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Consolidated for Convenience Only

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**THE CORPORATION OF THE TOWN OF LASALLE
BY-LAW #6647**

**A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL MEETINGS,
THE CONDUCT OF ITS MEMBERS, AND THE CALLING OF ITS MEETINGS.**

WHEREAS pursuant to Section 238 of the *Municipal Act, 2001*, S.O., 2001, c.25, as amended, every municipality shall adopt a procedural by-law to govern the calling, place and proceedings of meetings;

AND WHEREAS it is desirable that there be rules governing the order and procedure of the Council of the Town of LaSalle;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF LASALLE HEREBY ENACTS AS FOLLOWS:

1. DEFINITIONS IN THIS BY-LAW:

1. "CAO" shall mean the Chief Administrative Officer of the Town of LaSalle.
2. "Chair" shall mean the person presiding over a council meeting or committee
3. "Clerk" shall mean the Clerk and Director of Council Services of the Town of LaSalle.
4. "Committee" shall mean any advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also members of Council.
5. "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 of LaSalle.
6. "Councillor" shall mean one of the five elected Members of Council, excluding the Mayor and the Deputy Mayor.
7. "Deputy Mayor" shall mean that Member of Council elected to assume the responsibilities of the Mayor in the Mayor's absence.
8. "Inaugural Meeting" means the first meeting of Council held after a municipal election in a regular election year
9. "Local board" does not include police services boards or public library boards.
10. "Mayor" shall mean the duly elected Head of Council.
11. "Meeting" means any regular, special or other meeting of a council, of a local board or of a committee of them where a quorum 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.
12. "Notice of Motion" means an advance notice to the members on a matter which Council will be asked to take a position
13. "Pecuniary Interest" shall mean a direct or indirect pecuniary interest as defined in the Municipal Conflict of Interest Act, R.S.O 1990, Chapter .50, as amended
14. "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.
15. "Quorum" shall mean the majority of the whole number of the members of Council who are present in person.
16. "Town" shall mean the Corporation of the Town of LaSalle.
17. "Point of Personal Privilege" means a matter that a Member considers to impugn their integrity or the integrity of Council.
18. "Emergency" refers to any period of time in which an emergency has been declared to exist in all or part of municipality under the *Emergency Man*
19. "Electronic Meeting" is a meeting held in full or in part through electronic means, with or without in person attendance
20. "Electronic Attendance" means attending a meeting by use of internet, telephone, or other means that:
 - a. Allows participants to hear, speak and see each other; and,
 - b. Enables the public to view and hear Council Member votes and statements during electronic attendance, if the meeting is open to the public

2. GENERAL APPLICATION OF THIS BY-LAW

The rules and regulations contained in this by-law are to be observed in all proceedings of Council, and are the rules and regulations for the dispatch of business by Council and its committees. If any question for which procedure is not referred to in this bylaw for a Council meeting, or any Closed meeting or other committee meeting, reference may be made to "Roberts Rules of Order" to decide the most appropriate procedure.

3. DUTIES

(1) Duties of the Mayor

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

- (a) to act as Chief Executive Officer of the Town; and uphold and promote the purposes of the Town; promote public involvement in the Town's activities; act as the representative of the Town both within and outside the Town, and promote the Town locally, nationally and internationally, and participate in and foster activities that enhance the economic, social and environmental well-being of the Town and its residents;
- (b) to act as Chair at all Council meetings; so that its business can be carried out efficiently and effectively; and further, to amend the order of the business items on the agenda;
- (c) to provide leadership to Council;
- (d) to represent personally, or assign a designate, to represent the Town officially at all functions to which the Town may be invited;
- (e) to make efforts to maintain good public relations in representing the Town, and in this regard is hereby authorized to make reasonable or necessary expenditures;
- (f) from time to time to make certain decisions between Council meetings, which decisions shall be reported to Council at the next regular meeting;
- (g) where there has been budget approval by Council, the Mayor may authorize administrative personnel to attend workshops, seminars, and those conferences that relate to their duties as Town employees;
- (h) to sign all necessary and appropriate documents pertaining to the Town as required to carry on the Town's business;
- (i) to assign the seating arrangements for all members of Council prior to inaugural meeting of Council; and
- (j) to carry out the duties of the head of Council under the *Municipal Act, 2001* or any other Act.
- (k) "without limiting 3(1)(c)", to provide information and recommendations to Council in ensuring that administration and controllership policies, practices and procedures are in place to implement the decisions of Council and in ensuring that accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality.

(2) Duties of the Deputy Mayor

- (a) When the Mayor is absent or refuses to act or has declared a pecuniary interest in any matter before Council, or when the office of Mayor is vacant, it is the duty of the Deputy Mayor to act 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.
- (b) In the absence of the Deputy Mayor, the above duties shall be placed with the Chair.

(3) Duties of the Chair

It is the duty of the Chair:

- (a) To open the meeting of Council by taking the chair, for the head of Council, calling the Members to order;

- (b) To announce, by way of the agenda, the business before Council in the order in which it is to be acted upon;
- (c) To receive and submit, in the proper manner, all motions presented by the Members;
- (d) To 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) To decline to put to a vote motions that contravene the rules of procedure
- (f) To enforce on all occasions the rules of decorum among all present at the meeting;
- (g) To 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;
- (h) To receive all messages and other communications directed to Council and provide them to Council;
- (i) To authenticate by signature, when necessary, all by-laws, resolutions, minutes and other documents authorized by Council;
- (j) To inform Council, when necessary or when referred to, on a point of order or usage;
- (k) To represent and support Council, declaring it's will, and implicitly obeying its decisions in all matters;
- (l) To ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of Council;
- (m) To adjourn the meeting when business has been completed
- (n) To adjourn the meeting, without question being put to a vote, in the case of grave disorder arising in the Council chambers; and
- (o) To expel any person for improper conduct at a meeting

(4) Role of Council

It is the role of Council:

- (a) to represent the public and to consider the well-being and interests of the Town;
- (b) to develop and evaluate the policies and programs of the Town;
- (c) to determine what services the Town provides;
- (d) to ensure that administrative and controllership policies, practices and procedures are in place to implement the decision of Council;
- (e) to maintain the financial integrity of the Town; and
- (f) to carry out the duties of Council under the *Municipal Act, 2001* or any other Act.
- (g) To ensure the accountability and transparency of the operations of the municipality, including the activities of senior management of the municipality.

(5) Role of the Clerk (Deputy Clerk)

- (1) A municipality shall appoint a Clerk whose duty it is:
 - (a) To record, without note or comment, all resolutions, decisions, and other proceedings of the Council;
 - (b) If required by any member present at a vote, to record the name and vote of every member present at a vote, to record the name and vote of every member voting on any matter or question;
 - (c) To keep the originals or copies of all by-laws and all minutes of the proceedings of the Council;
 - (d) To perform the other duties required under the *Municipal Act 2001 s. 228* or under any other Act;
- (2) The Clerk shall prepare an agenda of the meetings, which shall be available to Council Members and to the public by 12:00 noon on the preceding Friday, if a holiday falls on a Friday the agenda shall be available by 12:00 noon on Thursday;
- (3) The Clerk may prepare the agenda in electronic format;

- (4) The Clerk shall attend or assign a designate to attend all meetings of Council;
- (5) To 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;
- (6) The Clerk shall forward a copy of all decisions, resolutions and directions of Council to the appropriate members of administration, public, other agencies, boards, committees and governments;
- (7) To advise Council on parliamentary procedure.

4. COUNCIL MEETINGS

(1) Inaugural Meeting

The inaugural meeting of Council of the Town, after a regular election, shall be held on the first Tuesday in December or unless stipulated by Council resolution, at 6:00 o'clock p.m. 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 established by the Minister of Municipal Affairs and Housing for that purpose.

(2) Regular Meetings –Location and Date

- (a) Regular meetings of Council shall be held in the Council chambers located in LaSalle Civic Centre at 5950 Malden Road, LaSalle, Ontario, or at such other location within the municipal boundaries of the Town of LaSalle as may be determined by Council.
- (b) The 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.
- (c) Council may, by resolution, alter the date and/or time and/or location of the regular meetings provided that adequate notice of the change is posted and may or could be published in a local newspaper.
- (d) 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.

(3) Quorum

- (a) A quorum shall be constituted of no less than 4 Members which may include the Mayor and/or Deputy Mayor.
- (b) If, after a quorum has been met, the number of Members who are disqualified from participating in the vote on any matter 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 2 Members.
- (c) If a quorum is not present within 20 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, and the matters listed on the agenda for the adjourned meeting shall be listed on the agenda of the next regular meeting of Council.

(4) Open Meetings

All Council meetings shall be open to the public except as otherwise provided in this by-law.

(5) Special Meetings

- (a) The Mayor may at any time call a special meeting of Council, and the only matters permitted to be dealt with at the special meeting shall be those set out in the notice calling the special meeting.
- (b) The Clerk shall call a special meeting upon receipt of a petition of the majority of Council Members, at the time, date and place mentioned in the petition, and the only matters permitted to be dealt with at the special meeting shall be those set out in the petition calling the special meeting.
- (c) 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 special 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 of Council.
- (d) Notwithstanding the notice requirements set out above, in the event of an emergency, the meeting may be held as soon as possible following the call for the meeting and notice may be given by telephone or by personal contact to each Member as determined by the Clerk in his or her sole discretion.

(6) Notice of Meetings

- (a) That notice of Council meetings, both open and closed, be given in writing by:
 - i) the publication of the Council agenda on the Friday preceding the Council meeting;
 - ii) Posting of the Council agenda on the Town website on the Friday preceding the meeting; or if a holiday falls on a Friday the Council agenda will be posted on the Thursday preceding the Council meeting;
- (b) That notice of Council budget deliberations be given 14 days before the Council meeting and the budget be tabled for public review on the Town's website

5. AGENDA**(1) Order of Business**

The format of the agenda is to be as follows:

- (A) OPENING BUSINESS
 - Call to order and a Moment of Silent Reflection
 - Disclosures of Pecuniary Interest
 - Adoption of Minutes of Previous Meeting(s)
- (B) PRESENTATIONS
- (C) DELEGATIONS
- (D) PUBLIC MEETINGS AND/OR HEARINGS
- (E) REPORTS/CORRESPONDENCE FOR COUNCIL ACTION
- (F) INFORMATION ITEMS TO BE RECEIVED
- (G) BY-LAWS
- (H) COUNCIL QUESTIONS
- (I) STATEMENTS BY COUNCIL MEMBERS
- (J) REPORTS FROM COMMITTEES
- (K) NOTICES OF MOTION
- (L) MOTION TO MOVE INTO CLOSED SESSION
- (M) CONFIRMATORY BY-LAW
- (N) ADJOURNMENT

(2) Amending the Agenda

The business of Council is to proceed in the order as listed on the agenda unless a motion of Council is passed amending the agenda.

(3) Agenda Items

Every Communication to be presented to Council:

- 1) Shall be legibly written or printed;
- 2) Shall clearly state the request that is being made to Council;
- 3) Shall not contain obscene or improper matter or language; shall be signed by each and every person who has submitted the communication; and shall be filed with the Clerk
- 4) Any person may be placed on the agenda as a delegation to Council provided they notify the Clerk prior to 12:00 noon on the Tuesday preceding the Council meeting. The person shall inform the Clerk of the purpose of the appearance before Council and the request that is to be made of Council, and shall provide the Clerk with the written information on the topic upon which that the person intends to present to Council.
- 5) The Clerk may determine in his or her discretion if it is appropriate to place the delegation information on the agenda for the next Council meeting. In the event the Clerk determines an administrative report should be submitted to Council with the delegation information, the Clerk shall arrange for the said administrative report to be completed prior to including the delegation information on the agenda. The Clerk may circulate a copy of the delegation information to Members of Council for their information pending receipt of the administrative report.
- 6) In the event the Clerk determines in his or her discretion that the request to be made of Council by any communication sought to be placed on the agenda or by person who wishes to appear before Council is not clear, in whole or in part, the Clerk may return the submission to the author thereof with a request for clarification.
- 7) Reports on Open Meeting Investigations of a municipality or a local board, where the Investigator reports his or her opinion that a meeting has been closed contrary to the open meeting provisions of the relevant Act will be consider at an open meeting of Council.

6. MINUTES OF MEETINGS**(1) Adopting Meeting Minutes**

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

(1) It is the responsibility of each Member to identify and disclose any pecuniary interest (as defined by the Municipal Conflict of Interest Act, R.S.O. 1990, C M.50) on any item or matter before the Council at which the matter is the subject of consideration, the member shall:

- a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof.
- b) not take part in the discussion of, or vote on any question in respect of the matter.
- c) not attempt in any way, whether before, during or after the meeting to influence the voting on any such question.

(2) Where a meeting is not open to the public, in addition to complying with the requirements, the Member shall leave the meeting for the part of the meeting during which the matter is under consideration.

(3) 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.

(4) 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.

(5) at a meeting at which a member discloses an interest during the meeting or immediately after the meeting, the member shall file a written statement of the interest and its general nature with the Clerk of the municipality or the secretary of the committee or local board, upon the form provided by the Clerk

(6) a registry shall be kept in which a copy 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 AT COUNCIL MEETINGS

(1) Decorum of Council Members

No Member of Council shall:

- (a) use of offensive words or inappropriate language in Council meetings or in reference to another Council Member;
- (b) speak on any subject other than the subject in debate;
- (c) disobey the decision of the Presiding Officer 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;
- (d) speak more than once to the same motion, without leave of the Presiding Officer and in doing so is not to introduce a new matter;
- (e) speak to *the* same motion, or in reply, for longer than ten minutes;
- (f) 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 Presiding Officer; and
- (g) where a matter has been discussed in the Committee of the Whole, and where the matter remains confidential, disclose the substance of deliberations of the Committee of the Whole meeting.

(2) Disruptive Behaviour

Should any Member persist in disruptive behaviour after having been called to order by the Presiding Officer, the Presiding Officer 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 his or her seat for the duration of the meeting.

(3) Apology

If a Member who has been ordered to leave his or her seat apologizes to Council, he or she may, by a vote of the remaining Council Members, be permitted to resume sitting in the meeting as a Member.

(4) Absenteeism

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.

(5) Delegations Pertaining to Town Council Meetings

- (a) The Clerk shall not register a delegation unless there is a specific item listed on the Agenda to which the delegate has an interest;
- (b) Persons speaking before Council shall address their remarks to the stated business only;
- (c) Any person who wishes to appear at a regular meeting of Council on an item already scheduled for the agenda shall make application to the Clerk by noon on the Wednesday preceding the Council meeting;
- (d) A maximum of five minutes shall be allotted for each delegation to present their portion of support or opposition to the relevant agenda item. Where there are numerous delegations listed taking the same position on a matter, they are encouraged to select a spokesperson to present their views.
- (e) Delegations shall not
 - 1. speak disrespectfully of any person;
 - 2. use offensive words;
 - 3. speak on any subject other than the subject for which they have received approval to address Council;
 - 4. enter into cross debate with other delegations, administration, members of Council or the Chair;
 - 5. disobey any decision of the Chair or Council, or upon the interpretation of the rules of Council;
 - 6. Should any member of the public persist in disruptive behaviour after having been called to order by the Chair, such member of the public may be ordered to leave the Council meeting for the duration of the meeting.

8. VOTING

(1) Voting in Person

At any meeting of Council, a Member of Council shall have one vote and must be present for his or her vote to be counted.

(2) Open Vote

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

(3) Majority Vote

Subject to the provisions of this By-law, a majority vote of those present at any meeting shall constitute effective action.

(4) Tie Vote

Except where expressly provided in any Act, any questions on which there is a tie vote shall be deemed to be lost.

(5) Abstention from Voting

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.

(6) Recorded Vote

Any Member may call for a recorded vote immediately before or after the taking of the vote, and in such case each Member shall announce his or her vote openly 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.

(7) Dividing the Motion

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) Process of Business

Any municipal power, including the Town's capacity, rights, powers and privileges as a natural person under Section 8 of the *Municipal Act, 2001*, shall be exercised by by-law unless the Town is specifically authorized to do so otherwise.

9. RECONSIDERATION**(1) Motion to Reconsider**

Any Member of Council who voted in the majority on any question on 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 or matter. No motion shall be reconsidered more than once during a period of twelve months following the date on which the question was decided. When a question is brought before a succeeding Council, it shall be deemed to be new business and not a matter of reconsideration.

(2) Statement by Council Members

The mover of the motion for the reconsideration of any previously decided question or matter shall be permitted to make a brief and concise statement of the reason(s) justifying such reconsideration, without in any way debating the content of the matter.

(3) Required 2/3 Majority

No discussion on the merits of the question or matter sought to be reconsidered shall take place unless the motion to reconsider is carried by a 2/3 majority vote of Council.

10. CLOSED MEETINGS**(1) Meetings**

A Closed Meeting is a meeting of Council that is closed to the public if the subject matter being considered at that meeting relates to:

- a) the security of the property of the Town;
- b) personal matters about the identifiable individual, including municipal employees;
- c) a proposed or pending acquisition or disposition of land by the Town;
- d) employee negotiations or labour relations;
- e) litigation or potential litigation, including matters before administrative tribunals, affecting the Town;
- f) advice that is subject to solicitor/client privilege, including communications necessary for that purpose;
- g) a matter in respect of which Council has been authorized to hold a closed meeting under any Act;
- h) if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*.
- i) if the meeting is held for the purpose of educating or training Council, and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision making of the council.
- j) Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency or any of them;
- k) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.
- l) A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential

monetary value; or

- m) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(2) Resolution

Before all or part of a meeting is to be closed to the public, Council shall state by resolution the fact of the holding of a meeting of the Committee of the Whole and the general nature of the matter to be considered at the closed meeting.

(3) Committee of the Whole Agenda

The Clerk shall prepare a separate Committee of the Whole agenda for items that are to be dealt with by the Committee of the Whole.

(4) Taking the Vote

A meeting of the Committee of the Whole may remain closed to the public during the taking of a vote if the vote is for a procedural matter or for giving directions or instructions to officers, employees, or agents of the Town or persons retained by or under contract with the Town.

11. SPECIAL COMMITTEES

(1) Creating a Special Committee

By resolution of Council, a special committee, a standing committee, a committee of Council or an ad-hoc committee (hereinafter called a "Special Committee") may be struck to deal with a specific matter. The resolution of Council shall appoint some of the initial members of the Special Committee, which members may then appoint additional members onto the Special Committee. The members of the Special Committee shall then name a committee chairperson. Such Committees may consist of one or more Council Members and other individuals as confirmed by Council resolution.

(2) Mayoral Membership

The Mayor is a member, ex officio, of all Special Committees.

(3) Meetings

It shall be the responsibility of the Chair of the Special Committee to convene all meetings of that Committee.

(4) Delegation of Hearings

- (a) If Council is required by law to hold a hearing or give to interested parties an opportunity to be heard before doing any act, passing a By-law or making a decision, Council may delegate that responsibility to a committee of Council. If the committee of Council holds a hearing or gives interested parties an opportunity to be heard, Council is not required to do so.
- (b) The committee of Council shall provide its recommendations to Council, after which Council may pass the By-law or make the decision.
- (c) If the decision to be made by Council on any matter is a statutory power of decision within the meaning of the *Statutory Powers of Procedure Act*, that Act applies to the committee of Council and to the hearing conducted by it, save and except sections 17, 17.1, 18 and 19.

(5) Reporting to Council

Unless otherwise specified in the resolution setting up the Special Committee, the Chair of the Special Committee shall bring a report of the committee's findings or recommendation to the next regularly scheduled Council meeting. If given power to act, a report of such action shall be given to Council at its next regular meeting.

(6) Council Action

Unless a Special Committee is specifically given power to act in the resolution creating it, its recommendations must be approved, amended, or otherwise dealt with at a subsequent Council meeting.

(7) Terms of Reference

A Special Committee may consider only such matters as have been referred to it by Council. The Special Committee is not at liberty to consider business outside of its terms of reference.

(8) Quorum

All Special Committees must have at least one Member of Council present at the Committee meeting for a quorum to be constituted.

(9) Absenteeism

If a Member of Council is absent from the meetings of a Special Committee for three successive months without being authorized to do so by a resolution of Council, that Member shall be removed from the Special Committee.

12. GENERAL**(1) Members Policy Package**

Following a regular election, re-election or the appointment of a new Councillor, the Clerk shall provide each Member of Council or the new Councillor with a copy of this by-law, and all other policies and procedures including any amendments thereto which relate to the duties of Members.

(2) Suspending a Section or Subsection

Any section or subsection under this by-law that is discretionary, and not mandatory under provincial or federal statute, may be suspended for consideration of an item with the consent of a two-thirds majority of the Members present on a motion specifying the section or subsection proposed to be suspended.

(3) Subordination of Documents

In the event there is a conflict between any of the provisions of this by-law and any Federal or Provincial law, the conflicting provisions of this by-law enacted by Council are subordinate to the laws of Canada and those of the Province of Ontario.

(4) Amendment or Repeal

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 *Municipal Act, 2001*.

(5) Official Devices

The crest and seal impression shown on Schedule "A" attached hereto shall be the official crest and seal of the Town.

(6) Repeal of By-law 6125

By-law No. 6125 of the Corporation, finally passed the 12th day of

March, 2002, be and the same is hereby repealed.

(7) Effective Date

This by-law shall come into full force and take effect on the final passage thereof.

13. ELECTRONIC ATTENDANCE BY COUNCIL MEMBERS AT MEETINGS**13.1 Electronic attendance by Council Members shall be permitted**

- a) For meetings during a declared Emergency under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, electronic participation shall be permitted in accordance with s.238(3.3) of the Municipal Act where the Member or public's health may be at risk;
- b) A Regular or Special meeting of Council may be conducted by Electronic Meeting in accordance with this Section; and,
- c) Members participating electronically are permitted to participate in Closed Meetings, in accordance with this section and any applicable Policy approved by Council, in absence of the public.

13.2 Quorum and Voting during Electronic Meeting

- a) The Chair and all Members of Council may participate in Electronic Meetings;
- b) Members attending and present during an Electronic Meeting shall be included for calculation of quorum at the Meeting, and shall be entitled to a vote recorded by the Clerk;
- c) Every Member present during the Electronic Meeting shall vote when a question is put forth through a motion by a show of hands to indicate whether they are in "favour" or "opposed";
- d) The Procedural By-law shall continue to apply to Electronic Meetings. The Clerk will record the name of the Member and the reason that they are prohibited from voting. A Disclosure of Pecuniary Interest and the General Nature Thereof form shall be submitted to the Clerk via email before or directly after the Electronic Meeting of Council; and,
- e) No Member shall speak to a question or motion until the Member has been recognized by the Head of Council or Chair. A Member shall signal their desire to speak by a verbal request or by raising their hand when the Chair or Head of Council has opened the floor for discussion on an item. The Chair shall ensure that Members are given the same opportunity to speak, as they would be participating in person.

13.3 Interruption of Electronic Attendance

- a) In the event of technical failure during the meeting, Council shall take a recess of not more than ten (10) minutes to allow for reinstating participation. If after the specified time participation is not reinstated, the meeting shall be continued as if the individual physically left a meeting room; and,
- b) If quorum is no longer achieved due to technical difficulties, the meeting shall be automatically adjourned after twenty (20) minutes of technical failure. Notice of the disruption shall be noted in the Minutes of the Meeting by the Clerk. A subsequent meeting shall be scheduled to deal with remaining items as soon as reasonably possible.

13.4 Public Notice of Electronic Meeting

Public notice of an Electronic Meeting shall include sufficient information to provide the public with means to access the Regular or Special Meeting of Council electronically.

13.5 Delegations

An Electronic Meeting shall permit electronic and public delegations to attend Regular and Special meetings of Council during times of Emergency in accordance with Municipal and Provincial guidelines.

13.6 Conflict

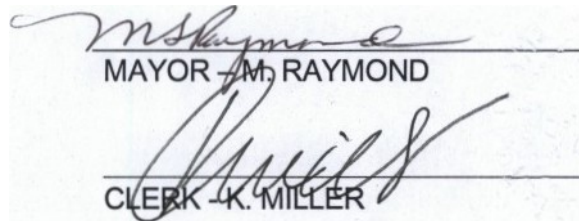
Notwithstanding the foregoing, the Procedural By-law shall continue to apply to Electronic Meetings held, except any Emergency Electronic Meeting Policies approved by Council and any Provincial legislation or order shall prevail to the extent of any conflict.

Read a first and second time and FINALLY PASSED this 14th day of March, 2006.

1st Reading- Mar 14/2006

2nd Reading - Mar 14/2006

3rd Reading- Mar 14/2006



MAYOR - M. RAYMOND
CLERK - K. MILLER