



The Municipal Corporation of the Town of Fort Erie

By-law No. 36-2016

Being a By-law to Adopt Council Rules of Procedure and to Repeal By-law No. 42-2015

Whereas the *Municipal Act, 2001*, as amended, subsection 238(2) provides that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings; and

Whereas By-law No. 42-2015 adopts Council Rules of Procedure; and

Whereas at its meeting held March 21, 2016, Council-in-Committee considered Administrative Report No. COS-01-2016 and approved the proposed Council Rules of Procedure, with amendments;

Now therefore the Council of the Town of Fort Erie enacts as follows:

1. **That** the Council Rules of Procedure attached as Schedule "A" to and forming part of this by-law is approved and adopted.
2. **That** By-law No. 42-2015 is repealed.
3. **That** the Clerk of the Town is authorized to effect any minor modifications or corrections, or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 29th day of March 2016.

Mayor

Clerk

I, _____, the Clerk, of The Corporation of the Town of Fort Erie hereby certifies the foregoing to be a true certified copy of By-law No. 36-2016 of the said Town. Given under my hand and the seal of the said Corporation, this _____ day of _____, 20____

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1. Definitions

"BIA" means a Business Improvement Area

"Board" includes local boards and committees established by Council, except BIA Boards of Management

"CAO" means the Town's Chief Administrative Officer and includes a designate

"Chair" means the person presiding over a meeting or a portion of a meeting and who decides questions and points of order or practice, preserves order and maintains decorum

"Clerk" means the Clerk of The Corporation of the Town of Fort Erie and includes a Deputy Clerk and a designate

"Closed Session" means a meeting or a part of a meeting that is not open to the public

"Committee of the Whole" means a committee composed of the Members of Council, other than Council-in-Committee

"Confirmatory By-law" is a by-law to confirm that all motions, resolutions and other actions of the Council are adopted and ratified

"Consent Agenda" means that section of an agenda where a single recommendation is presented to deal with multiple items together that are of a routine and low impact nature

"Council" means the Council of The Corporation of the Town of Fort Erie

"Council-in-Committee" means the Members of Council fully constituting and participating in business subdivisions requiring Council's consideration

"Councillor" means a person elected or appointed to Council (other than the Mayor) to represent electors in a particular ward

"Delegation" means a person who appears before Council in accordance with these rules

"Emergency" means a serious, unexpected and potentially dangerous event or situation requiring immediate action

"Ex Officio Member" means a person holding a position on a Board by virtue of his/her office and having all of the same rights and privileges as the other Board members, including voting

"Friendly amendment" means an amendment suggested by a Member in the belief that the amendment will either improve the statement or affect the main motion or will increase the chance of the main motion's adoption

"Head of Council" means the Mayor

"Inaugural Meeting" means the first meeting of a new Council after a general election

"Mayor" means the person elected as the Head of Council by a general vote of electors

"Member" means a Member of Council of the Town of Fort Erie

"Member of Council" means the Mayor or a Councillor

"New business" refers to an entirely new matter, of which the subject is not contained anywhere on an agenda; or a matter related to an item on an agenda, such as the subject of a delegation, or a matter related to an enquiry

"Pecuniary Interest" means a direct or indirect pecuniary interest of a Member of Council as defined in the prevailing legislation

"Public meeting" is a meeting of the Council or Committee that is open to the public

"Quorum" means the majority of all the Members of Council

"These rules" means the rules contained in this by-law

"Town" means The Corporation of the Town of Fort Erie

2. General Provisions

2.1 Rules

- a) These rules and procedures apply to all proceedings of Council, Committee of the Whole, Council-in-Committee and Boards.
- b) Matters of procedure not covered in these rules are dealt with according to the current edition of Robert's Rules of Order, as far as practical.
- c) Any of these rules may be suspended by a majority vote of the Members of Council present.
- d) Provided notice has been given, these rules may be amended or repealed by a majority vote of the Members of Council present at a regular Council meeting.

2.2 Agenda and Minutes

- a) The agenda is prepared using a consent agenda format in consultation with the Mayor, CAO and Senior Managers.

- b) All matters listed on the consent agenda are addressed with a single motion or resolution.
- c) An item does not have to be removed from the consent agenda in order to be discussed. However, any Member of Council may ask to have a consent agenda item removed and voted on separately.
- d) The Clerk truly records, without note or comment, all resolutions, decisions and other proceedings at open and closed meetings of Council and produces meeting minutes.
- e) Only a Member of Council or an authorized staff member may place material on the desks of members immediately prior to a Council meeting.

3. Roles

3.1 The legislated roles and duties of the Mayor and Councillors are supplemented by those described in Council's Code of Conduct.

3.2 Acting Mayor

- a) The role of Acting Mayor is assumed by each consenting Member of Council on an equitable rotating basis. Acting Mayor appointments are made by by-law at the Inaugural meeting.
- b) The Acting Mayor exercises all the rights, powers and authority of the Mayor if the office is vacant or if the Mayor is absent.
- c) A Member of Council may ask the Council to approve a resolution to change the Member's turn in the Acting Mayor rotation.

3.3 Proper address of Members

The Mayor is addressed as "Mayor (surname)" or as "Your Worship". A Councillor is addressed as "Councillor (surname)".

4. Meetings

4.1 General

- a) Meetings are held in the Council Chamber of Town Hall unless decided otherwise by a majority vote of the Members of Council or unless it is a closed meeting.
- b) Meetings are held on Monday. When a Monday is a public holiday or a day when Town Hall is closed, the meeting is held on the Tuesday or the next day that Town Hall is open.
- c) When circumstances warrant, the Mayor may, in consultation with senior staff, cancel a meeting and notice will be given to Councillors and staff personally

when possible and by email or telephone and to the public by way of the Town's website and social media.

- d) Meetings begin at 6:00 p.m. and end no later than 10:00 p.m., unless extended by a majority vote of the Members of Council present.
- e) Where a Member of Council is absent from meetings for more than three successive months without the consent of Council by resolution, the Member's seat becomes vacant and is filled as set out in the prevailing legislation.

4.2 Transmitting/recording meetings

- a) Audio of all open meetings held in the Council Chamber is transmitted live via the internet and recorded electronically.
- b) Anyone may use a device(s) to transmit and/or record proceedings of open meetings unless doing so causes a disruption, interferes with the conduct of the meeting or jeopardizes safety as determined by the Chair.
- c) Closed Session meetings may be recorded electronically and retained by the Town and only disclosed as required by law.
- d) No Member of Council shall record the proceedings of a Closed Session meeting.

4.3 Inaugural meeting

a) **Date, time and location**

The place, date and time of the Inaugural meeting is determined by the Mayor-Elect in accordance with the provisions of the prevailing legislation. Public notice of the meeting is given at least seven (7) days in advance.

b) **Agenda**

The Mayor-Elect and the Clerk are responsible for the content and format of the Inaugural meeting agenda and proceedings. The first order of business is the Declaration of Office.

4.4 Regular Council meetings

a) **Schedule**

Regular Council meetings are held on the second and fourth Monday of every month, except as described below or changed in accordance with these rules.

b) **Exceptions**

- i. In June, July and August, Regular Council meetings are held on the third Monday only.

- ii. In December and January, Council meetings will be scheduled according to the current calendar year to accommodate the holiday season.
- iii. Nothing in this section shall prevent Council from changing the date of any Regular Council meeting, if such change is made by resolution duly passed at a Council meeting preceding the meeting which is to be changed.

4.5 Special meetings

a) Calling of

A Special meeting may be called;

- i. At any time by the Mayor;
- ii. Upon the direction of a majority of Council at a Regular meeting;
or
- iii. By the Clerk, upon receipt of a petition of the majority of the Members of Council.

b) Notice provided

- i. Whenever possible, the Clerk provides forty-eight (48) hours prior notice of all Special meetings.
- ii. The notice calling a Special meeting of Council will state the business to be considered.
- iii. No business other than that stated in the notice is considered at a Special meeting except by a majority vote of the Members of Council present.

c) Emergency meeting

An emergency meeting may be held in urgent and extraordinary circumstances with the consent of a majority of the Members of Council present.

d) Emergency Standing Committee

- i. An Emergency Standing Committee of Council is established to act in the event of an emergency when the majority of the Members of Council cannot attend an emergency meeting.
- ii. The Committee is comprised of at least two but not more than three Members of Council including the Mayor. If there are four or more Members available to attend a meeting, this section does not apply.

- iii. All of the powers of Council to the extent possible are delegated to the Committee for the duration of the emergency.
- iv. Meetings of the Emergency Standing Committee are open unless an exception applies as set out in the prevailing legislation.

4.6 Committee of the Whole

a) Calling of

A majority of the Members of Council present may decide that the Council should move into Committee of the Whole. The Mayor chairs the Committee of the Whole.

b) Rules

These rules are observed in the Committee of the Whole with necessary modifications except:

- i. the number of times a Member of Council may speak on any motion is not limited; and
- ii. a motion to adjourn is not permitted, except when meeting apart from a Regular Council meeting.

4.7 Closed meetings

a) Rules

These rules apply in Closed Session meetings with modifications, where necessary.

b) Time

Where possible, a Closed Session meeting is held either prior to the start of or prior to the adjournment of an open meeting.

c) Criteria for Closed Session

No meeting or part of a meeting may be closed to the public unless the subject matter being considered is pursuant to Section 239 of the *Municipal Act, 2001*.

d) Resolution to convene Closed Session

Before holding a closed meeting, Council shall pass a motion in open session stating the fact that a closed meeting is being held and describing the general nature of the subject matter.

e) **Reconvening to Open Session**

Following the Closed Session, Council shall reconvene into open session where a motion is presented for the Council to rise and reconvene into open session with or without a report.

f) **Members to Self-Regulate**

The onus shall be upon the Mayor and Members to be self-regulated in ensuring that only matters legitimately permitted to be in Closed Session meetings are discussed and that proper Closed Session procedures are followed.

4.8 Public meetings

- a) Members of the public who are present may address Council on the municipal matter being considered.

5. Agenda and Order of Business

5.1 Order of business – Regular Council

- a) The Order of Business for Regular Council is described in Appendix "1".
- b) The business of each meeting is taken up in the order that it appears on the agenda unless altered by the Mayor or Clerk to accommodate scheduling and unforeseen circumstances.

5.2 Order of business – Special Meetings

The Order of Business for Special Council Meetings is:

- i. Call to Order
- ii. Roll Call
- iii. Disclosures of Pecuniary Interest
- iv. Business for which the Special Meeting is called
- v. Adjournment

5.3 Agenda

a) **Notice**

- i. The agenda, which is posted on the Town's website, is notice of Council meetings.
- ii. The agenda is delivered either by hand or electronically to each Member of Council at least forty-eight hours prior to a meeting.

b) **Deadline for agenda material**

The deadline for receipt of agenda material by the Clerk is 3:00 p.m. on the Thursday prior to the meeting.

c) **Urgent items by addendum**

Adding items to the agenda by addendum should be avoided for all but urgent matters.

6. Commencement of Council Meetings

6.1 Call to order

The Mayor or Acting Mayor presides at all meetings and calls the meeting to order once a quorum is present.

6.2 Quorum not present

If there is no quorum present within thirty (30) minutes after the starting time, the Council stands adjourned until the next regular or special meeting.

6.3 Quorum lost

If quorum is lost during the course of a meeting, the meeting stands adjourned to reconvene as determined by the Mayor. The balance of the agenda is dealt with at the next meeting.

6.4 Entrance within bar restricted

Except for Members of Council and staff members, no person is allowed beyond the bar of the Council Chamber during Council meetings unless permitted to do so by the Mayor.

7. Disclosures of Pecuniary Interest

7.1 General

It is the sole responsibility of each Member of Council to:

- a) understand and comply with their legal obligations under the prevailing conflict of interest legislation; and
- b) identify and disclose any pecuniary interest as it arises; and
- c) describe the general nature of the interest; and
- d) surrender the Chair, when applicable; and
- e) abstain from discussing and voting on the matter; and

- f) if the meeting is closed, leave the meeting or the part of the meeting during which the matter is under consideration.

7.2 Disclosure by majority and quorum

When a majority of the Members of Council has disclosed a pecuniary interest, the remaining Members constitute a quorum, provided there are no fewer than two remaining Members.

8. Regional Councillor Report

- a) The Regional Councillor for the Town of Fort Erie has the opportunity at every regular Council meeting to report on the activities of the Region.
- b) The Regional Councillor may respond directly to questions posed by Members of Council, through the Chair, without debate.

9. Delegations

9.1 Request to appear

- a) Anyone wishing to appear as a delegation before Council submits a request to the Clerk by 3:00 p.m. on the Thursday prior to the meeting, clearly stating the subject matter.
- b) Council may permit an urgent delegation at the time of the meeting when Council deems it appropriate.

9.2 Time limit

- a) Delegations are limited to ten (10) minutes unless extended by a majority vote of the Members of Council present.
- b) Where there are more than five (5) delegations on the same subject each delegation is limited to five (5) minutes.

9.3 Decorum observed

No delegation shall:

- a) speak to a matter other than the subject matter identified in their request;
- b) speak disrespectfully or use offensive language;
- c) disobey a decision of the Chair;
- d) enter into cross debate with Members of Council, other delegations or staff;
- e) use the presentation to advertise, publicize or promote any business or commercial enterprise or event.

9.4 Curtailing delegation

The Mayor may curtail any delegation for disorder or any other breach of these rules and the delegation shall immediately withdraw.

9.5 Copy of presentation

A delegation is requested to provide a copy of their presentation to the Clerk for record-keeping purposes.

9.6 Limited to new information

A delegation who has previously appeared on the same subject matter is limited to providing only new information in any subsequent appearance(s).

9.7 Multiple delegations on same subject matter

An organization or group of individuals wishing to address Council on the same subject matter will select one person to address Council.

9.8 Jurisdiction of municipality

Council may refuse to hear a delegation when the subject matter is beyond the jurisdiction of the municipality.

9.9 Operational issues

Depending on the situation in question, a person wishing to register as a delegation regarding an operational or administrative matter will be directed to the CAO or appropriate Director first to discuss the issue.

9.10 Matters subject to a statutory public meeting

A delegation is not permitted on any matter that is the subject of a future statutory public meeting or of a statutory public meeting which has been closed.

10. Communications/Petitions**10.1 Legible material**

Every item of correspondence, petition, report and other communication intended for the agenda shall be easy to read and signed by at least one person or clearly indicate the identity of the sender.

10.2 Obscene language

Communications or petitions containing obscene or defamatory language are not accepted or presented to the Council.

11. Rules of Conduct and Debate

11.1 Code of Conduct

In addition to these rules, Council has adopted a Code of Conduct that establishes general standards and expectations for Members of Council in the performance of their public duties.

11.2 Order

The Mayor is the Chair of Council meetings.

11.3 Call to order

When the Chair calls a Member of Council to order, that Member does not speak again to the matter under discussion without the permission of the Chair, except to appeal the ruling.

11.4 Chair entering debate

The Chair may take part in a debate after appointing another Member of Council to fill the Chair.

11.5 Order of speaking

A Member of Council who wishes to speak will raise a hand in order to be recognized by the Chair. When two or more Members simultaneously indicate that they wish to speak, the Chair names the Member who will speak first.

11.6 Speaking – limitations

- a) No Member of Council shall speak until recognized by the Chair.
- b) No Member of Council shall speak a second time if a Member who has not spoken wishes to speak for a first time and no Member shall speak more than twice to the motion without Council's consent.
- c) A Member of Council who has made a substantive motion to the Council is permitted to reply to a question about the motion.
- d) No Member of Council shall have the floor for longer than five (5) minutes without Council's consent.
- e) No Member of Council shall give direction to staff or request a report except through a majority vote of the Members of Council present.
- f) No Member of Council shall enter into a debate with a delegation or member of staff.
- g) No Member of Council including the presiding officer shall interrupt a speaker unless allowed within the Rules.

11.7 Disregard of Chair

Where a Member of Council persists in conduct contrary to these rules after being called to order by the Chair:

- a) The Chair asks Council to vote on a motion ordering the Member of Council to leave for the duration of the meeting. There is no debate and the motion cannot be amended.
- b) If the motion carries, the Chair orders the Member of Council to leave the Council Chamber for the remainder of the meeting.
- c) If a Member of Council does not leave after being ordered to, the Chair may adjourn the meeting and seek the assistance of the police.

11.8 Communication during meetings with electronic devices prohibited

Members of Council are prohibited from communicating with each other through the use of electronic devices at any meeting.

12. Privilege and Order

12.1 Question of privilege

- a) If a Member of Council believes that their individual rights, privileges or integrity or those of the Members collectively have been prejudicially affected, the Member asks the Chair to raise a question of privilege.
- b) The Member making the request is not permitted to enter into any argument or introduce any motion related to the question of privilege.
- c) A question of privilege suspends debate on the matter under consideration at the time until the question is decided.

12.2 Integrity of staff

If the Chair determines that the integrity of a staff member has been impugned or questioned, the Chair may permit the CAO or most Senior Manager present to make a statement to Council.

12.3 Point of order

When a Member of Council wants to call attention to a violation of these rules, the member may raise a point of order. Upon recognition by the Chair, the Member states the point of order succinctly and the Chair decides upon the point of order.

12.4 Appeal

- a) Unless a Member of Council immediately appeals the Chair's decision to the Council, the decision of the Chair is final.
- b) If the decision of the Chair is appealed to the Council, a seconder is required and the Council decides whether the ruling of the Chair is to be sustained without debate and its result is final.
- c) Notwithstanding section 14.4, a motion to appeal the decision of the Chair is always in order and has no ranking below other motions.

13. New Business/Enquiries

- a) A Member of Council may ask a question of the Chair or through the Chair to any other Member of Council or any staff member without debating the matter.
- b) An enquiry that cannot be answered at the time will be addressed at a subsequent meeting as a "Response to Enquiries" under this section.
- c) When there is a prepared Response to Enquiries, it will be provided first under this section of the agenda, before new enquiries are made or new business is stated.
- d) A Member of Council may propose motions of new business matters subject to section 14.1.

14. Motions**14.1 Notice of motion**

- a) Council will not entertain any motion to introduce new business unless;
 - i. Notice was given at the last regular Council meeting, or
 - ii. Council dispenses with notice by a majority vote of all the Members of Council present.
- b) A notice of motion is a verbal introduction of intent to Council to consider a motion at the designated Council meeting. The motion shall be provided in writing to the Clerk for inclusion in the agenda.
- c) If the motion for which notice was given is not moved at the regular meeting designated or is withdrawn voluntarily by the Member who gave notice, the Clerk shall remove the motion from the agenda.

14.2 Format

- a) A motion is seconded before being debated or put to a vote.
- b) A negative motion is not permitted.

14.3 Withdrawal – before put to a vote

Every motion is deemed to be in the possession of Council for debate after it is accepted by the Chair but may be withdrawn with the joint support of the mover and seconder at any time before the motion is amended or put to a vote.

14.4 Other motions permitted

When a motion is under debate, no other motion is in order except the following in priority:

- a) to extend the hour of adjournment
- b) to adjourn
- c) to recess
- d) to table
- e) to call for the question (to close the debate)
- f) to postpone
- g) to refer
- h) to amend

14.5 Motion to table

A motion to table a particular matter removes the subject from consideration indefinitely until Council passes a motion to resume its consideration. A motion to table shall be put to a vote immediately without debate.

14.6 Motion to postpone

A motion to postpone is used to put off discussion to a definite day, meeting or until a certain event happens and shall:

- a) be put to a vote immediately without debate except as to timing;
- b) be amendable;
- c) not be in order;
 - i) when a Member of Council is speaking;
 - ii) during the verification of a vote.

14.7 Motion to refer

- a) A motion to refer is used to require a committee or staff to examine the matter under consideration in greater detail. A motion to refer should include;
 - i. the name of the Committee or staff to whom the matter is to be referred; and
 - ii. instructions respecting the terms upon which the matter is to be referred.
- b) A motion to refer is debateable only for the merits of referral and not the main motion itself.
- c) A motion to refer is amendable.

14.8 Motion to amend

- a) A motion to amend the main motion (primary amendment) shall;
 - i. be relevant to the main motion received by the Chair;
 - ii. not be a direct negative to the main motion;
 - iii. not change the intent of the main motion;
 - iv. be addressed by Council before the main motion.
- b) A motion to amend an amendment (secondary amendment) is permitted. All motions to amend are voted on in reverse order, from secondary amendment, to primary amendment, to the main motion. A secondary amendment must be dealt with before any further amendments are allowed.
- c) The Clerk may read aloud any amended motion before being voted on.

14.9 Friendly Amendment

A friendly amendment means an amendment suggested by a Member in the belief that the amendment will either improve the statement or effect of the main motion or will increase the chance of the main motion's adoption. A friendly amendment to the main motion may be requested by a Member, and if accepted by the mover and the seconder of the main motion, the amendment becomes part of the main motion without need for a formal amending motion.

14.10 Divided Motion

- a) Council may divide a motion (divide the question) where each part can be independently considered. Each part is debated and voted on in turn.
- b) Notwithstanding section 14.4, a motion to divide the question is always in order and has no ranking below other motions.

14.11 Request to hear motion read out

A Member of Council may ask to have the motion under debate read aloud at any time during the debate.

14.12 Call the question

A motion to "call the question":

- a) shall be put to a vote immediately without debate;
- b) requires a 2/3 majority vote. If carried, debate ceases immediately on the motion under consideration, and the Chair calls the question. If defeated, debate may resume.

15. Voting**15.1 Voting on the motion**

- a) A motion is put to a vote by the Chair immediately after all Members of Council who wished to speak on the motion have spoken.
- b) Every Member of Council present votes on every motion unless the Member is disqualified due to a declared pecuniary interest in the matter.
- c) Unless disqualified, a Member of Council who declines or refrains from voting is deemed to be voting against the motion.

15.2 Secret voting prohibited

Voting is by a show of hands except for a recorded vote. Council may not use any method of secret voting.

15.3 Result

The Chair announces the result of every vote taken as either "carried" or "lost".

15.4 Disagreement with result

If a Member of Council disagrees with the result as announced by the Chair, the Member may object immediately and, with the consent of Council, the vote is retaken.

15.5 Tie vote

When a vote results in a tie, it is deemed to be a negative vote.

15.6 Recorded vote

A recorded vote is taken when requested by any Member of Council or when required by law. The Clerk calls upon every Member of Council entitled to vote to answer "yes" or "no". The results of the recorded vote are announced by the Clerk and entered into the minutes.

15.7 Voting in Closed Session

No vote may be taken during a Closed Session meeting unless;

- a) the meeting meets the criteria for conducting a closed meeting; and
- b) the vote is for;
 - i. a procedural matter; or
 - ii. giving directions or instructions to officers, employees or agents of the municipality, local Board or committee; or
 - iii. giving directions to persons retained by or under a contract with the municipality or local Board.

16. Reconsideration

16.1 After any by-law, resolution, motion or matter has been decided, any Member of Council who voted with the prevailing side may move for reconsideration, except in the following situations:

- a) where provisions of the matter have been partly carried out;
- b) where the party to a contract has been notified of the outcome;
- c) where something has been done that it is impossible to undo;
- d) on a Motion to Reconsider;
- e) when the same result can be obtained by some other parliamentary motion;
- f) when the motion is to table; or
- g) when the Chair determines the motion is intended to cause delay.

16.2 The Member first gives Notice of Motion to Reconsider at the same meeting or at a subsequent Council meeting.

16.3 If the Motion to Reconsider is carried, the original matter is put back on the floor for a vote.

16.4 No matter or motion is reconsidered by Council more than once during a period of twelve (12) months following the date on which the original matter was decided.

16.5 Suspension of all action

- a) The effect of a Notice of Motion to Reconsider a decided matter is the suspension of all action that depends on the result of the matter to be reconsidered.
- b) There is no further discussion of the decided matter unless and until the motion to reconsider is carried by a majority vote of all the Members of Council present.

16.6 Debate prohibited

A motion to reconsider is not debatable. However, the mover of a motion to reconsider may make a brief and concise statement outlining the reasons for putting the motion forward.

16.7 Absent from meeting – Right to vote on matter

A Member of Council who was not present at the meeting of the decided matter has the right to vote on the motion for reconsideration and on the decided matter.

17. By-laws**17.1 Numbering**

All by-laws are numbered consecutively in the year in which they are considered (i.e. number one in 2014 appears as "1-2014").

17.2 Enactment

- a) All by-laws to be considered at the Council meeting are received as a package and are dealt with as follows:
 - i. A motion is made to introduce the by-law package for first and second reading. The motion identifies the by-laws in the package by number and title.
 - ii. The by-law package is then open for debate and amendment.
 - iii. A motion is made to introduce the by-law package for third and final reading. The motion identifies the by-laws in the package by number.
- b) Any Member of Council can ask to have one or more by-laws removed from the package and dealt with separately.

17.3 Confirmatory by-law

Every Council agenda will include a confirmatory by-law to be passed after all actions and proceedings have been taken by Council.

18. Council-in-Committee

18.1 General

- a) The rules for Council meetings apply to Council-in-Committee meetings, except as modified in this section.
- b) Council-in-Committee meetings are generally held on the first and third Monday of every month except as described below or changed in accordance with these rules.

18.2 Chair

The Mayor presides over Council-in-Committee meetings. The Chairs preside over their respective Business Subdivisions.

18.3 Business Subdivisions

Business at Council-in-Committee meetings is generally subdivided as follows:

- a) Planning and Development Services is generally held on the first Monday of each month.
- b) Corporate and Community Services and Infrastructure Services are generally held on the third Monday of each month.
- c) Any business subdivision may be included at either meeting.

18.4 Exceptions

- a) In June, July and August, Council-in-Committee meetings are generally held on the second Monday only and include all Business Subdivisions.
- b) In December and January, Council-in-Committee meetings will be scheduled according to the current calendar year to accommodate the holiday season.
- c) Nothing in this section shall prevent Council from changing the date of any Council-in-Committee meeting, if such change is made by resolution duly passed at a Council meeting preceding the meeting which is to be changed.

18.5 Planning and Development Services

The scope of the Planning and Development Services Business Subdivision generally includes:

- i. the operations of planning, development, and building;
- ii. the application of land use planning legislation, regulations and provincial plans and policy statements;

- iii. providing recommendations to Council on development proposals and applications for amendments to the Official Plan and/or Zoning By-law;
- iv. policy-making;
- v. matters pertaining to the Site Plan Control By-law.

18.6 Corporate and Community Services

The scope of the Corporate and Community Services Business Subdivision generally includes:

- i. Accounting Services, Employment Services, Legislative Services, Customer Service, Cultural Services, Digital Services, Fire and Emergency Services and the Office of the CAO;
- ii. the general administration and management of the Corporation's financial resources, gaming, legal and real property matters;
- iii. budgeting and financial forecasts.

18.7 Infrastructure Services

The scope of the Infrastructure Services Business Subdivision generally includes:

- i. Engineering
- ii. Roads, Drainage, Cemetery and Parks Maintenance
- iii. Water Distribution and Wastewater Collection
- iv. Fleet
- v. Capital Works
- vi. Facilities Maintenance
- vii. Leisure Services
- viii. Traffic and Signage

18.8 Selection of Chair and Vice-Chair

- a) Prior to the Inaugural Meeting, the Council-Elect meet in open session and select the Chair and Vice-Chair of each Business Subdivision. The Chairs and Vice-Chairs are appointed by by-law at the Inaugural meeting for the first sixteen month period of the term.
- b) Prior to April 1 in the second year of the term, Council meets in open session and selects the Chair and Vice-Chair for each Business Subdivision for the second sixteen month period of the term. Prior to August 1 in the third year of the term, Council meets in open session and selects the Chair and Vice-Chair for each Business Subdivision for the last sixteen month period of the term. A Chair or Vice-Chair may be returned to the same post.

- c) At the eight month mark of each of the three sixteen month periods of the term, the Chair and Vice-Chair switch positions within each Business Subdivision.
- d) Nominations for Chair and Vice-Chair must be seconded. A Member can nominate him/herself.

18.9 Duties and Responsibilities of Business Subdivision Chair

Each Business Subdivision Chair will;

- a) Preside over their respective Business Subdivision portion of Council-in-Committee meetings;
- b) Ensure that all matters within the Business Subdivision are put before Council-in-Committee in a manner that is orderly, timely and complete;
- c) Maintain communication with the respective Director to ensure policy matters are effectively addressed and followed;
- d) Meet from time to time with the Vice-Chair, Mayor, CAO, Director(s) and managers within the Business Subdivision to review operational and policy issues and discuss trends within the scope of the Business Subdivision.

18.10 Order of Business

- a) The order of business of a Council-in-Committee meeting is described in Appendix "1".
- b) The business of each meeting is taken up in the order that it appears on the agenda unless altered by the Mayor or Clerk to accommodate scheduling and unforeseen circumstances.

18.11 Deadlines

- a) The deadline for receipt of Council-in-Committee agenda material by the Clerk is 3:00 p.m. on the Wednesday before the meeting.
- b) Any delegation wishing to appear before Council-in-Committee shall register by 3:00 p.m. on the Wednesday before the meeting.

18.12 Recommendations and motions

- a) A recommendation may be presented either in writing or verbally.
- b) A recommendation does not need to be seconded.
- c) After a recommendation has been read or stated by the mover, it is deemed to be in possession of the Council-in-Committee, but may be withdrawn by the mover at any time before being amended or put to a vote.

- d) No Notice of Motion is required to introduce new matters at any Council-in-Committee meeting. New matters must be introduced by way of a motion for Committee's consideration.
- e) A Member of Council may speak to a matter more than twice.

18.13 Voting

Voting is conducted as it is in Council, except recorded votes are not permitted in Council-in-Committee.

19. Boards

19.1 Establishment

Boards are established by Council for particular purposes to assist in carrying out the functions of the municipality and members are appointed by Council as necessary.

19.2 Notice

The Clerk shall provide notice calling for applicants to the Town's various boards prior to the new term of Council and as needed throughout the term. The notice lists the Boards requiring members and invites applications from persons interested in sitting on any Board and sets a deadline for receiving applications.

19.3 Appointments

- a) Prior to the Inaugural meeting, the Clerk and the Mayor-Elect coordinate an open meeting of the Council-Elect to select Council appointees and the initial citizen appointees where possible for the new term of Council. The Mayor-Elect is the Chair of this meeting.
- b) Where the number of initial applicants for a Board is insufficient, the vacancy(ies) will be re-advertised.
- c) Any Member of Council may be considered for appointment to a Board in the Member's absence.
- d) All Board appointments shall be by resolution of Council.
- e) In the event a Board vacancy occurs during the term of Council, Council accepts the member's resignation by resolution.
- f) Council considers applicants to fill vacancies.
- g) Where the number of applicants exceeds the number of vacancies, Council will openly select appointees at a Council meeting.

19.4 Mayor as Ex-Officio

The Mayor is an ex-officio member of all Boards.

19.5 Duration of appointments

Board appointments are concurrent with the term of Council. However, when necessary, some or all appointees continue in their offices until such time as replacements are re-appointed.

19.6 Notice of Board meetings

The mailing, delivering, faxing or e-mailing and receipt of the agenda for a regular Board meeting constitutes notice. A meeting requires at least twenty-four (24) hours' notice.

19.7 Quorum

The majority of the whole number of members fixed to be appointed by Council constitutes a quorum.

19.8 Boards to appoint executive

At their first meeting of each term, a Board shall name;

- a) a Chair who presides at all Board meetings and preserves order and decorum, in accordance with these rules; and
- b) a Vice-Chair to act in the absence of the Chair; and
- c) a Secretary or Secretary/Treasurer who is responsible for submitting accounts for payment, preparing the agenda and minutes and for forwarding a copy of the signed minutes to Council through the Clerk.

19.9 Remuneration

Unless prohibited, a member of a Board may receive remuneration in an amount and in a form of payment as determined and approved by Council.

19.10 Advisory Committees

- a) Composition of Advisory Committees includes at least one Member of Council to provide advice and make recommendations to Council on any matter within the jurisdiction of Council.
- b) Meeting dates, times and locations are at the call of the Chair.
- c) The Chair is responsible for approving the agenda and ensuring it is distributed to all members.

- d) A staff person appointed to an Advisory Committee serves as Recording Secretary and is responsible for preparing the agenda and minutes and for forwarding a copy of the signed minutes to Council through the Clerk.

Appendix “1”

Order of Business	
Council	Council-in-Committee
i. Call to Order	i. Call to Order
ii. Invocation	ii. Roll Call
iii. Roll Call	iii. Announcements/Addenda
iv. Announcements/Addenda	iv. Disclosures of Pecuniary Interest
v. Disclosures of Pecuniary Interest	v. Public Notice
vi. Public Notice	vi. Public Meetings
vii. Public Meetings	vii. Consent Agenda Items
viii. Regional Councillor Report	viii. Planning and Development Services (or Corporate and Community Services and Infrastructure Services)
ix. Presentations and Delegations	<ul style="list-style-type: none"> • Presentations and Delegations • Reports • New Business/Enquiries • Business Status Report
x. Consent Agenda Items	
xi. New Business/Enquiries	
xii. Motions	
xiii. Notice of Motion	
xiv. Consideration of By-laws	ix. Scheduling of Meetings
xv. Scheduling of Meetings	x. Closed Session (if necessary)
xvi. Closed Session (if necessary)	xi. Adjournment
xvii. Adjournment	

NOTE:

The above items and order of proceedings for regularly scheduled Council and Council-in-Committee meetings are a guideline and may be altered from time-to-time by the Mayor or Clerk to accommodate scheduling and unforeseen circumstances.