, and delegations will not be permitted to be made to more than one Committee.
- (2) A person wishing to make a delegation shall submit a completed online or hard copy delegation request form, which shall include any presentation material the person intends to rely on, to the Clerk in accordance with the following timelines:
 - (a) in the case of a Committee meeting, no later than twenty-four (24) hours prior to the start of the meeting; and

- (b) in the case of a Council meeting, no later than twenty-four (24) hours prior to the start of the meeting (typically 6:30 p.m. Sunday).

Delegation requests which are not made in compliance with the above deadlines shall not be accepted.

- (3) A completed delegation request form must include the person's name, email, phone number, and address, in addition to a brief explanation of the issue or matter to be addressed and the action requested of the Committee or Council, together with any presentation material the person intends to rely on. The completed delegation request form and all accompanying materials shall form part of the official record of the proceedings of Committee or Council and therefore will be considered a public document. Any supplementary materials (e.g., speaking notes, handouts, and/or slide deck) filed after the relevant deadline provided for in Section 7.5(2) shall not be forwarded to the Committee or Council.
- (4) Where a delegation request to address a Committee or Council on a matter that is not listed on an agenda for an upcoming meeting, the request shall be submitted at least seven (7) days before the meeting, and the Clerk shall have discretion to determine the meeting at which the delegation shall be made, which determination shall be final.
- (5) No delegation shall be permitted on matters relating to:
 - (a) Any matter matters which have been previously decided upon by Council within the last six (6) months.
 - (b) Litigation or potential litigation, including those matters which are before and under the jurisdiction of any court or administrative tribunals.
 - (c) Matters which are outside the jurisdiction of the Town.

- (d) Notices of Motion, provided that Delegates will have an opportunity to speak at the subsequent Committee or Council meeting when that item will be discussed.
 - (e) Previous Minutes and Board Minutes listed on the agenda.
 - (f) By-laws on the agenda.
 - (g) Closed Session items, or a matter which, in the opinion of the Clerk or Chief Administrative Officer, is the proper subject matter of a Closed Session.
 - (h) Reports filed by the Integrity Commissioner.
 - (i) Relief from the User Fees and Charges By-law or any requests relating to tax bills, water bills, or Town-issued offence notices, administrative penalties and/or Orders.
- (6) Upon receipt of a written request to delegate, the Clerk shall conduct a review and determine whether the request complies with the requirements of this Section 7.5. If the request to delegate does not comply with this Section 7.5, the Clerk shall deny the request and notify the requestor in writing of the reasons for their decision, which decision shall be final. In all other cases, the Clerk shall place the delegation on the agenda for the next appropriate meeting.
- (7) Where a delegate has presented to Committee or Council, a further delegation request by the same delegate, or a related party on the same item, will not be permitted on the agenda unless the delegation is bringing forward new information. Delegates who have already presented at a Standing Committee on the same matter shall be limited to speaking for not more than five (5) minutes and shall only be permitted to provide new information. The new information must be provided in writing to the Clerk via the delegation form as per the deadlines provided for in Section 7.5(2).

- (8) Delegations shall be limited to five (5) delegations per meeting, but will be at the discretion of the Clerk, in consultation with the Chair, for further inclusion. The inclusion of delegations on the agenda will be on a first come first served basis and regards shall be given to the length of the agenda.
- (9) A delegation shall be limited to ten (10) minutes in length. A delegate shall not be permitted transfer any remaining time to another delegate. The speaking time for a delegation may only be extended by an additional five (5) minutes, at the discretion of the Chair.
- (10) Delegations consisting of more than two (2) persons shall be limited to two (2) speakers. The allotted time includes any audio or video presentations but does not include answering questions from the Members.
- (11) Delegations must abide by the rules of procedure and public conduct at meetings. No person addressing Council or a Committee shall speak disrespectfully of any person, use offensive or unparliamentary language, engage in improper conduct, or speak on any subject other than the subject for which they have been permitted to delegate on. Any discourse between Members and the delegation will be limited to Members asking questions for clarification and obtaining additional, relevant information only without debate, and there shall be no debate or cross-examination between a delegate, a Member, other delegations, or Town Staff. Once a motion has been moved and seconded, no further representation from or questions of the Delegation shall be permitted. The Chair may curtail any delegation or questions of a delegation for disorder or any other breach of the rules of procedure, including this section, and if the Chair rules that a delegation is concluded, the delegation shall immediately withdraw without any further comment.
- (12) Members will be permitted to ask each delegation two questions, to a maximum of five minutes, directly relating to the matter under consideration. Questions to the Delegation

shall be presented in a courteous and non-argumentative manner.

- (13) Delegations shall speak only once during a Committee and/or Council meeting. Upon the conclusion of the question period, the delegation may not speak again nor be called back to the podium.

7.6 Consent Motion/Agenda

- (1) The agenda for a meeting shall contain a Consent Agenda which shall include all Staff memorandums and Staff Reports which do not have presentations, which may be approved by a single motion. Determining whether an item is included on the Consent Agenda is at the discretion of the Clerk, in consultation with the Chair.
- (2) Any Member, before the consent motion is voted on, may remove any number of items of business from the consent motion and such item shall be dealt with separately and in the order in which the item appears on the agenda.
- (3) Any Member, before the consent motion is voted on, may add to the consent motion, any number of items of business from the agenda, through a majority vote.
- (4) In the event that a Member declares a Conflict of Interest on an item that is included in the consent motion, that item shall be removed from the consent motion and dealt with separately in the order in which the item appears on the agenda.

7.7 Notices of Motion

- (1) A notice of motion is a written notice given by a Member of Council of their intent to introduce the matter for consideration by Council at a subsequent meeting. Before introducing a notice of motion, a Member of Council is encouraged to consult with the appropriate members of Town staff and the Chief Administrative Officer regarding the subject matter of their notice of motion. A Member of Council may introduce a notice of motion by providing the

Clerk a written copy of the notice of motion, duly signed by the mover and a seconder, no later than 4:30 p.m. on the Tuesday prior to the Council meeting, to be included on the agenda for consideration at a subsequent meeting.

- (2) For Standing Committees, a notice of motion must be delivered to the Clerk no later than 12:00 p.m. seven (7) days prior to the meeting, to be included on the agenda for consideration at the upcoming meeting.
- (3) For all Advisory Committees, a notice of motion shall be in a form prescribed by the Clerk and may only request a Staff report back on the topic, which will identify resources required to execute direction. The notice of motion must be delivered to the Clerk no later than 12:00 p.m. seven days prior to the meeting, to be included on the agenda for consideration at the upcoming meeting.
- (4) A notice of motion must have a seconder before it is included on the agenda. The seconder must confirm their approval in writing to the Clerk by the deadlines indicated in sections 7.7(1) and (2).
- (5) The motion shall be printed in full on the agenda for the next meeting and may be considered at that time.
- (6) A notice of motion shall not be introduced at Special Council meetings.
- (7) If a motion is introduced and not brought forward in the next two (2) subsequent meetings, the motion shall expire.
- (8) Upon receipt of a notice of motion, the Clerk shall have discretion to determine if the Notice of Motion is properly the subject matter of a Closed Session meeting. If the Clerk so determines and if matter is permitted to be discussed in Closed Session pursuant to section 239 of the *Municipal Act, 2001*, the Clerk shall so advise the Member, and the Member must provide a Notice of Motion to be read in Open Session and a detailed Notice of Motion to be read in Closed

Session. Both motions will be printed on the agenda and read in full, for consideration at the next meeting.

- (9) It is at the discretion of the Clerk and Chair to determine if a Notice of Motion is out of order and not include it on the agenda, which shall include, but shall not be limited to:
 - (a) Any matter which has been previously decided upon by Council.
 - (b) Litigation or potential litigation, including those matters which are before and under the jurisdiction of any court or administrative tribunals.
 - (c) Matters beyond the jurisdiction of the Town.
- (10) Members are encouraged to consult with the CAO and/or Directors to ensure any technical information contained within the notice of motion is accurate, actionable, and aligns with Council's Strategy Priorities. For greater clarity, despite being consulted on technical information contained within a notice of motion, Town staff shall not be required to agree with the merits of the motion being presented by a Member of Council, nor shall consulting with Town staff be construed as approval of such motion.

7.8 Correspondence

- (1) All correspondence received from municipalities and local boards in Ontario will be circulated to each Member of Council via email. Correspondence shall be placed on an agenda for consideration, only at the request of a Member of Council.
- (2) A request to include correspondence on an agenda must be made in writing via email to the Clerk no later than 4:30 p.m. on the Tuesday prior to the Council meeting. Time-sensitive correspondence brought forward after the deadline will be at the discretion of the Clerk and Chair for inclusion on an agenda.

- (3) Resolutions of support from other municipalities will be circulated to each Member of Council via email however only the original resolution from the originating municipality may be placed on an agenda for consideration, at the request of a Member of Council or at the discretion of the Clerk.

7.9 By-laws

- (1) By-laws shall only be passed at Council meetings. By-laws shall be read a first time, considered and passed.
- (2) Unless separated at the request of a Member, all By-laws proposed for adoption shall be passed collectively by a single motion.
- (3) A By-law may be debated and amended.
- (4) If a proposed By-law is amended during a Council meeting by a vote of Council, the proposed by-law shall be revised and placed on the next regular Council agenda for approval. Exceptions may be considered at the discretion of the Clerk, in consultation with the Chair.
- (4) All By-laws enacted by Council shall be sealed with the seal of the Corporation, signed by the Mayor, or Chair of the meeting at which the By-law was passed, and by the Clerk to become part of the official record.
- (5) The proceedings at every regular and Special Council meeting shall be confirmed by By-law (Confirming By-law) so that every decision of Council and every resolution passed at that meeting 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. A Confirming By-law then introduced shall be passed without debate.
- (6) The Clerk shall be authorized to make minor corrections to a By-law that are immaterial in nature and which do not alter the intent of the By-law prior to the by-law being signed and sealed.

7.10 Announcements

- (1) A Member shall be permitted to make an announcement, which shall be for the sole purpose of informing other Members and the general public on items of interest, such as recognizing exceptional events, groups, people, achievements and to raise public awareness of important issues in the Town.
- (2) Announcements by Members shall be limited to three (3) minutes each.
- (3) Announcements shall not include personal comments on pending or past Council business; or to raise issues of a personal nature. Announcements shall not be permitted where practically the same result of the announcement is more appropriately obtained through some other parliamentary motion.
- (4) In the year of a regular municipal election, announcements will not be permitted between the first day of the nomination period and voting day, as defined by the *Municipal Elections Act, 1996*.

8. RULES OF CONDUCT AND DEBATE

8.1 Rules of Debate

- (1) The Chair shall preside over the conduct of the meeting including the preservation of order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal to the Council.
- (2) Any Member who wishes to speak must raise their hand and be recognized by the Chair.
- (3) When two or more Members wish to speak, the Chair shall recognize the Member who, in the opinion of the Chair, first signified their intention to speak.

- (4) Members must address the presiding Member by their title of Chair/Mayor, Vice-Chair/Deputy Mayor or Member/Councillor.
- (5) Any Member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a Member while speaking.
- (6) No Member may present a motion immediately after speaking to any question or matter.

8.2 Mayor in Debate

- (1) The Mayor may express an opinion on matters under debate, however, should the Mayor wish to take an active part in any matter under debate or leave the Chair for any reason, the Mayor shall call upon the Deputy Mayor or, in the absence of a Deputy Mayor, such other Member who the Members present at the meeting may elect, to act as presiding officer until the Mayor resumes the Chair.

8.3 Order of Speaking

- (1) The Member who moves a main motion has the first right of speaking on that motion or may request the right to be the last member to speak on the motion, and the seconder has the right of speaking second on the motion.
- (2) A Member may initially speak on an item of business, motion or question for five (5) minutes. On notice of the time limit, the Member may request an extension of three (3) additional minutes, which may be approved at the discretion of the Chair.
- (3) Any Member wishing to speak on an item of business, motion or question a second time may do so for a further three (3) minutes.
- (4) A Member may ask a question only for the purpose of obtaining facts relevant to the matter for a clear understanding. All questions will be stated succinctly and will not be used as a means of making statements or assertions.

- (5) Members are encouraged to provide questions to Town staff prior to the Meeting in order to foster an informed discussion.

8.4 Speaking Limitations

- (1) No Member shall speak to a question or motion until the Member has been recognized by the Chair. After being recognized by the Chair, all remarks shall be respectfully made through the Chair.
- (2) No Member shall speak more than once on an item of business until every Member who desires to speak has spoken.
- (3) No Member shall speak more than two (2) rounds at any time on an item of business, motion or question.

8.5 Disregard of Chair

- (1) If a Member disobeys a rule in this By-law or a Chair's ruling, the Chair may:
 - (a) After the first time, give a formal verbal warning to the Member.
 - (b) After the second time, call the Member to order and require the Member to vacate the Council Chambers.
- (2) Any Member may appeal the Chair's ruling through a majority vote when a Member is ordered to vacate the Council Chambers, and the Chair shall call a recess prior to taking the vote.
- (3) If the Member ordered to vacate the Council Chambers informs the Clerk that the Member wishes to apologize, the Committee or Council may consent for the Member to return to the meeting through a majority vote, on which question the Member shall not have the right to vote.

8.6 Chair's Ruling – Appeal

- (1) If a Member disagrees with a Chair's ruling, the Member may immediately challenge the Chair's ruling. The challenge requires a seconder, and is not debatable, provided the Member may provide reasons for the challenge. The Chair shall state clearly the ruling at issue and state the reasons for their ruling, and shall call a vote to uphold the Chair's ruling, which question shall be posed as "Shall the ruling of the Chair be upheld?". For clarity, voting in the positive indicates support for the Chair's ruling.

8.7 Recess

- (1) During a meeting, the Chair may declare a recess for a short period and state the approximate time that the meeting will be reconvened.
- (2) A recess shall be called, or best efforts made to be called, after every three (3) hours in a meeting.

8.8 Decorum at Council and Committee Meetings

- (1) Meetings will maintain a welcoming, inclusive atmosphere at all times regardless of any individual's perspective. All participants shall be treated with respect and courtesy. The following rules of decorum shall apply to meetings:
 - (a) Meetings shall be conducted in a manner that encourages open dialogue and a free exchange of ideas.
 - (b) All participants are responsible for maintaining an orderly meeting, free from indecent or insulting language, name calling, assigning blame, personal attacks or condemning the motives of others.
 - (c) No participant shall engage in disruptive or distracting behaviour in such manner as to interrupt the meeting in any manner.

- (d) No member of the public may debate with staff or make derogatory remarks to staff.
- (e) All comments shall be directed to the Chair and then to the appropriate Councillor or staff member for comment as appropriate.
- (f) No participant shall interrupt or distract a person who has the floor. Any Member may interrupt only to raise a point of order.
- (g) Any participant persisting in a breach of decorum will receive a warning from the Chair. Continued breach may result in the microphones being turned off and/or the participant being asked to leave the meeting.
- (h) Business attire is preferable, and persons attending a Meeting must dress in a respectful manner.
- (i) No signs, placards or banners of any kind are allowed in the Council Chamber.
- (j) Water and non-alcoholic beverages in covered containers are allowed in the Council Chamber, but food is prohibited.

9. MOTIONS

9.1 Motion on Floor (General)

- (1) No discussion or debate on any item shall occur until an item has been properly moved and seconded. The Chair may not move or second any motion.
- (2) A motion shall be in writing and formally moved and seconded before debate, and before the Chair will take the vote.
- (3) A motion that has not been seconded shall not be recorded in the minutes.

- (4) A motion requires a majority vote of Members present to pass unless otherwise provided in this By-law.
- (5) A motion where the carriage of which would result in a budgeting impact, impact on operation or policy requirements, to the best of possible, shall be referred to staff for a report before being debated.
- (6) A motion on an item shall be first addressed in the order received by the Clerk prior to the meeting. Further motion or resolution may be addressed in the order received and acknowledged by the Chair during the meeting.

9.2 Motion to Amend

- (1) A motion to amend:
 - (a) Shall be in writing and be moved and seconded.
 - (b) Shall be introduced during debate on main motion.
 - (c) Must be germane to the main motion and shall not be received if it is contrary to the main motion.
 - (d) May be a “friendly amendment” whereby the mover and seconder agree to re-word their motion to accommodate an amendment.
 - (e) Shall be decided or withdrawn before the main motion is put to vote.
 - (f) Only one amendment can be presented to the main motion and only one sub-amendment motion can be presented to an amendment.
 - (g) The sub-amendment, if any, will be voted on first, then the amendment will be voted on next, and once the amendments have been

disposed of, the main motion shall be put to vote.

9.3 Motion to Defer

- (1) A motion to defer:
 - (a) Shall be put to vote immediately without prior debate.
 - (b) A Member presenting a motion to defer shall be done immediately once given the floor without speaking to the main motion first.
 - (c) Shall postpone all discussion on the matter until a future date or time which shall be established as part of the motion.
 - (d) May be debated, but only as to the advisability of postponement and date or time.
 - (e) Only be amended as to the date or time to which the matter is deferred.
 - (f) Shall have precedence over the motions to refer, to amend, and to postpone indefinitely.

9.4 Motion to Refer

- (1) A motion to refer is a motion by which a matter or action under discussion can be sent or directed to a Committee, staff, or other body for further examination or review; and:
 - (a) Shall include the Committee, staff or other body to which the matter is to be referred.
 - (b) May be debated, but only as to the merits of referral and not substance of main motion.
 - (c) May include the terms on which the motion is being referred and the date or time at which the matter is to be returned.

- (d) May be amended, as to whom it is being referred, as to the date or time at which the matter is to be returned, and as to terms being given.

9.5 Motion to Withdraw

- (1) A request to withdraw a motion shall only be made by the mover of the motion and can be done before the Chair states the motion, without the permission of Council.
- (2) Once a motion has been stated for debate, the mover, along with the consent of the seconder of the motion, may request to withdraw the motion before a decision or amendment. If there are no objection, the motion is withdrawn with general consent. If there is an objection, any Member may second the motion to withdraw and the Chair takes a vote.

9.6 Motion to Adjourn

- (1) A motion to adjourn a meeting may be called at any time, provided that:
 - (a) When resolved in the negative, it shall not be made again until the next agenda order of business is completed.
 - (b) It shall not be called when a Member is speaking or during the taking of a vote.
 - (c) It shall not be called immediately following a majority vote on a motion to call the question.
 - (d) It shall not be debated.
- (2) Where a motion to adjourn is approved, the meeting shall adjourn after:
 - (a) In the case of a meeting of Council, all the By-laws arising out of business dealt with by Council at that meeting to the time of the

proposed adjournment have been presented and dealt with by Council; and

- (b) In the case of a meeting of Council, a Confirming By-law of the proceedings of that meeting up to the time of the proposed adjournment has been presented and dealt with by Council.

9.7 Motion to Divide the Question

- (1) A motion to divide the question:
 - (a) May be requested by any Member that the Chair divide the question where there are separate propositions contained in a motion.
 - (b) If there is no objection, the Chair shall facilitate the debate and the vote shall be called on each proposition separately.
 - (c) If there is an objection to the division, the Chair shall call the vote on the motion to divide the question.
 - (d) Shall not be debated.

9.8 Motion for Reconsideration

- (1) A motion for reconsideration enables Council to bring back for consideration any matter which was previously voted on at a subsequent meeting, whether or not the vote on the matter carried. No matter, after having been decided by Council, shall be reconsidered without first passing a motion to reconsider in accordance with this section 9.8.
- (2) A motion for reconsideration may be brought forward at a subsequent meeting in accordance with the following:
 - (a) Shall require a Notice of Motion to reconsider a matter from a previous meeting.

- (b) A Notice of Motion to reconsider a matter shall only be filed by a Member who voted with the prevailing side of the previous matter, provided that where the matter was defeated due to a tie vote, both sides shall be considered as prevailing, and also provided that where the matter was decided in the previous term of Council, such motion may be brought by any member.
 - (c) A Notice of Motion to reconsider may only be brought after six (6) months after the Council meeting at which the vote was taken.
 - (d) A Notice of Motion to reconsider is not amendable, and is not debateable, provided that the Member moving the motion may state reasons for reconsideration.
 - (e) A Notice of Motion to reconsider requires a two-thirds (2/3) majority vote of the Members present at the meeting to carry. If the motion carries, the matter to be reconsidered shall become the next order of business, and debate on the question shall proceed as though it had not been previously considered. If a motion for reconsideration carries, the matter shall be reopened in its entirety for Council consideration, unless the motion specifies otherwise.
 - (f) Where the motion to reconsider fails to carry, no further Notice of Motion to reconsider the same matter shall be considered again within current term of Council.
- (3) A Notice of Motion to reconsider is out of order when:
- (a) it is applied to a motion to reconsider, or when it is practically the same as a motion to reconsider that has been previously decided;

- (b) something has been done pursuant to the decision on the previous motion that is not possible to undo, provided that the unexecuted part of a decision can be rescinded or amended;
- (c) the decision authorized the entering into of a contract when that contract has been executed;
- (d) reconsideration of the decision may adversely affect the rights, interests or privileges of a third party;
- (e) is prohibited by law; or
- (f) practically the same result can be obtained through some other parliamentary motion.

9.9 Motion to Call the Question

- (1) A Member may make a motion to call the question in order to end the debate on a motion.
- (2) The Chair shall take the vote on a motion to call the question after each Member who wished to speak on the motion has spoken once. The motion to call the question shall require the consenting vote of a two-thirds (2/3) majority of the Members present at the meeting.
- (3) If a Member speaks to the subject of a motion, they may not then immediately call the question.
- (4) A motion to call the question:
 - (a) Cannot be debated or amended.
 - (b) Cannot be proposed on the main motion, when there is an amendment under consideration.
 - (c) Shall preclude all further amendments of the main motion.

9.10 Order of Precedence

- (1) The following list ranks motions in descending order, such that each takes precedence, and must be decided before others ranking below it in the list are decided or dealt with, as follows:
 - (a) To extend the hour of automatic adjournment
 - (b) To adjourn
 - (c) To recess
 - (d) Point of privilege
 - (e) To call the question
 - (f) To defer
 - (g) To refer
 - (h) To amend
 - (i) The main motion

10. POINTS OF ORDER AND PRIVILEGE

10.1 Point of Order

- (1) A point of order may be raised at any time by a Member to bring attention to:
 - (a) Any non-compliance to this By-law.
 - (b) The use of improper, offensive or abusive language.
 - (c) Any deviation from the matter under consideration and the current discussion is not within the scope of the proposed motion.
 - (d) Any other informality or irregularity in the proceedings.

- (2) When a Member raises a point of order to the Chair, any Member speaking at the time shall cease doing so until the point has been dealt with.
- (3) On raising the point of order, a Member shall state the point of order with concise explanation and the Chair shall rule upon the point of order.
- (4) The Chair's ruling shall be final, unless a Member immediately appeals the ruling of the Chair (challenges the Chair) as per section 8.6:
 - (a) The Member appealing shall state the reasons for the appeal.
 - (b) The Chair may offer reasons in favour of upholding their ruling.
 - (c) The Members shall vote on the Chair's ruling without debate.
- (5) If the appeal is upheld, then the Chair shall change their ruling accordingly, or if the appeal is defeated, then the Chair's ruling stands and no further avenues of appeal shall be allowed.

10.2 Point of Personal Privilege

- (1) A point of privilege may be raised at any time by a Member to bring attention to:
 - (a) A statement challenging the integrity of a Member, Committee or Council.
 - (b) The health, safety and rights of the Member, or another Member, or of anyone present at the meeting has been called into question by another Member or by anyone present at the meeting.
- (2) The process for a point of privilege shall be the same as sections 10.1(2) to 10.1(5).

- (3) Where the Chair recognizes that a breach of privilege has taken place, the Chair may demand that the offending Member or individual apologize, and failing such apology may require said Member or individual to vacate the Council Chamber for the duration of the meeting.

11. VOTING

11.1 Majority

- (1) Unless otherwise provided in this By-law, the concurring votes of a majority of the Members present and voting are necessary to carry any motion, resolution or action.

- (a) If 9 members present: 5

- If 8 members present: 5

- If 7 members present: 4

- If 6 members present: 4

- If 5 members present: 3

- (2) Two-thirds (2/3) majority is the concurring votes of two-thirds of the Members present and voting, and may be required in certain motion, resolution or action as provided in this By-law.

- (a) If 9 members present: 6

- If 8 members present: 6

- If 7 members present: 5

- If 6 members present: 4

- If 5 members present: 4

11.2 All Members to Vote

- (1) Every Member present at a meeting, including the Chair, shall vote on the question at hand unless prohibited by statute or this By-law. The Clerk shall record in the minutes the name of the Member and the reason the Member is prohibited from voting. Except where a recorded eScribe vote is requested by a member of Council, voting shall be by a show of hands.

11.3 Negative Vote

- (1) If a Member present does not vote, the Member shall be deemed to have voted in the negative, except where the Member is prohibited from voting by statute.

11.4 Tie Vote

- (1) Where a vote is taken and a tie vote results, the question shall be deemed to have been decided in the negative.

11.5 Unrecorded Vote

- (1) Except where a recorded vote is requested, voting shall be by a show of hands in favour or against, following which:
 - (a) The Chair shall announce the result; and
 - (b) The Clerk shall record only the result, and not whether Members voted for or against the question.

11.6 Recorded Vote

- (1) Any Member may request a recorded vote, or is otherwise required, following which a recorded eScribe vote will be opened to Members. Where the eScribe software is not functioning correctly:
 - (a) The Clerk shall call by name the Members present in a random order, except for the Chair whose name shall be called last.

- (b) Each Member present, unless prohibited by statute or this By-law, shall announce their vote openly.
- (c) The Clerk shall record the name and vote of every Member on the question.
- (d) After completion of the recorded vote, the Clerk shall announce the results.

11.7 Voting Commenced

- (1) After the Chair commences to take a vote on a question, no Member shall speak to such question or present any other motion until a vote has been taken on such question.
- (2) When the Chair calls for a vote on a question, each Member shall occupy their seat and shall remain there until the result of the vote has been announced by the Chair. A Member who is not at their seat when the Chair calls for a vote shall not be entitled to vote.

11.8 Declaration of Chair

- (1) If a Member disagrees with the announcement of the Chair that a question is carried or defeated, the Member may immediately after the declaration by the Chair, object to the Chair's declaration and require that a recorded vote be taken on the question.

12. SUSPENSION OF RULES

12.1 In the absence of any statutory obligations, the Rules of Procedure may be temporarily suspended by an affirmative vote of two-thirds (2/3) of all the Members present at the meeting.

12.2 The suspension shall only apply to the procedures or rules which are stated within the motion to suspend and only during the meeting in which such motion was introduced.

13. ELECTRONIC PARTICIPATION

13.1 Electronic Meetings during a Non-Emergency Period

- (1) A Council, local board or Committee Member who participates in a Regular Meeting or Special Meeting remotely via electronic means, will have the same rights and responsibilities as if the Member were in physical attendance. The Chair is not permitted to preside over a meeting remotely by electronic means, unless the Town is in a declared emergency pursuant to the *Emergency Management and Civil Protection Act*.
- (2) An Electronic Meeting may include a Closed Session which shall be conducted in accordance with this section.
- (3) Electronic means shall include teleconferencing and videoconferencing.
- (4) Members attending and present remotely via electronic means shall be counted in determining whether or not a quorum of Members is present at any point in time and shall be entitled to vote as if they were attending the meeting in person.
- (5) Delegations shall be permitted to participate electronically. Where technical issues arise in connecting a delegate into a meeting, it shall in no way affect the validity of the meeting or any action taken at the meeting. In lieu of a successful electronic connection, the delegate may submit written comments to the Clerk for circulation to Council after the meeting.
- (6) Notification verbally and/or by electronic means that the meeting will be held electronically will be provided by the Clerk at least 24 hours in advance or as soon as possible under the circumstances.
- (7) Public Notices of an Electronic Meeting shall include the required information for the public to electronically access the open session of such meeting. Electronic access will also be posted on the Town's website.

- (8) In the case where a Member requests electronic participation, that Member shall notify the Clerk no later than 12 p.m. (noon) the day of the meeting.
- (9) If the live stream or electronic meeting room stops working during a meeting that is to be recorded and/or involves electronic participation, the meeting shall recess for fifteen (15) minutes to resolve the issue. If the issues cannot be resolved during the fifteen (15) minutes recess, the meeting will be adjourned until the live stream is restored.

13.2 Electronic Meetings during a Declared Emergency

- (1) “Emergency” shall mean any period of time during which an emergency has been declared to exist in all or part of a municipality by the Head of Council or the Province under sections 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*.
- (2) An Electronic meeting may be conducted during an Emergency in accordance with section 13.1.

14. PROCESS TO APPOINT COUNCIL MEMBERS TO A COMMITTEE OR LOCAL BOARD

14.1 General

- (1) Council may establish and appoint Council Members to a Committee or local board from time to time for such purpose as deemed appropriate.
- (2) All Members present shall be permitted to vote.
- (3) Candidates do not need to be present to stand for appointment.
- (4) Candidates may withdraw from standing for appointment after any vote.

14.2 Procedures

- (1) The Clerk shall call for declaration by interested Councillors of their decision to stand for appointment to the Committee.

This declaration may be made to the Clerk in advance of the Council meeting.

- (2) The Clerk shall announce the names of the candidates standing for appointment.
- (3) Candidates shall be given five (5) minutes each to speak prior to the first round of voting taking place. The order of speakers shall be alphabetically according to the candidates' surnames.
- (4) Rounds of voting shall be conducted as follows:
 - (a) Voting Members shall indicate their vote for each candidate.
 - (b) If a candidate receives the majority of votes, that candidate shall be declared the successful candidate.
 - (c) If there is a tie for majority of votes, the candidate receiving the fewest number of votes will be eliminated, and the voting rounds will continue until the successful candidate is determined.

14.3 By-law 19-63 A by-law to adopt procedures to appoint Community members to advisory committees and boards of Council for the Town of Grimsby will guide the appointment process for all Committees where Council is asking the community to engage with Council in the decision making process.

- (1) This same appointment process will apply for all withdrawals and vacancies reported to staff.

15. PUBLIC MEETINGS

15.1 General

- (1) Public meetings required by the *Planning Act* shall be conducted in accordance with the rules under this By-law, as applicable.

- (2) Public meetings required by the *Planning Act* shall be heard by the Planning and Development Standing Committee.
- (3) At the commencement of each public meeting, the Chair shall explain the intent of the meeting is to hear the views of the public, and that the Members shall not enter into discussion or debate on the subject.
- (4) Members of Council are not permitted to debate or provide a personal opinion on the application being considered. They are only to ask questions of clarification.

15.2 Delegations and Speaking

- (1) The rules regarding the hearing of a delegation as provided for in this By-law shall apply to planning statutory public meetings, as applicable, including speaking time and decorum.
- (2) Delegations shall speak only once during a planning statutory public meeting. Delegations may request to speak a second time, at the discretion on the chair.
- (3) Delegations will be permitted without prior registration during any public meeting as required by the *Planning Act*. Delegations are strongly encouraged to register before the delegation deadline.

16. SEVERABILITY

16.1 Each and every one of the provisions of the by-law is severable and if any provision of this by-law should, for any reason, be declared invalid by any Court of competent jurisdiction, it is the intention of Council that each and every one of the then remaining provisions of the by-law remain in full force and effect.

17. REPEAL AND ENACTMENT

17.1 The Corporation of the Town of Grimsby Procedural By-law 20-65 Consolidated be hereby amended.

17.2 The short title of this by-law is the "Procedural By-law."

17.3 This by-law shall come into full force and effect on the date of its enactment.

Read a first time, considered and passed this 9th day of September, 2024.

J.A. Jordan, Mayor

V. Steele, Town Clerk