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**The Corporation of the  
Municipality of Trent Lakes**

**By-law No. B2025-030**

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**A by-law to govern the calling, place and proceedings of meetings,  
otherwise known as the "Procedure By-law"**

**Recitals**

1. Pursuant to Section 238(2) of the *Municipal Act, 2001*, provides that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings.

The Council of The Corporation of the Municipality of Trent Lakes hereby enact as follows:

**Definitions**

**1. Definitions**

- 1.1 **Chair** means the Mayor or Presiding Officer of a meeting.
- 1.2 **Chief Administrative Officer** means the Chief Administrative Officer (CAO) of The Corporation of the Municipality of Trent Lakes as appointed by the *Municipal Act, 2001*.
- 1.3 **Clerk** means the Clerk or Deputy Clerk of The Corporation of the Municipality of Trent Lakes as defined by the *Municipal Act, 2001*, or their designate. When referring to Committees, the Clerk shall mean the Recording Clerk.
- 1.4 **Closed Meeting** means any Meeting, or part of a meeting, of Council or a Committee which is closed to the public and held in accordance with the *Municipal Act, 2001*.
- 1.5 **Committee** means any special purpose or advisory Committee created by Council with approved Terms of Reference to provide recommendations to Council.
- 1.6 **Council** means the Council of The Corporation of the Municipality of Trent Lakes.
- 1.7 **Delegate** means any person, group of persons, firm or organization, who is neither a Member of a Committee or Council, or any appointed official of the Municipality nor a consultant or other individual hired by the Municipality, wishing to address Committee or Council on a specific matter upon request to the Clerk.
- 1.8 **Electronic Meeting** means any open or Closed Meeting where Council or Committee, as a whole, participates remotely or virtually via electronic means, and Members have the same rights and responsibilities as if they were in physical attendance including the right to vote and shall count towards Quorum.
- 1.9 **Emergency** means a situation caused by forces of nature, an accident, an intentional act, or otherwise that constitutes immediate or imminent threat to persons or property.
- 1.10 **Majority** means, for the purpose of voting, a whole number more than half

of the total number of the Members present at the vote and not prohibited by statute from voting.

- 1.11 **Mayor** means Head of Council, or in their absence the Deputy Mayor, of The Corporation of the Municipality of Trent Lakes, as defined by the *Municipal Act, 2001*.
- 1.12 **Meeting** means any regular, special or other meeting of a Council, or a local board or a committee or either of them, where a quorum is present, and where 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, as defined by the *Municipal Act, 2001*.
- 1.13 **Member** means a member of the Council of the Municipality of Trent Lakes or any member of a Committee to which this by-law applies.
- 1.14 **Motion** means a proposal brought forward by a Member for consideration by Council or Committee that is moved and seconded by another Member.
- 1.15 **Municipal Act, 2001** means the *Municipal Act, 2001*, S.O. 2001, c.25, as amended or replaced from time to time.
- 1.16 **Municipal Conflict of Interest Act, 1990** means the *Municipal Conflict of Interest Act*, R.S.O. 1990, as amended or replaced from time to time.
- 1.17 **Municipality** means The Corporation of the Municipality of Trent Lakes.
- 1.18 **Pecuniary Interest** means a direct or indirect pecuniary interest of a Member within the meaning of the *Municipal Conflict of Interest Act, 1990*.
- 1.19 **Point of Order** means a question raised by a Member calling attention to a possible violation of the rules or customary procedures of this By-law.
- 1.20 **Point of Privilege** means a question raised by a Member about the honour, dignity, character or rights of professionalism of the Chair, any Member, staff or Presenters/Delegates.
- 1.21 **Presenter** means any person, group of persons, firm or organization, which may include a consultant or other individual hired by the Municipality, wishing to address Committee or Council on a specific matter at the request of Council/Committee or staff.
- 1.22 **Public Meeting** means any public meeting that Council believes is in the best interest of the ratepayers of the Municipality but is not a requirement pursuant to provincial legislation. A Public Meeting may be held at a regular or special Meeting.
- 1.23 **Quorum** means a majority of members of Council or Committee.
- 1.24 **Resolution** means a Motion duly voted on by a majority of Members present at the Meeting.
- 1.25 **Statutory Public Meeting** means any public meeting that is required pursuant to provincial legislation.

## **General Provisions**

### **2. Principles of this By-law**

- 2.1 The principles of openness, transparency and accountability to the public

guide the Municipality's decision-making process. In the context of the proceedings of Meetings, this is accomplished by:

- a. Assisting the public and other stakeholders in understanding the decision-making process.
- b. Providing access to information and opportunities for input by the public and other stakeholders consistent with the requirements of this By-law and other statutory requirements.
- c. Exercising and respecting individual and collective roles and responsibilities provided for in this By-law and other statutory requirements.

2.2 The principles of parliamentary law governing meetings includes:

- a. The majority of Members have the right to decide.
- b. The minority of Members have the right to be heard.
- c. All Members have the right to information to help make decisions, unless otherwise prevented by law.
- d. All Members have the right to an efficient Meeting.
- e. All Members, municipal staff and participants have the right to be treated with respect and courtesy.
- f. All Members have equal rights, privileges and obligations.

### **3. General**

- 3.1 The Rules of Procedure contained in this by-law shall be observed in all proceedings of Council and Committees and shall be the rules and regulations for the order and dispatch of business in Council and Committee Meetings.
- 3.2 If there is a conflict between two or more rules in this By-law, or if there is no specific rule on a matter, the Chair will rule and, in making a ruling, the Chair may consult with the Clerk, rely on previous rulings or refer to Robert's Rules of Order.

### **4. Proxy Voting**

- 4.1 The use of a proxy, as outlined in Section 243 of the *Municipal Act, 2001*, shall not be permitted.

### **5. Notice of Meetings**

- 5.1 The Clerk shall give notice of a Meeting by publishing a Meeting agenda on the municipal website.
- 5.2 The Clerk shall circulate notice electronically to Members by providing them with the agenda of the Meeting at the time the agenda is posted on the municipal website.
- 5.3 The Clerk may provide earlier or additional forms of notice, as the Clerk deems appropriate.
- 5.4 If notice of a Meeting is substantially given but varies from the form and manner provided in this By-law, the ability to hold the Meeting and the

actions taken at the Meeting are not invalidated.

- 5.5 The failure of any person to receive notice of a Meeting shall not affect the validity of the Meeting nor any action taken at the Meeting.
- 5.6 The Clerk shall ensure that the agenda for regular Meetings is posted on the municipal website no later than 4:30 p.m. seven (7) calendar days prior to the Meeting.
- 5.7 Should the agenda for a regular Meeting require an amendment for urgent/time sensitive matters, as determined by the Clerk in consultation with the Chief Administrative Officer, the amendment will be posted no later than 4:30 p.m. two (2) business days prior to the Meeting. Any additional changes or additions will be through subsection 23.2.
- 5.8 The Clerk shall ensure that the agenda for special Meetings is posted on the municipal website at least 24 hours prior to the Meeting.
- 5.9 The twenty-four (24) hour notice required under subsection 5.8 may be waived in the case of an Emergency Meeting.
- 5.10 Should the agenda for a special or emergency Meeting require an amendment for urgent/time sensitive matters, it shall only be permitted through subsection 23.2.
- 5.11 The Clerk shall give notice of the schedule of regular Meetings by posting the calendar, as approved in subsection 9.4 or 13.2, on the municipal website.

## **6. Audio Recordings, Video Recordings and Broadcasting**

- 6.1 Audio recording, video recording and broadcasting of proceedings by the public at Meetings of Council and Committees shall not be permitted unless approved by the Clerk, in consultation with the Chair.
- 6.2 Regular Meetings of Council will be audio and video recorded by the Municipality, whenever possible. The inability to audio or video record a Meeting, due to equipment failure or for any other reason, shall not cause a Meeting to be cancelled or adjourned. The Chair may recess the Meeting for not more than twenty (20) minutes to provide staff an opportunity to try and correct equipment issue(s) but may continue with the Meeting in the absence of recordings should staff unable to correct the issue(s).
- 6.3 Committee Meetings will not generally be audio and video recorded. Committee Meetings may be audio or video recorded by staff with the consent of the Chair.
- 6.4 Regular Meetings of Council and Committees will be broadcast by the Municipality, whenever possible, for convenience only. The inability to broadcast a Meeting, with the exception of an Electronic Meeting, due to equipment failure, lack of internet connection or for any other reason shall not cause a Meeting to be cancelled or adjourned.
- 6.5 In the event of an equipment failure, lack of internet connection or any other reason preventing the broadcasting of a Meeting, the Chair may delay calling the Meeting to order for not more than twenty (20) minutes to provide staff an opportunity to try and correct the issue(s) but shall then call the Meeting to order, with the exception of an Electronic Meeting, in the absence of broadcasting should staff be unable to correct the issue(s).

- 6.6 Where broadcasting is unavailable for an Electronic Meeting, the Meeting shall be cancelled or adjourned.
- 6.7 Special or emergency Meetings of Council or Meetings of Council held outside the Council Chambers, with the exception of Electronic Meetings, will generally not be audio recorded, video recorded or broadcast.
- 6.8 The audio and/or video files shall not be the official record of Meetings.
- 6.9 The audio and/or video files on the internet are part of the public realm and may be subject to alteration by a member or members of the public with no municipal control over such alterations. The Municipality assumes no liability associated with any alterations that are made by a member or members of the public on the internet.
- 6.10 The Chair shall make a statement at the commencement of applicable Meetings that the Meeting is being audio and video recorded and the recording will be made available on the municipal website.
- 6.11 Proceedings of Closed Meetings shall not be audio recorded, video recorded and/or broadcast.

## **7. Order and Quorum**

- 7.1 The Chair will preside over all Meetings.
- 7.2 The Chair shall call the Meeting to order at the time appointed for the Meeting and a Quorum is present.
- 7.3 If there is no Quorum within twenty (20) minutes after the time appointed for the Meeting, the Clerk shall call the roll and record the names of the Members present and the Meeting shall stand adjourned until the next regular Meeting or until a special Meeting is called.
- 7.4 **Council** – In case the Mayor does not attend within twenty (20) minutes after the time appointed, the Deputy Mayor shall call the Members to order and, if a Quorum is present, shall preside over the Meeting or until the arrival of the Mayor. While presiding, the Deputy Mayor shall have all the powers of the Mayor and shall be entitled to vote as a Member.
- 7.5 In the absence of the Mayor and Deputy Mayor, Council shall designate an acting Head of Council, who shall have all the powers of the Mayor and shall be entitled to vote as a Member, as follows:
  - a. The Councillor at Large shall act in the place of the Head of Council in the months of January, April, July and October each year when the Head of Council and the Deputy Mayor are both absent.
  - b. The Councillor for Galway-Cavendish Ward shall act in the place of the Head of Council in the months of February, May, August and November each year when the Head of Council and the Deputy Mayor are both absent.
  - c. The Councillor for Harvey Ward shall act in the place of the Head of Council in the months March, June, September and December each year when the Head of Council and the Deputy Mayor are both absent.
- 7.6 **Committee** – In case the Chair does not attend within twenty (20) minutes

after the time appointed, the Vice-Chair shall call the Members to order and, if a Quorum is present, shall preside over the Meeting or until the arrival of the Chair. While presiding, the Vice-Chair shall have all the powers of the Chair and shall be entitled to vote as a Member. In the absence of the Chair and Vice-Chair, the Clerk shall call the meeting to order and, if a Quorum is present, the Clerk shall conduct a vote to choose a Member from among those present to preside as Chair during the Meeting or until the arrival of the Chair or Vice-Chair.

- 7.7 Where the number of Members who are unable to participate in a Meeting by reason of the provisions of the *Municipal Conflict of Interest Act, 1990* is such that, at that Meeting the remaining Members are insufficient to constitute a Quorum then, despite any other general or special act, the remaining number of Members shall be deemed to constitute Quorum provided such number is not less than two (2). When the remaining number of Members is two (2), the concurrent votes of both are necessary to carry any Resolution, by-law or other measure.
- 7.8 The Chair may ask questions or comment in a general manner, state relevant facts and the Chair's position on any matter and take part in any debate without leaving the Chair. If the Chair desires to introduce a Motion, they shall leave the Chair for that purpose and shall call on the Deputy Mayor or Vice-Chair to fill their place until they resume the Chair.
- 7.9 The Chair shall preserve order and decorum during Meetings.
- 7.10 If, during the course of a Meeting, Quorum is lost, the Meeting shall stand recessed and shall reconvene when Quorum is regained as determined by the Chair. In the event that Quorum is not regained within twenty (20) minutes, then the Clerk shall record in the minutes the names of those present and the Meeting shall be ended without a formal adjournment.
- 7.11 The minutes of the Meeting which ended because Quorum was lost, shall note that Quorum was lost and shall include the names of the Members present at the time Quorum was lost.

## **Meetings**

### **8. Inaugural Council Meeting**

- 8.1 The inaugural Meeting of Council shall be held on the first Monday following November 15<sup>th</sup> in the year of a regular election. The Meeting will be held in the Municipal Council Chambers located at 760 Peterborough County Road 36, Trent Lakes, or at such alternate location as determined by the Clerk.
- 8.2 Due to Members being required to take the Declaration of Office, the inaugural Meeting shall not be an Electronic Meeting.
- 8.3 The inaugural Meeting shall be ceremonial in nature for purposes of the Members of Council taking their Declaration of Office.
- 8.4 No business shall be conducted at the inaugural Meeting until the Declarations of Office have been taken.

### **9. Regular Council Meeting**

- 9.1 The first regular Meeting of a newly elected Council after a regular election shall be held on the first Tuesday following the inaugural Meeting.

- 9.2 Regular Council Meetings will be held in the Municipal Council Chambers located at 760 Peterborough County Road 36, Trent Lakes. Where a Meeting is to be held at an alternate location or electronically, the agenda shall specify the Meeting location.
- 9.3 Regular Council Meetings will generally be held on the first and third Tuesday of each month commencing at 1:00 p.m. During the months of January, July and August, there shall be only one regular Meeting held.
- 9.4 The Clerk shall prepare a report for Council in the fourth quarter of each calendar year identifying the following year's regular Meeting dates. The calendar may also include the dates for special Meetings that are generally held annually. These Meeting dates shall be adopted by Resolution and posted on the municipal website. Posting of these Meeting dates shall be considered notice.

#### **10. Special Council Meeting**

- 10.1 A special Meeting may be called by the Mayor, or by the Clerk in consultation with the Mayor and Chief Administrative Officer, at any time.
- 10.2 Upon receipt of a petition of the Majority of the Members of Council, the Clerk shall call a special Meeting for the purpose and at the time mentioned in the petition.
- 10.3 The only business to be dealt with at a Special Council Meeting is that which is listed in the agenda.
- 10.4 Special Council Meetings will be held in the Municipal Council Chambers located at 760 Peterborough County Road 36, Trent Lakes. Where a Meeting is to be held at an alternate location or electronically, the agenda shall specify the Meeting location.

#### **11. Emergency Council Meeting**

- 11.1 Notwithstanding any other provision of this By-law, an emergency Meeting of Council may be called by the Mayor, or by the Clerk in consultation with the Mayor and Chief Administrative Officer, to deal with an emergency or extraordinary situation. The Clerk shall attempt to notify Members about the Meeting as soon as possible and in the most expedient manner available.
- 11.2 The only business to be dealt with at an emergency Meeting shall be business dealing directly with the emergency or extraordinary situation.
- 11.3 Emergency Council Meetings will be held in the Municipal Council Chambers located at 760 Peterborough County Road 36, Trent Lakes. Where an Emergency Meeting is to be held at an alternate location or electronically, the agenda shall specify the Meeting location.

#### **12. Public and Statutory Public Meetings**

- 12.1 Where Council is required to hold a Statutory Public Meeting, such a Meeting may be conducted at a Regular or Special Council Meeting and will be incorporated in an agenda, as appropriate.
- 12.2 Whenever it is necessary for Council or the Municipality to hold a Statutory Public Meeting or a Public Meeting to gather information prior to making a decision on a matter, any person wishing to address Council shall come forward, or unmute if attending electronically, when prompted by the Chair,

and such person shall address Council according to the same rules as apply to Delegations appearing before Council under this By-law, with the exception that:

- a. Unless otherwise provided for in the notice of Meeting, prior notice of one's desire to speak shall not be required;
- b. Unless otherwise provided for in the notice of Meeting, speakers shall not exceed ten (10) minutes, except when answering questions posed by Members for clarification and shall confine their remarks to the stated business. The Chair may call for a resolution to limit speakers to a certain length of time or to grant permission for speakers to speak longer;
- c. A motion need not be considered by Council following each speaker; and
- d. Each speaker is only permitted to speak once at the Meeting, unless, in the opinion of the Chair, there has been new information presented after they speak that is pertinent to the matter they raised.

### **13. Committee Meetings**

- 13.1 **Regular Committee Meetings** – Regular Committee Meetings will be held in the Municipal Council Chambers located at 760 Peterborough County Road 36, Trent Lakes. Where a Meeting is to be held at an alternate location or electronically, the agenda shall specify the Meeting location.
- 13.2 The Clerk shall prepare a report for Committee in the fourth quarter of each calendar year identifying the following year's regular Meeting dates for each Committee. These Meeting dates shall be adopted by Resolution and posted on the municipal website. Posting of these Meeting dates shall be considered notice.
- 13.3 **Special Committee Meetings** – A special Meeting may be called by the Chair, or by the Clerk in consultation with the Chair, at any time. Upon receipt of a petition of the Majority of the Members, the Clerk shall call a Special Meeting for the purpose and at the time and place set out in the petition.
- 13.4 The only business to be dealt with at a special Committee Meeting is that which is listed in the agenda.
- 13.5 Special Committee Meetings will be held in the Municipal Council Chambers located at 760 Peterborough County Road 36, Trent Lakes. Where a Meeting is to be held at an alternate location or electronically, the agenda shall specify the Meeting location.

### **14. Open and Closed Meetings**

- 14.1 All Meetings shall be open to the public, except as provided for in Section 239 of the Municipal Act, attached as Schedule A.
- 14.2 Before holding a Meeting or part of a Meeting that is to be closed to the public, Council shall, by resolution, state the fact that the Meeting is closed and the general nature of the matter to be considered at the Closed Meeting.
- 14.3 The Clerk shall record the general nature for going into a Closed Meeting

and shall note the time. When in a Closed Meeting, minutes shall be kept in accordance with the Municipal Act.

- 14.4 Votes may only be taken during a Closed Meeting in accordance with Section 239 of the Municipal Act, attached as Schedule A.
- 14.5 Members are to keep discussions and information received in Closed Meetings confidential and shall not disclose or discuss to any individual or third party, through any means, including written, electronic or verbal communication, any information, records or documents that have or will be discussed at a Closed Meeting unless directed to do so by a court.
- 14.6 Any copies of documents provided in Closed Meetings to those in attendance are to be returned to the Clerk at the adjournment of the Closed Meeting to be destroyed.

### **15. Electronic Participation and Meetings**

- 15.1 Members shall participate in person whenever possible.
- 15.2 Electronic participation shall mean participation by teleconference or video conference.
- 15.3 A Member participating electronically shall notify the Clerk as soon as possible after receiving notice of the Meeting to provide staff an opportunity to make arrangements for the necessary internet and technological requirements for electronic participation. A Member shall notify the Clerk that they will be participating electronically no later than one (1) business day prior to the Meeting.
- 15.4 A Member may participate electronically in any Meeting that is open or closed to the public where the necessary internet and technological requirements for electronic participation is available.
- 15.5 Members shall be permitted to vote when participating electronically and votes cast by Members electronically shall be counted towards the overall decision of Council or Committee.
- 15.6 Members participating electronically may be required to state verbally whether they are for or against a motion, rather than by a show of hands, as required by subsection 41.1 at the request of the Chair.
- 15.7 A Member who is participating electronically shall be counted in determining whether or not a Quorum of Members is present at any point in time.
- 15.8 Members shall participate electronically in no more than three (3) Meetings annually without being authorized to do so by resolution, unless otherwise established in the Committee's Terms of Reference.
- 15.9 Any Electronic Meeting shall be exempt from subsection 15.8.
- 15.10 In the event of a Member's technical failure during the Meeting, the Chair may call a recess of not more than twenty (20) minutes to allow staff to reinstate the Member's electronic participation. If a Member can no longer participate by electronic means, provided a Quorum still exists, it shall not affect the validity of the Meeting or decisions made.
- 15.11 In order to Chair a Meeting, the Chair should be present in person at the Meeting, whenever possible. When the Chair is participating in a Meeting electronically, the Chair may relinquish the Chair to the Deputy Mayor/Vice

Chair. Where the Deputy Mayor/Vice Chair is unable to Chair the Meeting, an Acting Chair will be chosen in accordance with subsection 7.5 or 7.6 accordingly.

- 15.12 The Chair shall ensure that Members participating electronically are given the same opportunity to speak to each question as they would have been given if participating in person.
- 15.13 Members of the public may attend the Meeting electronically by viewing the broadcast where the necessary internet and technological requirements are available.
- 15.14 Staff, members of the public participating in a Public Meeting or Statutory Public Meeting, Delegates and/or Presenters may participate electronically in any Meeting where the necessary internet and technological requirements for electronic participation are available.

## **16. Cancellation or Postponement of Meetings**

- 16.1 A Meeting may be cancelled or postponed in any of the following circumstances:
- a. If the Clerk determines in advance that Quorum will not be achieved;
  - b. In the event of an emergency, inclement weather, or another like occurrence where it is in the best interest of the health and safety of the public to cancel or postpone the Meeting; or
  - c. where the Meeting is no longer required as determined by the Clerk and Chief Administrative Officer due to a lack of forecasted agenda items.
- 16.2 Prior to the cancellation or postponement of a Meeting, consideration shall be given as to whether the Meeting should be an Electronic Meeting. Members shall be notified through email or telephone and a notice shall be posted at the Municipal Office or physical meeting location to advise of the change of Meeting location as soon as practicable, whenever possible.
- 16.3 The Clerk shall give notice of the cancellation or postponement of a Meeting on the municipal website. Members shall be notified through email or telephone and a notice shall be posted at the Municipal Office or physical meeting location, whenever possible.
- 16.4 Where a Meeting has been postponed, the Meeting shall be rescheduled as soon as possible to a new date within a reasonable timeframe.

## **Duties, Roles and Conduct**

### **17. Roles of Mayor and Members of Council**

- 17.1 Sections 225 and 226.1 of the Municipal Act set out the Role of the Mayor, attached as Schedule B.
- 17.2 Section 224 of the Municipal Act sets out the role of Council, attached as Schedule B.

### **18. Duties of the Chair**

- 18.1 It shall be the duty of the Chair:

- a. To preside at all Meetings;
- b. To open Meetings by taking the Chair and calling the Members to order;
- c. To announce the business before the Council or Committee in the order in which it is to be acted upon;
- d. To ensure all Members who wish to speak have had an opportunity to speak at least once when the matter is being discussed;
- e. To restrain the Members, within the rules of procedure, when engaged in a debate;
- f. To designate the person who has the floor when two or more persons wish to speak;
- g. To ensure clarity, where required, by reading, or requesting the Clerk or other appropriate person, to read Motions before voting;
- h. To receive and submit to a vote, in the proper manner, all Motions which do not contravene the rules of procedure and to announce the result;
- i. To decline to put to a vote Motions which infringe upon the rules of procedure or which are not within the jurisdiction of Council or Committee;
- j. To vote on all matters unless disqualified from doing so by any statute;
- k. To decide on any Point of Order or Privilege;
- l. To expel any person from improper conduct at a Meeting, it being understood that such action shall be at the sole discretion of the Chair;
- m. To authenticate, by signature when necessary, all by-laws, resolutions and minutes; and
- n. To adjourn or postpone the Meeting without the question being put for a time to be named if considered necessary because of grave disorder arising.

## **19. Conduct of Members**

### **19.1 All Members shall:**

- a. Refrain from speaking or acting disrespectfully or insulting or calling into question the integrity of a Member, staff, Presenters/Delegates or Council/Committee as a whole;
- b. Refrain from speaking disrespectfully of the Reigning Sovereign or of any of the Royal Family, or of the Governor General, the Lieutenant Governor of any Province or any Member of the Senate, the House of Commons of Canada, the Legislative Assembly of the Province of Ontario or the County of Peterborough;
- c. Only speak on subjects under debate;

- d. Listen attentively and not interrupt a person speaking, except a Member raising a Point of Order or Privilege;
- e. Respect and comply with the rules of procedure or ruling of the Chair on decisions about Points of Order or Privilege. Where a Member persists in any such disobedience after having been called to order, the Chair may order that such Member leave the Meeting. If the Member apologizes, the Member may be permitted to remain at the Meeting;
- f. Ensure that all personal digital devices are turned off or set to silent mode during a Meeting;
- g. Come prepared to all Meetings. Members shall have read all the material supplied, including the agenda and staff reports, to facilitate discussion and the determination of action at the Meeting. Members are encouraged to make inquiries of staff regarding the materials supplied with the agenda in advance of the Meeting;
- h. Respect and follow all decisions except for the purpose of moving a Motion to reconsider;
- i. Vote on all Motions put to a vote, unless disqualified by any statute; and
- j. Respect the confidentiality of any matters in Closed Meetings and not disclose the subject or substance of these discussions unless authorized to do so.

## **20. Conduct for Public Attendees**

20.1 All persons attending a Meeting, including Delegates or Presenters, shall:

- a. Refrain from speaking or acting disrespectfully or insulting or calling into question the integrity of a Member, staff, Presenters/Delegates or Council/Committee as a whole;
- b. Refrain from speaking disrespectfully of the Reigning Sovereign or of any of the Royal Family, or of the Governor General, the Lieutenant Governor of any Province or any Member of the Senate, the House of Commons of Canada, the Legislative Assembly of the Province of Ontario or the County of Peterborough;
- c. Only speak on agenda item permitted to be addressed;
- d. Comply with the rules of procedure. Where a person persists in any such disobedience after having been called to order, the Chair may order that such person leave the Meeting. If the person apologizes, the person may be permitted to remain at the Meeting;
- e. Ensure they do not interrupt any speech or action of the Members or any person addressing Council or Committee;
- f. Ensure that all personal digital devices are turned off or set to silent mode during a Meeting;
- g. Maintain order and not display any placards or props or heckle or engage in conversation which would disrupt the meeting in any way; and

h. Only approach the floor when invited by the Chair.

20.2 The Chair may expel or exclude any person who disrupts a Meeting and request security and/or police assistance in doing so.

## **Order of Procedure**

### **21. Agenda and Order of Business**

21.1 The Clerk provides administrative processes to support the approval, preparation, notice, publication and distribution of agendas.

21.2 Agendas for regular Council Meetings shall be formatted by the Clerk under the following headings. The order of business may be adjusted at the discretion of the Clerk.

1. Opening Ceremonies
2. Approval of Agenda
3. Disclosure of Pecuniary Interest
4. Adoption of Minutes
5. Committees and Boards
6. Statutory Public Meeting pursuant to the Planning Act
7. Business Arising from the Statutory Public Meeting
8. Presentations
9. Delegations
10. Staff Reports
11. Notice of Motion
12. Correspondence for Information
13. Correspondence for Action
14. By-laws
15. Announcements
16. Closed Meeting
17. Business Arising from Closed Meeting
18. Confirming By-law
19. Adjournment

21.3 Agendas for Regular Committee Meetings shall be formatted by the Clerk under the following headings. The order of business may be adjusted at the discretion of the Clerk.

1. Opening Ceremonies
2. Approval of Agenda
3. Disclosure of Pecuniary Interest

4. Adoption of Minutes
5. Delegations/Presentations
6. Reports/Correspondence
7. Announcements
8. Adjournment

21.4 All material to be included in the agenda shall be delivered to the Clerk no later than 4:30 p.m. eleven (11) calendar days prior to the Meeting date.

21.5 The business of each Meeting shall be dealt with in the order in which it stands in the agenda unless otherwise decided in accordance with subsection 23.2.

21.6 Any unfinished business of a previous Meeting that was adjourned to the next Meeting shall be listed under Business Arising out of a Previous Meeting. Additional items may be added under this heading at the discretion of the Clerk.

## **22. Opening Ceremonies**

22.1 Upon confirming that a Quorum of Members are present and after the hour fixed for the holding of the Meeting, the Chair shall call the Meeting to order.

22.2 The Meeting may commence with a moment of silent reflection, a land acknowledgement and a roll call.

## **23. Approval of Agenda**

23.1 The agenda of each Meeting shall be approved as printed on the day of the Meeting, unless amended under subsection 23.2.

23.2 Any additions to the agenda at the Meeting shall be by a majority vote through the adoption of the agenda and shall be for time sensitive and/or urgent matters.

## **24. Disclosure of Pecuniary Interest**

24.1 When a Member has a pecuniary interest, as defined in the *Municipal Conflict of Interest Act, 1990*, the Member shall comply with all requirements outlined in the *Municipal Conflict of Interest Act, 1990*.

## **25. Adoption of Minutes**

25.1 In accordance with the *Municipal Act, 2001*, the Clerk records the minutes of all Meetings without note or comment. The Clerk shall record in the minutes:

- a. The date, time and location of a Meeting;
- b. The name of all Members in attendance;
- c. The adoption and correction (if any) of minutes of prior Meetings; and
- d. All resolutions, decisions and other proceedings at the Meeting.

25.2 The Clerk shall ensure that the minutes of the last regular Meeting, all Statutory Public Meetings and all special Meetings held prior to the posting

of a regular Meeting agenda are included in the next regularly scheduled agenda, where practicable.

25.3 The minutes are a legal record of what action was taken and are open to amendments for errors and omissions only.

25.4 The minutes shall be adopted without being read by the Clerk.

25.5 After the minutes of each Meeting of the Council have been adopted by Council, the minutes shall be signed by the Mayor and Clerk.

25.6 In accordance with the *Municipal Act, 2001*, the Clerk shall keep the originals or copies of all minutes of the proceedings of Meetings.

## **26. Committees and Boards**

26.1 The Clerk shall ensure that minutes of all local boards and Committees are placed on the next regular Council Meeting agenda after the local board/Committee Meeting has occurred, where practicable. Council shall receive the minutes for information by resolution.

26.2 The receipt of minutes from local boards and Committees by Council does not constitute endorsement by the Municipality of any recommendations or actions contained therein.

26.3 Any recommendations contained within those minutes requiring action from Council shall be placed on the agenda as the next item of business following the minutes for Council consideration. A summary report may accompany the recommendation and shall be delivered to the Clerk no later than 4:30 p.m. eleven (11) calendar days prior to the Meeting date.

## **27. Statutory Public Meeting**

27.1 Statutory Public Meetings shall generally proceed as follows:

- a. Staff or a consultant shall provide a brief overview of the application or topic.
- b. The applicant or their representative may appear and provide information regarding the application, if applicable.
- c. Members of the public may make an oral submission.
- d. The Chair may call on staff, the consultant, the applicant or their representative to provide clarification on matters raised by members of the public.

27.2 The Clerk shall prepare separate minutes for Statutory Public Meetings that capture oral submissions from members of the public.

## **28. Business Arising from the Statutory Public Meeting**

28.1 At the conclusion of a Statutory Public Meeting, the staff report for each application heard at the Statutory Public Meeting, including staff recommendations, will be reviewed and Council shall, by Resolution, direct staff on how to proceed with each application heard.

## **29. Presentations**

29.1 Any Presenter invited to speak at a Meeting shall submit a written summary for inclusion on the agenda to the Clerk by 4:30 pm eleven (11) calendar

days preceding the Meeting.

- 29.2 Presenters will be asked to keep their presentation to a maximum of twenty (20) minutes but, due to the nature of the information they are presenting, may request additional time from the Clerk. The length of the agenda shall be considered by the Clerk when approving requests for additional time. The presentation time may be extended at the discretion of Council/Committee.
- 29.3 Presentations shall be listed on the agenda in the order set by the Clerk and the length of the agenda shall be considered by the Clerk when approving the number of presentations at each meeting.
- 29.4 Presenters who appear in person deliver their presentation from the speaker's podium, unless directed otherwise by the Chair.
- 29.5 Presenters wishing to participate electronically shall notify the Clerk as soon as possible to provide staff an opportunity to make arrangements for the necessary technology.
- 29.6 Presenters shall obey Section 20.

### **30. Delegations**

- 30.1 Any Delegate wishing to speak at a Meeting shall identify the reason for their request and background details in writing and shall submit it to the Clerk by 4:30 p.m. eleven (11) calendar days preceding the Meeting. This matter shall be the only matter permitted to be addressed by the Delegate.
- 30.2 Notwithstanding Section 30.1, a person(s) may request to be a Delegate regarding a specific item on a posted on an open Meeting agenda by submitting their request in writing to the Clerk by 12:00 noon two (2) business days prior to the Meeting.
- 30.3 Notwithstanding Section 30.1, a person(s) may request to be a Delegate regarding a specific item on a posted on an open, Special Meeting agenda by submitting their request in writing to the Clerk. Any Delegations at a Special Meeting will be approved through subsection 23.2.
- 30.4 No Delegation shall be permitted when there has been at least one (1) Public Meeting or Statutory Public Meeting held at which the public has been provided the opportunity to make a delegation to Council on that particular matter within the previous six (6) months.
- 30.5 No Delegation shall be permitted when the subject matter:
- a. is beyond the jurisdiction of the Municipality or the terms of reference of the Committee;
  - b. is providing unsolicited promotion of products and services;
  - c. relates to a campaign or a candidate running for election for any office;
  - d. contains defamatory content related to any Member or staff;
  - e. relates to a formal procurement process;
  - f. relates to a matter to be discussed in a closed Meeting, including active litigation and/or insurance claims;

- g. relates to active by-law enforcement matters or any municipally issued order;
- h. is solely to generate publicity for an event;
- i. contains obscene or defamatory content; and/or
- j. is deemed inappropriate by the Clerk, in consultation with the CAO.

30.6 Delegations shall not exceed ten (10) minutes except when answering questions posed by Members for clarification and shall confine their remarks to the stated business. The delegation time may be extended at the discretion of Council/Committee.

30.7 The names of Delegates shall be listed on the agenda in the order set by the Clerk and the length of the agenda shall be considered by the Clerk when approving the number of delegations at each Meeting.

30.8 All Delegations shall have not more than two (2) persons to speak on behalf of the Delegation.

30.9 Delegates who appear in person shall deliver their delegation from the speaker's podium, unless directed otherwise by the Chair. Electronic delegations will be permitted, whenever possible.

30.10 Delegates wishing to participate electronically the Clerk as soon as possible to provide staff an opportunity to make arrangements for the necessary technology.

30.11 Once a Delegate has addressed Council/Committee on a matter, they shall not address Council/Committee on the same matter within a six (6) month period.

30.12 Notwithstanding subsection 30.11, a Delegate may address Council/Committee on the same matter within a six (6) month period if that matter is listed on an open Meeting agenda and shall follow the procedure outlined in subsection 30.2.

30.13 Delegates shall obey Section 20.

### **31. Staff Reports**

31.1 Reports to Council are prepared by staff, approved by the CAO and submitted to the Clerk to be distributed with the applicable agenda, in accordance with established administrative protocols.

31.2 Staff reports contain information and recommendations prepared in the context of staff's professional, technical and administrative expertise independent of any particular political, constituent or stakeholder interest.

31.3 For Committee Meetings, reports may also include items for discussion without an associated report.

### **32. Notice of Motion**

32.1 Notices of Motion shall not be permitted at Committee Meetings.

32.2 A Council Member who wishes to place a Motion on a Regular Meeting shall deliver a written copy of the Motion to the Clerk by 4:30 p.m. eleven (11) calendar days preceding a regular Meeting. The Clerk, upon receipt of

the notice of Motion, shall print the Motion in full on the agenda. The format of the Notice of Motion submission shall follow the guidelines prepared by the Clerk.

32.3 The Member of Council who submitted the notice of Motion shall introduce and subsequently move the Motion and the Motion shall be considered or otherwise disposed of.

32.4 A Member who wishes to introduce a new Motion at a regular Meeting regarding a matter that would not otherwise be considered at such Meeting, shall provide the Motion in writing to the Clerk under the notice of Motion heading on the agenda. The notice of Motion shall be read aloud and not be considered or debated until the next regular Meeting which the Member who moved the Motion is in attendance.

### **33. Correspondence**

33.1 Correspondence to be presented to Council/Committee shall be legible and shall be submitted to the Clerk prior to 4:30 p.m. eleven (11) calendar days preceding the Council meeting. No anonymous correspondence will be accepted or provided to Council.

33.2 No correspondence shall be permitted when the subject matter:

- a. is beyond the jurisdiction of the Municipality or the terms of reference of the Committee;
- b. is providing unsolicited promotion of products and services;
- c. relates to a campaign or a candidate running for election for any office;
- d. contains defamatory content related to any Member or staff;
- e. relates to a formal procurement process;
- f. relates to a matter to be discussed in a closed Meeting, including active litigation and/or insurance claims;
- g. relates to active by-law enforcement matters or any municipally issued order;
- h. is solely to generate publicity for an event;
- i. contains obscene or defamatory content; and/or
- j. is deemed inappropriate by the Clerk, in consultation with the CAO.

33.3 Notwithstanding subsection 33.1, a person(s) may submit written correspondence regarding a specific item on a posted open Meeting agenda by submitting the correspondence in writing to the Clerk by 12:00 noon two (2) business days prior to the Meeting.

33.4 All communications the Clerk received pertaining to a matter on the agenda of a Meeting may form part of the public record, which may include personal information and opinions.

33.5 Correspondence will be reviewed by the Clerk and included on the agenda as either correspondence for information or correspondence that may require action, subject to administrative protocols.

33.6 The receipt of correspondence does not constitute endorsement of the correspondence by the Municipality of any of the recommendations it may contain or actions it may advocate.

#### **34. By-laws**

34.1 Every by-law shall be given three readings and passed at the same Meeting, unless otherwise directed by Council or legislation. All three readings may occur through a single Resolution.

34.2 Every by-law passed by Council shall be numbered, dated, sealed with the seal of the Municipal Corporation and signed by the Chair and the Clerk.

34.3 In accordance with the *Municipal Act, 2001*, the Clerk shall keep the originals or copies of all by-laws.

#### **35. Announcements**

35.1 Members may make a public announcement on matters of public or community interest once recognized by the Chair. Announcements shall not require future action by staff and no Motions are permitted.

#### **36. Closed Meeting**

36.1 Council may hold a Closed Meeting pursuant to Section 14 of this By-law.

36.2 The Clerk shall ensure that the minutes of all Closed Meetings held prior to the regular Meeting are included in the next regularly scheduled Closed Meeting agenda, where practicable.

36.3 The minutes are a legal record of what action was taken and are open to amendments for errors and omissions only.

#### **37. Business Arising from Closed Meeting**

37.1 At the conclusion of the Closed Meeting, any Closed Meeting minutes will be adopted as presented or amended.

37.2 The minutes shall be adopted without being read by the Clerk.

37.3 After the minutes of each Meeting of the Council have been approved by the Council, the minutes shall be signed by the Mayor and Clerk.

37.4 Upon rising from Closed Meeting, Council shall bring forward any matter to be voted on in an Open Meeting.

#### **38. Adoption of Confirming By-law**

38.1 At the conclusion of all Council Meetings and prior to adjournment, a by-law shall be brought forward to adopt, ratify and confirm the actions of the Council at the Meeting.

#### **39. Adjournment**

39.1 Council Meetings shall be adjourned within five (5) hours of commencement. Unfinished business of a Regular Council Meeting shall be adjourned to the next Regular Council Meeting and will be placed on the agenda in accordance with subsection 21.6.

39.2 Prior to the adjournment of any Council Meeting, the Members shall consider the by-laws, including the confirming by-law, if such items have not

already been addressed.

39.3 Committee Meetings shall be adjourned within three (3) hours. Unfinished business of a Regular Committee Meeting shall be adjourned to the next Regular Committee Meeting.

39.4 Meetings may be extended for further one (1) hour periods, with each period requiring the unanimous consent of all Members present.

39.5 The Chair may adjourn a Meeting at the conclusion of the business as noted on the agenda of the Meeting.

## **Debate and Voting Procedures**

### **40. Rules of Debate**

40.1 The Chair will provide each Member with an opportunity to speak.

40.2 Every Member, prior to speaking, must be recognized first by the Chair by raising their hand or identifying themselves if participating electronically.

40.3 When two or more Members request to speak, the Chair shall designate the Member who has the floor first.

40.4 Members are encouraged to provide questions to staff prior to the Meeting and may address any answers received during the comments portion of the discussion.

40.5 Prior to accepting a Motion, Members shall be entitled to speak up to three (3) times or ask questions for the purpose of obtaining facts necessary for a clear understanding directly relating to the matter under consideration.

40.6 Comments are to be relevant to the matter of business on the agenda.

40.7 Members shall express themselves succinctly without repetition.

40.8 All Motions shall be seconded before being debated or put to a vote. When a Motion has been seconded, it may, upon request, be read or stated by the Chair or Clerk at any time during the debate, but not so as to interrupt a speaker.

40.9 Any Motion that is not seconded shall not be recorded in the minutes.

40.10 A Member may move or second a Motion in order to initiate discussion and debate and that Member may vote in opposition to the Motion.

40.11 No Member shall speak for longer than five (5) minutes on a question without the Chair's permission.

40.12 A Member shall not speak more than two (2) times to the same question without the Chair's permission, except the Member who made the Motion shall be allowed to reply for a maximum of five (5) minutes.

40.13 When a Member is speaking, no other Member shall interrupt them except to raise a Point of Order or Privilege.

40.14 Every Motion or amendment stated by the Chair shall be deemed to be in the possession of the Council/Committee and can only be withdrawn pursuant to Section 50.

40.15 When the Chair calls a Member to order, that Member shall cease

speaking until the Point of Order is dealt with and that Member shall not speak again to the matter under discussion without the permission of the Chair unless to appeal the ruling of the Chair.

40.16 A Member may request that the Chair provide information regarding the rules of procedure. The Chair shall provide the information requested.

#### **41. Voting**

41.1 Every Member present at a Meeting shall vote on every question or motion and shall indicate their support by raising their hands when the Chair calls for the vote on a question or Motion, unless disqualified by statute. Until the result of the vote has been declared by the Chair, no Member shall speak to any other Member or make any noise or disturbance.

41.2 Every Member present who is required to vote on a question or motion, but in fact does not vote or abstains, shall be deemed to be voting in the negative.

41.3 Unless this By-law states otherwise, a matter passes when a Majority of the Members present at the Meeting vote in the affirmative.

41.4 Any Motion that receives a tie vote shall be deemed to have been decided in the negative.

41.5 When a Member present requests a Recorded Vote, all Members present at the Meeting must vote, unless disqualified by statute. A request for a Recorded Vote can be made immediately before or after the taking of a vote on any Motion. When such a request has been made, the Clerk shall ask each Member to indicate verbally their vote in the affirmative or negative. No further discussion on the Motion shall be permitted during the taking of a Recorded Vote. A Member's failure to participate in a Recorded Vote, unless they are disqualified by statute, is deemed to be a negative vote. The Clerk shall record the name and vote of every Member and shall report the result of the vote to the Chair. The calling of the votes will commence with the Member who requested the Recorded Vote and continue alphabetically by surname.

41.6 Notwithstanding a Recorded Vote, a record or notation of a Member's opposition to an issue is not recorded in the minutes of any Meeting.

41.7 The order of voting on Motions relating to an item under consideration shall be voted on in the following order:

- a. Motion to suspend the rules of procedure.
- b. Motion to adjourn.
- c. Motion to recess.
- d. Motion to call the question.
- e. Motion to defer.
- f. Motion to refer.
- g. Motion to amend.
- h. Main motion.

## **Motions**

### **42. Motion to Suspend the Rules of Procedure**

- 42.1 A Motion to suspend the rules of procedure allows Members to temporarily set aside the rules of procedure contained in this By-law or in Robert's Rules of Order, to take some action contrary to the rules.
- 42.2 A Motion to suspend the rules of procedure cannot be used to suspend rules in higher documents of authority, including the law, unless the rule in the higher document of authority permits it to be suspended.
- 42.3 When stating a Motion to suspend the rules of procedure, the Member need not specify the rule being suspended, only the action they wish to be taken. When the actions have been taken, Council/Committee will return to its regular rules of order.
- 42.4 Only rules of order may be suspended. Matters such as voting requirements, Quorum rules, rules specifying notice requirements and fundamental rights of a Member cannot be set aside or suspended.
- 42.5 A Motion to suspend the rules of procedure cannot interrupt a speaker, requires a second, is not debatable, is not amendable and requires a two-thirds (2/3) vote of the Members present and voting.

### **43. Motion to Adjourn**

- 43.1 A Motion to adjourn allows the conclusion of the Meeting.
- 43.2 A Motion to adjourn requires a second, is not debatable, may only be amended with respect to setting the time for a continued meeting, and requires a Majority vote of the Members present and voting.
- 43.3 Notwithstanding the above, a Motion to adjourn should not be allowed if a Member has already indicated the wish to speak on the pending matter, or if a Member is currently speaking or if a vote has begun, or the Motion to call the question has been adopted.
- 43.4 Upon the vote being taken on the Motion to adjourn, the Meeting is not concluded until the Chair announces the adjournment. The Chair shall ensure no important business has been overlooked that should be taken care of before adjournment.

### **44. Motion to Recess**

- 44.1 A Motion to recess allows an interruption in the Meeting's proceedings which does not close a Meeting and after which the business will be resumed at exactly the point where it was stopped.
- 44.2 A Motion to recess requires a second, is not debatable, shall specify the length of the recess, may only be amended with respect to the length of the recess and requires a Majority vote of the Members present and voting.
- 44.3 Notwithstanding the above, the Chair may also call a recess for no more than twenty (20) minutes without requiring a Motion.

### **45. Motion to Call the Question**

- 45.1 A Motion to call the question allows debate to close on an immediately pending Motion or on a series of consecutive pending Motions.

- 45.2 A Motion to call the question requires a second, is not debatable, is not amendable, and requires a two-thirds (2/3) vote of the Members present and voting.
- 45.3 When a Motion to call the question has been adopted, the Chair should immediately take the vote on the affected Motion or Motions.
- 45.4 When a Motion to call the question has been adopted, amendments on the affected Motions are not permitted.
- 45.5 When a Motion to call the question has failed, debate shall resume.

#### **46. Motion to Defer**

- 46.1 A Motion to defer delays the consideration of a main motion to a certain time or date. A Motion to defer shall include the reason for the deferral and the time at which it is to be returned.
- 46.2 A Motion to defer requires a second, may only be debated with respect to the time or date, is amendable and requires a Majority vote of the Members present and voting.

#### **47. Motion to Refer**

- 47.1 A Motion to refer allows an item of business to be sent to a Committee or person, where the item will receive additional, in-depth consideration. A Motion to refer shall include the Committee or person to whom it is being referred, the reason for the referral and the time at which it is to be returned.
- 47.2 A Motion to refer requires a second, is debatable, is amendable and requires a Majority vote of the Members present and voting.

#### **48. Motion to Amend**

- 48.1 A Motion to amend allows the wording of the main Motion to be altered. A Motion to amend must be germane (relevant) to the subject matter under discussion, cannot be contradictory, and may be used to insert new wording; strike out wording; or strike out and insert other wording.
- 48.2 Only one amendment at a time can be presented to the main Motion and, when an amendment has been decided, another may be introduced. The Motion to amend shall be seconded and voted on and, once carried, the main Motion as amended shall be put to a vote.
- 48.3 A Motion to amend cannot interrupt a speaker, requires a second, is debatable, is not amendable and requires a Majority vote of the Members present and voting.
- 48.4 Friendly amendments may be permitted by the Chair for an uncontroversial amendment put forward by a Member that is accepted by the mover and seconder of the Motion as a change that can be incorporated in the Motion as if that wording was part of the Motion that was initially put on the floor for consideration. If the friendly amendment is not accepted, it must follow the Motion to amend provisions.

#### **49. Motion to Reconsider**

- 49.1 A Motion to reconsider allows a main Motion to be brought back for additional discussion and a new vote. A Motion to reconsider can also amend something previously adopted or rescind it.

- 49.2 A Motion to reconsider only affects the present and future and shall not be retroactive.
- 49.3 A Motion to reconsider a defeated main Motion is not in order.
- 49.4 A Motion to reconsider shall only be moved by a Member who voted in the Majority on the original Motion, who was absent from the vote or who was not a Member of Council at the time of the vote. A Member who was absent at the time a vote was taken on a Motion shall be deemed, for the purpose of reconsideration, to have voted with the Majority. A Motion to reconsider may be seconded by any Member.
- 49.5 A Motion to reconsider cannot interrupt a speaker, requires a second, may only be debated with respect to the reasons for or against reconsideration, is not amendable and requires the same vote as was required to adopt the original main Motion.
- 49.6 No Motion shall be reconsidered more than once in any Council/Committee term, nor shall a vote to reconsider be reconsidered within the same Council/Committee term.
- 49.7 When a Motion for reconsideration is made at a Council Meeting subsequent to that at which the question to be reconsidered was dealt with, the Motion for reconsideration shall be initiated by a notice of Motion and shall follow that procedure, as outlined in Section 32. A Motion for reconsideration at a Committee Meeting shall be included on the agenda under the reports heading.
- 49.8 A Motion to reconsider suspends action on the Motion to which it applies until it has been decided.
- 49.9 A Motion to reconsider is not in order when the original Resolution has been implemented resulting in a legally binding commitment that is in place on the date that a Motion to reconsider is to be debated.

#### **50. Motion to Withdraw**

- 50.1 After a motion is read or stated by the Chair, it shall be deemed to be in possession of Council/Committee. The mover of the motion may request to withdraw it and, on hearing no objections, the motion shall be considered withdrawn without the necessity of consent from the seconder of the Motion. However, if a member objects to the motion being withdrawn, the Motion shall be voted on accordingly.
- 50.2 A Motion to withdraw does not require a second, is not debatable, is not amendable and requires a Majority vote of the Members present and voting.

#### **51. Point of Order or Point of Privilege**

- 51.1 The Chair shall preserve order and decide questions of order and privilege.
- 51.2 A Member may raise a Point of Order when such Member feels there has been:
- a. A deviation or departure from the rules set out in the By-law; or
  - b. A deviation from the matter under consideration and the current discussion is not within the scope of the proposed Motion.

51.3 A Member may raise a Point of Privilege when such Member feels their integrity or the integrity of Council, Committee, or municipal staff or a Presenter or Delegate has been impugned.

51.4 Where a Member raises a Point of Order or Privilege, the Chair shall:

- a. Interrupt the matter under consideration.
- b. Ask the Member raising the Point of Order or Privilege to state the substance of and the basis of the Point of Order or Privilege.
- c. Rule on the Point of Order or Privilege immediately without debate by Council or Committee.

51.5 The decision of the Chair shall be final, unless a Member immediately appeals the Chair's decision to the Council/Committee.

51.6 A Member may appeal the ruling of the Chair to the Council/Committee which will then vote on whether to uphold or overturn the decision of the Chair, without debate.

## **Administration and Approval**

### **52. Administrative Authority of the Clerk**

52.1 The Clerk shall be authorized to revise or correct by-laws, minutes and other records or documents relating to Council and Committees for technical, typographical or other administrative errors or omissions for the purpose of ensuring an accurate and complete record of proceedings and general housekeeping.

52.2 The Clerk shall be authorized to make any changes to the schedules of this by-law to align with legislative amendments.

### **53. Severability**

53.1 Should any provision, or any part of a provision, of this By-law be declared invalid, or to be of no force and effect by a court of competent jurisdiction, it is the intent of Council that such a provision, or part of a provision, shall be severed from this By-law, and every other provision of the By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

### **54. Short Title**

54.1 This by-law may be referred to as the "Procedure By-law".

### **55. Schedules**

55.1 Schedules A and B, as attached, shall form part of this By-law.


### **56. Repeal**

56.1 Municipality of Trent Lakes By-law B2020-118 is hereby repealed.

**57. Approval and Effective Date**

57.1 This by-law shall come into force on the date it is finally passed.

Read a first, second and third time and passed this 6<sup>th</sup> day of May, 2025.

  
\_\_\_\_\_  
Terry Lambshead, Mayor

  
\_\_\_\_\_  
Jessie Clark, Clerk

## Schedule A – Closed Meetings

*Municipal Act, 2001 S. 239*

239. (1) **Meetings open to public.** – Except as provided in this section, all meetings shall be open to the public.
- (2) **Exceptions.** – A meeting or part of a meeting may be closed to the public if the subject matter being considered is,
- (a) the security of the property of the municipality or local board;
  - (b) personal matters about an identifiable individual, including municipal or local board employees;
  - (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
  - (d) labour relations or employee negotiations;
  - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
  - (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.
  - (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
  - (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
  - (j) a trade secret or scientific, technical, commercial or financial information that belong to the municipality or local board and has monetary value or potential monetary value; or
  - (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
- (3) **Other criteria.** – A meeting or part of a meeting shall be closed to the public if the subject matter being considered is,
- (a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
  - (b) an ongoing investigation respecting the municipality a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13(1) of this Act, or the investigator referred to in subsection 239.2(1).
- (3.1) **Educational or training sessions.** – A meeting of council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
- 1. The meeting is held for the purpose of education or training the members.
  - 2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
- (4) **Resolution.** – Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution,
- (a) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
  - (b) in the case of a meeting under subsection (3.1), the fact of the holding of the meeting, the general nature of its subject-matter and that it is to be closed under that subsection.
- (5) **Open meeting.** – Subject to subsection (6), a meeting shall not be closed to the public during the taking of a vote.
- (6) **Exception.** – Despite section 244, a meeting may be closed to the

- (a) public during a vote if, subsection (2) or (3) permits or requires the meeting to be closed to the public; and
  - (b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.
- (7) **Record of meeting.** – A municipality or local board or a committee of either of them shall record without note or comment all resolutions, decisions and other proceedings at a meeting of the body, whether it is closed to the public or not.
- (8) **Same.** – The record required by subsection (7) shall be made by,
  - (a) the clerk, in the case of a meeting of council; or
  - (b) the appropriate officer, in the case of a meeting of a local board or committee.
- (9) **Record may be disclosed.** – Clause 6(1)(b) of the *Municipal Freedom of Information and Protection of Privacy Act* does not apply to a record of a meeting closed under subsection (3.1).

## **Schedule B – Roles of Mayor and Members of Council**

*Municipal Act, 2001 S. 224, 225 and 226.1*

- 224. Role of council.** – It is the role of council,
- (a) to represent the public and to consider the well-being and interests of the municipality;
  - (b) to develop and evaluate the policies and programs of the municipality;
  - (c) to determine which services the municipality provides;
  - (d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
  - (d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
  - (e) to maintain the financial integrity of the municipality; and
  - (f) to carry out the duties of council under this or any other Act.
- 225. Role of head of council.** – It is the role of the head of council,
- (a) to act as chief executive officer of the municipality;
  - (b) to preside over council meetings so that its business can be carried out efficiently and effectively;
  - (c) to provide leadership to the council;
  - (c.1) without limiting clause (c), to provide information and recommendations to the council with respect to the role of council described in clauses 224(d) and (d.1);
  - (d) to represent the municipality at official functions; and
  - (e) to carry out the duties of the head of council under this or any other Act.
- 226.1 Head of council as chief executive officer.** – As chief executive officer of a municipality, the head of council shall,
- (a) uphold and promote the purposes of the municipality;
  - (b) promote public involvement in the municipality's activities;
  - (c) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
  - (d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

