

The Corporation of the Town of LaSalle

By-law Number 8692

A By-law to govern the calling of and proceedings of Council and Committee Meetings, and the conduct of its members

Whereas Section 238 of the *Municipal Act, 2001*, as amended, requires that every municipality and local board adopt a Procedure By-law to govern the calling, place, and proceedings of meetings;

And Whereas Section 238(2.1) of the Act requires the Procedure By-law to provide for public notice of meetings;

And Whereas the Council of The Corporation of the Town of LaSalle adopted By-law 6647 on March 14, 2006, to govern the order and procedure of its Council and Committee Meetings;

Now therefore the Council of the Corporation of the Town of LaSalle hereby enacts as follows:

1. **That** "Appendix A" to this By-law be approved as the rules and procedures governing the proceedings of Council and Committee Meetings.
2. **That** the short title of this By-law be "Procedural By-law", or "Procedure By-law".
3. **That** By-law 6647, as amended, is hereby repealed.
4. **That** any By-law or provision in any By-law inconsistent with this By-law is hereby repealed.
5. **That** this By-law shall come into force and take effect immediately upon final passing.

Read a first and second time and finally passed this 26th day of April 2022.

1st Reading – April 26, 2022

2nd Reading – April 26, 2022

3rd Reading – April 26, 2022

Mayor

Clerk

Appendix A – Procedure By-law

Table of Contents

1.	Interpretation/Definitions.....	2
2.	General Application of this By-law	3
3.	Duties.....	4
	Duties of the Mayor.....	4
	Duties of the Deputy Mayor.....	4
	Duties of the Chair	4
	Duties of the Clerk	6
4.	Meetings.....	6
	Inaugural Meeting	6
	Regular Meetings.....	6
	Special Meetings.....	7
	Emergency Meetings	7
	Notice of Meetings	7
	Quorum and Call to Order.....	8
	Open and Closed Meetings and Transparency	9
	Attendance and Absenteeism	9
	Cancellations	9
5.	Electronic Participation/Electronic Meetings	10
6.	Agenda and Minutes.....	11
	Council Agenda	11
	Minutes	11
7.	Disclosure of Pecuniary Interest	12
8.	Conduct and Rules of Debate.....	12
	Portable Electronic Devices	13
	Voting on Motions	13
	Motion to Reconsider	14
	Notice of Motion	15
9.	Delegations and Presentations.....	16
	Delegations and Presentations Generally	16
	Delegations – Items on the Agenda	17
	Delegations - Public Meeting	17
	Delegations – Items Not on the Agenda.....	17
	Delegations - Presentation.....	18
10.	Committees.....	18

1. Interpretation/Definitions

1.1 In this By-law,

- a) "**Act**" shall mean the Municipal Act, 2001, S.O. 2001, c.25, as may be amended from time to time.
- b) "**Alternate County Council Representative**" means that Member appointed by the Mayor to attend county council meetings when the Mayor or Deputy Mayor cannot attend.
- c) "**CAO**" shall mean the Chief Administrative Officer of the Town of LaSalle, or their designate.
- d) "**Chair**" shall mean the person presiding over a Meeting.
- e) "**Clerk**" shall mean the Clerk and Director of Council Services of the Town of LaSalle, or their designate.
- f) "**Committee**" shall mean any advisory or other committee, or subcommittee established by Council to address matters which Council has deemed appropriate for the committee to consider.
- g) "**Council**" shall mean the Council elected to represent the interests of the residents and property owners living within or owning property within the limits of the Town.
- h) "**Deputy Mayor**" shall mean that Member of Council elected to assume the responsibilities of the Mayor in the Mayor's absence.
- i) "**Electronic Participation**" or "**Electronically Participate**" means attending a Meeting from a location other than Council Chambers by means of telecommunication instruments, including but not limited to telephone and video conferencing.
- j) "**Friendly Amendment**" means any motion under debate that is amended with the consent of the mover and seconder, and without the requirement for an amending motion to be made.
- k) "**Inaugural Meeting**" means the first Meeting of Council held after a municipal election in a regular election year.
- l) "**Local Board**" does not include police services boards or public library boards.
- m) "**Mayor**" shall mean the duly elected Head of Council.
- n) "**Meeting**" means any regular, special or other meeting of Council, of a Local Board or of a Committee of them where a quorum of Members is present and Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, local board or Committee.
- o) "**Member(s)**" means a person duly elected or appointed to the Council, a

Committee or a Local Board.

- p) **"Notice of Motion"** means an advance notice to the Members on a matter which Council will be asked to take a position.
- q) **"Pecuniary Interest"** shall mean a direct or indirect pecuniary interest as defined in the Municipal Conflict of Interest Act, as amended
- r) **"Point of Order"** means a matter that a Member considers to be a departure from or contravention of the rules, procedures or generally accepted practices of Council.
- s) **"Point of Personal Privilege"** means a matter that a Member considers to impugn their integrity or the integrity of Council.
- t) **"Portable Electronic Device"** means a cellular phone, audible pager, tablet or other similar communication device that has the capability to store, record, and/or transmit text, image/video, or audio data.
- u) **"Public Meeting"** means a public meeting in accordance with the Planning Act, 1990 c. P.13, or any other legislation, for which notice has been given and during which any person in attendance shall be provided an opportunity to make representations in respect of the matter for which the Public Meeting is held.
- v) **"Quorum"** shall mean the majority of the Members of the whole Council or Committee who are present at a Meeting.
- w) **"Town"** shall mean The Corporation of the Town of LaSalle.
- x) **"Tribunal"** means the Ontario Land Tribunal, or successor appeal tribunal established under the Planning Act, R.S.O. 1990, c. P.13.

2. General Application of this By-law

- 2.1 The procedures contained in this by-law are to be observed in all proceedings of Council, and are the procedures for the dispatch of business by Council and, unless specifically provided, with the necessary modifications shall apply to all Meetings of Committees.
- 2.2 If any question for which procedure is not referred to in this bylaw for a Meeting, reference may be made to "Roberts Rules of Order" to decide the most appropriate procedure.
- 2.3 The procedures contained herein may be suspended by a two-thirds majority vote of the Members present unless otherwise provided for in this By-law or in any Act; however, the following provisions may not be suspend:
 - a) Provisions for Quorum;
 - b) Provisions for Reconsideration; and

c) Provisions for Open Meetings.

2.4 No amendment or repeal of this by-law or any part thereof shall be considered at any Meeting of Council unless notice of the proposed amendment or repeal is given in accordance with the Act.

2.5 Any omissions, or failure to strictly comply, with this By-law or any other municipal legislation (including any notice which is substantively given but is irregular) will not invalidate the holding of a Meeting or any proceeding or decision taken at the Meeting.

3. Duties

Duties of the Mayor

3.1 As the head of Council, it is the duty of the Mayor:

- a) to act as Chair at all Council meetings; so that its business can be carried out efficiently and effectively;
- b) from time to time to make certain decisions between Council meetings, which decisions shall be reported to Council at the next regular meeting;
- c) to assign the seating arrangements for all members of Council prior to inaugural meeting of Council;
- d) to assign Members to Committees; and
- e) to assign the Member who will serve as the Alternate County Council Representative.

Duties of the Deputy Mayor

3.2 When the Mayor is absent, refuses to act, has declared a Pecuniary Interest in any matter before Council, vacates the Chair to move a motion, or when the office of Mayor is vacant, it is the duty of the Deputy Mayor to act as Chair and in the place of and instead of the Mayor, and while so acting, the Deputy Mayor has and may exercise all rights, powers and authority of the Mayor.

3.3 In the absence of both the Mayor and Deputy Mayor, the Alternate County Council Representative shall assume the role of Chair for the Meeting.

Duties of the Chair

3.4 It is the duty of the Chair to:

- a) Open the Meeting by taking the chair and calling the Members to order;
- b) Announce, by way of the agenda, the business before Council in the order in which it is to be acted upon;

- c) Receive and submit, in the proper manner, all motions presented by the Members;
 - d) Put to a vote all questions that are regularly moved and seconded, or necessarily arise in the course of proceedings and to announce the results;
 - e) Decline to put to a vote motions that contravene the rules of procedure;
 - f) Enforce on all occasions the rules of decorum among all present at the Meeting;
 - g) Enforce the time limits outlined in this By-law;
 - h) Call to order by name any Members persisting in a breach of the rules of decorum, thereby ordering the offending Member to vacate the Council chambers;
 - i) Receive all messages and other communications directed to Council and provide them to Council;
 - j) Authenticate by signature, when necessary, all by-laws, resolutions, minutes and other documents authorized by Council;
 - k) Inform Council, when necessary or when referred to, on a Point of Order or usage;
 - l) Represent and support Council, declaring it's will, and implicitly obeying its decisions in all matters;
 - m) Ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of Council;
 - n) Adjourn the Meeting when business has been completed;
 - o) Adjourn the Meeting, without question being put to a vote, in the case of grave disorder arising in the Council Chambers; and
 - p) Expel any person for improper conduct at a Meeting.
- 3.5 The Chair presiding over any part of a Meeting may state relevant facts, the Chair's position on any matter before the Council or Committee, second a motion, or engage in debate and discussion on the matter without leaving the chair, but the Chair is not permitted to move a motion without first leaving the chair.
- 3.6 If during a Council Meeting, the Mayor desires to leave the chair to move a motion pursuant to Section 3.5, the Deputy Mayor shall be called upon to preside over the Meeting until that matter is concluded and the Mayor retakes the chair. If the Deputy Mayor is unavailable or unwilling to assume the chair, the Alternate County Council Representative, if willing to assume the chair, shall be called upon to preside over Meeting until the matter is concluded and the Mayor retakes the chair.

Duties of the Clerk

3.7 The Clerk shall:

- a) Attend all Meetings of Council;
- b) Make such minor clerical, typographical or grammatical corrections in form to any by-law, motion, resolution and/or minutes as may be required for the purpose of ensuring correct and complete implementation of the actions of Council;
- c) Forward a copy of all decisions, resolutions and directions of Council to the appropriate members of administration, public, other agencies, boards, committees and governments;
- d) Advise Members on parliamentary procedure.

4. Meetings

- 4.1 Meetings of Council shall be held in Council Chambers located in the LaSalle Civic Centre at 5950 Malden Road, LaSalle, Ontario, or at such other location(s) within the municipal boundaries of the Town of LaSalle as may be determined by Council.
- 4.2 Notwithstanding Section 4.1, a Meeting may be conducted over an electronic meeting platform with Members, Administration, and/or members of the public attending the Meeting from Council Chambers and/or via Electronic Participation.
- 4.3 With the exception of Meetings closed to the public, all Meetings may be audio or video recorded, broadcast, and/or streamed publically by the Town.

Inaugural Meeting

- 4.4 The Inaugural Meeting shall be held at 6:00 p.m. in Council Chambers on the fourth Tuesday in November, unless otherwise decided by Council.
- 4.5 Prior to conducting the business of the Town, all Members shall take the declaration of elected office in the English or French version of the form as outlined in the Act.

Regular Meetings

- 4.6 Regular Meetings of Council shall be held on the second and fourth Tuesday of each month unless otherwise stipulated by Council by a resolution, and shall commence at the hour of 6:00 o'clock p.m. or soon thereafter as a quorum of the Members of Council is present.
- 4.7 Notwithstanding section 4.6 of this By-law, only one Regular Meeting shall be held in the month of December.
- 4.8 Council may, by resolution, alter the date, time, and/or location of the Meetings provided that adequate notice of the change is communicated to

the public, the form and manner of which shall be determined by the Clerk.

- 4.9 In the case of an emergency as determined by the head of Council, Council may hold its meetings and keep its public office at any convenient location within or outside of the Town.

Special Meetings

- 4.10 The Mayor may at any time call a special Meeting, by providing written direction to the Clerk stating the date, time, location, and purpose of the Meeting.
- 4.11 The Clerk shall call a special Meeting upon receipt of a petition of the majority of the Members, which petition shall state the time, date, purpose and place of the Meeting.
- 4.12 No special Meeting shall be held sooner than 48 hours following the call for the Meeting and the Clerk shall provide written notice of the Meeting immediately following receipt of the petition or instructions to do so from the Mayor. The Clerk shall make his or her best effort to inform each Member.
- 4.13 The only business transacted at a special Meeting shall be that business that is listed in the notice of the Meeting.

Emergency Meetings

- 4.14 Notwithstanding any other provision in this By-law, the Mayor may call an emergency Meeting without advanced written notice to deal with an emergency or extraordinary situation. The Clerk will attempt to notify each Member, the CAO, the senior management team and the public, as soon as possible in the most expedient manner available, as determined by the Clerk in their sole discretion.
- 4.15 The Meeting may be held as soon as possible following the call for the Meeting,
- 4.16 The only business transacted at an emergency Meeting shall be that business that is listed in the notice of the Meeting.
- 4.17 Lack of receipt of the notice of the Meeting by any person outlined in section 4.14 shall not affect the validity of the Meeting or any action taken thereat.

Notice of Meetings

- 4.18 The Clerk shall give written notice of a Regular Meeting that is open to the public by:
- a) Ensuring that the Meeting date is posted on the Town's website and/or on any social media pages operated by the Town; and
 - b) Publishing the agenda and accompanying material to the Town's website at least 10 calendar days before the Meeting;

- 4.19 The Clerk shall give written notice of a Meeting that is closed to the public by:
- a) Ensuring that the Meeting date is posted on the Town's website and/or on any social media pages operated by the Town at least four (4) calendar days before the Meeting; and
 - b) Publishing the agenda, without accompanying material, to the Town's website at least four (4) calendar days before the Meeting.
- 4.20 Notwithstanding the notice requirements established in this By-law:
- a) Notice of dates for budget deliberations shall be given to the public at least 21 calendar days before the scheduled Meeting by posting the Meeting date on the Town's website and/or social media pages;
 - b) The budget document shall be posted to the Town's website at least 21 calendar days prior to the Meeting; and
 - c) The Agenda for budget deliberations, along with accompanying material shall be published to the Town's website at least 10 calendar days before the Meeting.
- 4.21 All Meeting notices shall indicate the date, time and location of the Meeting.
- 4.22 Where the publishing/posting the date lands on a holiday, the day prior that is not a holiday shall be deemed to be the publishing/posting date.

Quorum and Call to Order

- 4.23 Once a Quorum of Members and the Clerk are present and after the time set for the start of the Meeting has been reached, the Chair shall call the Meeting to order.
- 4.24 If Quorum is not present within 15 minutes after the time appointed for the Meeting, the Clerk shall take down the names of the Members there present, Council shall stand adjourned until the next regular Meeting, or other Meeting called in accordance with this By-law.
- 4.25 If, after a Quorum has been met, the number of Members who are disqualified from participating in the vote on any matter, due to a provision of the Municipal Conflict of Interest Act, is such that there is no Quorum, any number of Members shall be deemed to constitute a Quorum, but the number shall not be less than two (2) Members.
- 4.26 If during the course of a Meeting, Quorum is lost for reasons other than those described in section 4.25, the Chair shall declare the Meeting temporarily recessed to allow for Quorum to be re-established. If after 15 minutes Quorum cannot be re-established, the Meeting shall be adjourned and the remaining business items shall be added to the agenda of the next Regular Meeting unless a special Meeting is called for the purposes of dealing with the remaining business items.

Open and Closed Meetings and Transparency

- 4.27 All Meetings shall be open to the public except as otherwise provided in this By-law.
- 4.28 Notwithstanding Section 4.27, a Meeting may be closed to the public in accordance with the Act.
- 4.29 Before a Meeting, or part of a Meeting is closed to the public, a resolution shall be adopted stating:
- a) The fact of holding the closed Meeting; and
 - b) general nature of the matter to be considered at the Meeting.
- 4.30 The Clerk shall prepare a separate agenda for matters to be considered at a closed Meeting.
- 4.31 A Meeting may remain closed to the public during the taking of a vote if,
- a) The vote is for a procedural matter, or
 - b) For giving directions or instructions to officers, employees or agents of the Town, or persons retained by or under contract with the Town.
- 4.32 No Member shall divulge any information to any person that pertains to any aspect of any discussion or direction of Council that was given or provided at a Meeting closed to the public unless authorized to do so by a majority vote of Council.

Attendance and Absenteeism

- 4.33 Regardless of Meeting format, Members shall make best efforts to arrive a minimum of 15 minutes prior to the start of a Meeting.
- 4.34 If a Member of Council is absent from the Meetings of Council for 3 successive months without being authorized to do so by a resolution of Council, the seat of that Member shall become vacant.

Cancellations

- 4.35 A Meeting may be cancelled in the following circumstances:
- a) If the Clerk determines in advance that Quorum will not be achieved;
 - b) If the Meeting is cancelled by resolution; or
 - c) Where the Meeting is not required as determined by the Mayor, in consultation with the CAO, due to a lack of forecasted agenda items.
- 4.36 Notice of any Meeting cancellation shall be posted on the Town's website and/or on any Town operated social media pages, and where practical

posted in a conspicuous location in the Civic Centre.

5. Electronic Participation/Electronic Meetings

- 5.1 Notwithstanding any other provision in this By-law and regardless of whether a Meeting is open or closed to the public, Members may Electronically Participate in the Meeting. The Mayor, in consultation with the CAO and/or Clerk, may decide that a Meeting is to be held by Electronic Participation.
- 5.2 A Member Electronically Participating in a Meeting shall be counted in determining Quorum, and have all the same rights and responsibilities as if they were in physical attendance at the Meeting.
- 5.3 A Member may advise they are Electronically Participating in a Meeting, subject to the following:
 - a) The Member must provide advance written notice to the Mayor, Clerk and CAO;
 - b) A Member may not Electronically Participate in a Meeting under this section more than four (4) times in a calendar year without Council authorization.
 - c) The Member must log in to the Meeting at least 15 minutes in advance of the scheduled start time of the Meeting.
- 5.4 A Member Electronically Participating in a Meeting closed to the public must ensure that they are participating from a location that ensures the privacy and confidentiality of the discussion.
- 5.5 The Chair shall rule on and determine applicable in-meeting processes as may be adapted to a Meeting with Electronic Participation, which processes shall be consistent with this By-law and in accordance with the Act.
- 5.6 In the case of any connection issue, which impedes the ability of a Member to participate in the Meeting in real time, provided Quorum is maintained, the Meeting will continue. The Member may attempt to reconnect to the Meeting. Any attempts by members of administration to reconnect the Member will be made without causing a disruption to the Meeting. A Member unable to participate in a Meeting as a result of a connection issue shall have their absence noted in the Minutes for that portion of the Meeting in which they were unable to connect, shall not be able to vote, and any vote taken during a Member's absence shall be valid.
- 5.7 If connection issues prevent Quorum from being maintained or achieved, the Chair shall immediately call for a recess of the Meeting. The Meeting shall be automatically adjourned if the technical issues persist beyond 15 minutes and Quorum cannot be restored. Notice of the disruption shall be noted in the Minutes.

6. Agenda and Minutes

Council Agenda

6.1 The Clerk shall prepare for use of the Members at a Meeting of Council, an agenda, listing the order of business, which shall contain the following general headings:

- (A) Opening Business
 - Call to order
 - Land Acknowledgement Statement
 - Moment of Silent Reflection and Playing of National Anthem
- (B) Adoption of Agenda
- (C) Disclosure of Pecuniary Interest
- (D) Adoption of Minutes
- (E) Mayor's Comments
- (F) Presentations and Delegations
- (G) Public Meetings and/or Hearings
- (H) Reports/Correspondence for Council's Action
- (I) Information Items to be Received
- (J) By-Laws
- (K) Committee Matters
- (L) Questions and Statements by Council Members
- (M) Notices of Motion
- (N) Closed Session
- (O) Confirmatory By-law
- (P) Adjournment

6.2 The business of Council is to proceed in the order as listed on the agenda unless otherwise decided by unanimous consent, or a vote of the majority of the Members present and voting.

6.3 For a Regular Meeting, the Clerk shall prepare an agenda for the Meeting, which shall be available to Council Members and the public by noon, or as soon as possible thereafter, at least 10 calendar days in advance of the Meeting. If a holiday falls on that day, the agenda shall be available by the business day prior.

6.4 For a Meeting closed to the public, the Clerk shall prepare an agenda which shall be available to the Members at least four (4) calendar days in advance of the Meeting.

Minutes

6.5 The Clerk shall record, without note or comment, all resolutions, decisions, and other proceedings at a Meeting, whether it is closed to the public or not.

- 6.6 At each regular Meeting of Council, the minutes of the preceding regular meeting and any other special meeting held since the last regular Council meeting shall, unless otherwise decided by Council, be submitted for adoption. After the minutes have received approval by a majority of Members present, they shall be signed by the Clerk and the Chair of that meeting.

7. Disclosure of Pecuniary Interest

- 7.1 It is the responsibility of each Member to identify and disclose any pecuniary interest, as set out in the Municipal Conflict of Interest Act, R.S.O. 1990, C M.50) on any matter which comes before Council for consideration.
- 7.2 When a Member discloses a pecuniary interest in a matter, the Member shall file a written statement of the interest and its general nature with the Clerk or the secretary of the Committee or Local Board, upon the form provided by the Clerk.
- 7.3 Prior to consideration of a matter in which a Member has a pecuniary interest, the Member shall disclose the interest and the general nature thereof, and shall not take part in the discussion of, or vote on any question in respect of the matter, and shall not attempt in any way, whether before, during or after the meeting to influence the voting on any such question.
- 7.4 When a Member has disclosed a pecuniary interest in a matter and the matter comes before Council for discussion, the Member shall:
- a) For a Meeting open to the public, leave the council table. If the Member is participating electronically, the Member shall turn off their camera.
 - b) For a Meeting closed to the public, regardless of whether the Member is participating electronically or in-person, the Member shall leave the Meeting such that the Member cannot hear the discussion taking place.
- 7.5 Where the interest of a Member has not been disclosed by reason of absence from the particular Meeting, the Member shall disclose the interest and otherwise comply at the first Meeting of Council attended by the Member after the particular Meeting.
- 7.6 The Clerk shall record the particulars of any disclosure of pecuniary interest made by members of Council and any such record shall appear in the minutes of that particular meeting.
- 7.7 The Clerk shall maintain a registry of each statement filed and a copy of each declaration recorded. The registry shall be available for public inspection on the municipality's website.

8. Conduct and Rules of Debate

- 8.1 During a Meeting, no Member of Council shall:
- a) Use offensive words or inappropriate language in a Meeting or in reference to another Member;

- b) Speak on any subject other than the subject in debate;
- c) Communicate with other Members, administration or the public, on business items listed on the agenda for that Meeting, other than through the Chair;
- d) Disobey the decision of the Chair or Council on questions of order or procedure as set out in this By-law or in a resolution of Council, or upon the interpretation of the rules of Council;
- e) Speak more than once to the same motion, without leave of the Chair and in doing so is not to introduce a new matter;
- f) Speak to the same motion, or in reply, for longer than 10 minutes;
- g) Be permitted to hold discourse with another Member, which may interrupt the Member who is speaking. Any Member violating this rule may be called to order by the Chair; and
- h) Where a matter has been discussed in at a Meeting, or part of a Meeting, closed to the public, and where the matter remains confidential, disclose the substance of those deliberations.

8.2 Should any Member persist in disruptive behaviour after having been called to order by the Chair, the Chair may forthwith put the question to a vote by Members of Council, without amendment or debate being allowed, and such Member may be ordered to leave their seat for the duration of the Meeting.

8.3 If a Member who has been ordered to leave their seat apologizes to Council, they may, by a majority vote of the remaining Members, be permitted to resume sitting in the meeting as a Member.

Portable Electronic Devices

8.4 All attendees at a Meeting, including Members, must turn off or mute any Portable Electronic Device so as to avoid disrupting the Meeting.

8.5 Notwithstanding any other provision in this By-law, a Portable Electronic Device may be used by a Member as an interface for the Member to Participate Electronically in the Meeting.

8.6 Provided the Town is recording a Meeting as outlined in Section 4.3, attendees may not record a Meeting without permission.

Voting on Motions

8.7 Except as may otherwise be provided in this By-law, all motions must be introduced by a mover and seconder before the Chair may put the question or motion on the floor for consideration, or recorded in the minutes of the Meeting.

- 8.8 After a motion is properly moved and seconded, it shall be deemed to be in the possession of Council, Committee or Local Board, but maybe withdrawn by the mover at any time before decision or amendment.
- 8.9 Every Member (including the Chair) present at a Meeting, when a question is put, shall vote unless prohibited by statute. If prohibited, the Clerk shall record the name of the Member and the reason the Member is prohibited from voting.
- 8.10 No vote shall be taken by ballot or any other method of secret voting and every vote so taken is of no effect.
- 8.11 Subject to the provisions of this By-law, a majority vote of those present at any Meeting shall constitute effective action.
- 8.12 Except where expressly provided in any act, any questions on which there is a tie vote shall be deemed to be lost.
- 8.13 A failure to vote by way of abstention by a Member who is present at the Meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.
- 8.14 Any Member may call for a recorded vote immediately before or after the taking of the vote, and in such case the Clerk shall call upon each Member to announce their vote openly, starting with the Member that requested the recorded vote and the Clerk shall record each vote. A failure to vote by any Member who is present at the Meeting at the time of the recorded vote and who is qualified to vote shall be deemed to be a negative vote. The Chair shall announce the result of the vote.
- 8.15 When a motion under consideration contains separate and distinct propositions, upon the request of any Member the vote upon each proposition shall be taken separately.
- 8.16 A Friendly Amendment may be made provided there is consent from the mover and seconder.

Motion to Reconsider

- 8.17 Any Member who voted in the majority on any question, by-law, or matter that has been previously decided by Council may, at the same Meeting or at a subsequent Meeting, make a motion for a reconsideration of the question, by-law, or matter, subject to the following:
- a) A Notice of Motion has been introduced in accordance with the process outlined at Section 8.23 of this By-law;
 - b) Debate on the motion to reconsider must be confined to reasons for or against the subject of reconsideration;
 - c) No discussion of the main substantive motion shall be allowed until the motion for reconsideration is carried;

- d) The motion for reconsideration shall require two-thirds (2/3) majority vote of the Members present at the Meeting to be adopted;
 - e) If a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the motion calls for a future date, and debate on the original resolution shall become the next order of business;
 - f) No motion shall be reconsidered more than once during a period of 12 months following the date on which the question was decided.
- 8.18 If the action approved in the original motion cannot be reversed, the motion cannot be reconsidered.
- 8.19 When a question is brought before a succeeding Council, it shall be deemed to be new business and not a matter of reconsideration.
- 8.20 The following motions cannot be reconsidered:
- a) To adjourn;
 - b) To recess;
 - c) To suspend the rules; and
 - d) To reconsider
- 8.21 Where a written decision of the Tribunal identifies findings with regard to an appeal and delivers those findings to Council to make a new, or reconsider its, decision, the matter shall be placed on the applicable agenda as soon as practicable and the matter shall not be deemed to be a matter of reconsideration for the purposes of this By-law.

Notice of Motion

- 8.22 Notice of all new motions shall be given in writing, in the form provided by the Clerk, and filed with the Clerk during a regular Meeting, subject to the following:
- a) The notice shall be in writing in the form provided by the Clerk;
 - b) The notice shall include the name of the mover along with the exact substance of the motion the Member wishes to bring forward; and
 - c) Prior to filing the notice with the Clerk, the Member shall read the motion aloud.
- 8.23 Unless otherwise specified, the Notice of Motion shall be added to the agenda under the Notice of Motion section of the Agenda of the next regular Meeting.
- 8.24 A Notice of Motion shall not be debated at the same Meeting in which it is filed with the Clerk.

9. Delegations and Presentations

Delegations and Presentations Generally

9.1 For the purposes of this section,

“Delegate” or “Delegation” shall mean any Person that submitted a request to appear before Council or a Committee.

“Person” shall mean any person, group, corporation, or organization.

9.2 Any Person that wishes to address Council or a Committee may submit a written request to the Clerk, in the form and manner prescribed by the Clerk, and shall include presentation/additional material, if any, along with written submissions. A Person registered to speak shall contain their remarks to the stated business.

9.3 Requests are not permitted by a Member of the Council, Committee, or Local Board that is being addressed, an appointed official of the Town, a candidate nominated for an upcoming election, or from a bidder in a competitive purchasing process in respect of the award of the relevant purchase.

9.4 Persons addressing Council or a Committee shall not:

- a) Speak disrespectfully of any person;
- b) Use offensive words;
- c) Speak on any subject other than the subject for which they have received approval to address Council;
- d) Enter into cross debate with other delegations, administration, members of Council or the Chair; or
- e) Disobey any decision of the Chair or Council, or upon the interpretation of the rules of Council.

9.5 The Chair may curtail any Delegation, any questions of a Delegation or debate during a Delegation, for disorder or any other breach of this Bylaw and, if the Chair rules that the Delegation is not in compliance with Section 9.4 of this By-law, the Persons appearing shall withdraw from the delegation table, and the decision of the Chair shall not be subject to Challenge.

9.6 Members are permitted to ask questions of a Delegation, but shall not engage in debate with the Delegation.

9.7 In addition to the circumstances outlined in Section 9.3, the Clerk, in consultation with the CAO, may refuse a Delegation in the following circumstances:

- a) Presentation/additional material, if any, and written submissions were not provided with the request;
- b) There has, or will be, at least one (1) public meeting held at which the public was provided the opportunity to speak to the matter;
- c) The subject matter is outside the jurisdiction of Council;
- d) The subject matter pertains to personnel or labour relations;

- e) The subject matter pertains to business for which an in-camera Meeting has been, or will be, held;
- f) An ongoing legal proceeding;
- g) For the purposes of soliciting business; or
- h) Where the subject matter pertains to political parties.

In the event a request to address Council or a Committee is refused, the Clerk shall provide the requester with written reasons of the refusal, which reasons shall also be copied to the Members.

Delegations – Items on the Agenda

- 9.8 Any Person who wishes to appear before Council regarding an item on the current agenda shall submit a written request as outlined in Section 9.2 by noon at least 4 days prior to the meeting.
- 9.9 A maximum of five (5) minutes shall be allotted for each Delegation to present their support, opposition, or comments regarding the agenda item. Where there are numerous Delegations taking the same position on a matter, they are encouraged to select a spokesperson to present their views.

Delegations - Public Meeting

- 9.10 A Person wishing to make representations on a matter for which a Public Meeting is being held is not required to provide advance written notice of their intention to speak.
- 9.11 Notwithstanding Section 9.10, in the event that members of the public are required, or choose, to Electronically Participate in the Public Meeting a written request to appear must be submitted to the Clerk by noon, the day of the Meeting.
- 9.12 A maximum of five (5) minutes shall be allotted for each Person to present their support, opposition, or comments regarding the Public Meeting matter. Where there are numerous delegations taking the same position on a matter, they are encouraged to select a spokesperson to present their views

Delegations – Items Not on the Agenda

- 9.13 Any Person who wishes to appear before Council regarding an item not on an upcoming agenda shall submit a written request as outlined in Section 9.2 by noon at least 21 days prior the Meeting.
- 9.14 The Clerk, in consultation with the CAO, shall determine an available Meeting date having regard to the date requested by the Delegate, any administrative reports that should accompany the Delegation, and any other relevant considerations.
- 9.15 A maximum of five (5) minutes shall be allotted for a Delegation to make their presentation to the Members.

Delegations - Presentation

- 9.16 From time to time, certain partner and external Persons may be granted presentation status in order to inform Members of matters of significance to the Town. The Clerk, in consultation with the CAO, shall determine whether presentation status is granted.
- 9.17 A maximum of 10 minutes shall be allotted to those Persons granted presentation status to address the Members.

10. Committees

- 10.1 Council may, by resolution, establish a Committee to deal with such matters as Council may determine. Council shall determine the composition of the Committee and shall make those appointments, by resolution, during the open portion of a Meeting.
- 10.2 Committee Members, shall, unless appointed by Council, select a Chair from amongst the appointed Members.
- 10.3 The Mayor is a Member, ex officio, of all Committees.
- 10.4 As may be required, the Chair of the Committee shall bring forward the Committee's findings or recommendations for Council's consideration. If given power to act, a report of such action shall be given to Council at its next regular meeting.
- 10.5 Council shall adopt Terms of Reference for each Committee, which terms shall outline the Committee's scope of responsibility and authority. A Committee may consider only such matters as have been identified in the Terms of Reference. The Committee is not at liberty to consider business outside of its Terms of Reference.
- 10.6 If a Member of Council is absent from the Meetings of a Committee for three successive months without being authorized to do so by a resolution of Council, that Member shall, by operation of this by-law, be automatically removed from the Committee and Council shall appoint another Member of Council to that Committee.