

SCHEDULE "A" TO BY-LAW #2011-35

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SECTION "A"

A1 DEFINITIONS

- A1.1 "Committees or Technical support groups of Council" means a Committee or Technical Support group wholly within the sphere of the jurisdiction of Council and may be established, revised, disbanded and replaced as Council deems necessary.
- A.1.2 "Chair" means the person presiding at a meeting.
- A1.3 "Closed Meeting" means a meeting or part of a meeting closed to the public.
- A1.4 "Committee or Technical Support Group" means a group of citizens appointed by Council in an advisory capacity.
- A1.5 "Local Board" means a local board as defined in the Municipal Affairs Act, except municipal police services boards, library boards and school boards.
- A1.6 "Member" means a member of the Council or a Committee, as the case may be.
- A1.7 "Meeting" means any regular, special, committee or other meeting of a Council or local board.
- A1.8 "Motion" means a question to be considered by the Council or a Committee which is moved, seconded, and presented, read and is subject to debate. When a motion is carried, it becomes a Resolution.
- A1.9 "Municipality" means The Corporation of the Municipality of South Bruce.
- A1.10 "Recorded Vote" means where a vote is taken for any purpose and a member of Council requests immediately prior to or immediately subsequent to the taking of the vote, that the vote be recorded, each member present except a member who is disqualified from voting by any Act, shall announce his/her vote openly and any failure to vote by a member who is not disqualified shall be deemed to be a negative vote and the Clerk shall record each vote.
- A1.11 "Standing Committee" means a committee appointed to review and report on an area of ongoing interest to the Municipality and that continues to do so on an indefinite basis and further, with the exception of Committee of Adjustment, shall act in an advisory capacity only and minutes of the committees shall be forwarded to Council as "Committee Reports" at the next regularly scheduled meeting for consideration and adoption.
- A1.12 "Consent Agenda" means a list of items on the Agenda containing recommendations from the Clerk as to their disposition all of which may be adopted by one motion of Council; or upon a request of any member of Council, any item may be pulled for further consideration.
- A1.13 "Confirmation By-Law" is a By-Law enacted at the end of each Council Meeting to confirm each recommendation contained in any Report of a Standing or Advisory Committee of Council, and in respect of each motion, resolution and other actions passed and taken by the Council at the meeting, except where the prior approval of the Ontario Municipal Board or any other body or agency is required.

A2 GENERAL

(a) Rules – Procedures Observed – At All Times

The rules and regulations contained in this By-law shall be observed in all meetings and shall be the rules and regulations for the order and dispatch of

business before Council and Committees of Council and its Advisory Committees and local boards.

(b) Rules-Observed-Modifications-Permitted

The proceedings of the Council and its Committees; the conduct of the members of Council and the calling of meetings shall be governed by the rules and regulations contained in this By-law.

(c) Parliamentary Procedure - Proceedings

All points of Order of Procedure not provided for in these Rules shall be decided in accordance with Robert's Rules of Order, 10th Edition and the Mayor shall submit the ruling without debate.

(d) Rules -suspended - 2/3 consent - Council

Any rules of procedures contained in this By-law may be suspended with the consent of two-thirds of the Council/Committee present, unless prohibited by law.

(e) Councillor - Addressed

Members of Council are to be addressed as "**Councillor** (surname inserted)".

(f) Mayor - Addressed

The Mayor shall be addressed as "**Mayor** (surname inserted)" or as "**Your Worship**".

(g) Meetings - Location - Council Chambers - Exception

All meetings of Council, Standing Committees and Advisory Committees shall take place in the Council Chambers at 21 Gordon St. East Teeswater, ON in the Municipality of South Bruce. Note: The Location of the Meeting May be changed if proper NOTICE is provided as per the Municipality of South Bruce's Notice By-law.

(h) Use of Audio -Video Equipment

The use of audio and video recording equipment during a Meeting is not permitted within the designated areas unless the Chair or the majority of the Council Members permit the use of such equipment or devices and it is not disruptive to the conduct of the Meeting at which the recording privileges are granted. Any and all audio/video recordings recorded than other than by the Municipality shall not, under any circumstances, be deemed to be official records.

A2.1 Role of Council

A2.1.1 To represent the public and to consider the well-being and interests of the Municipality;

A2.1.2 To develop and evaluate policies and programs of the Municipality;

A2.1.3 To determine which services the Municipality provides;

A2.1.4 To ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;

A2.1.5 To ensure the accountability and transparency of the operations of the Municipality, including the activities of the senior management of the Municipality;

A2.1.6 To maintain the financial integrity of the Municipality; and

A2.1.7 To carry out the duties of Council under the Municipal Act or any other Act.

A2.2 Role of the Mayor

- A2.2.1 To act as Chief Executive Officer of the Municipality and as Chief Executive Officer 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;
 - d) Participate in and foster activities that enhance the economic, social and environmental well-being of the Municipality and its residents.
- A2.2.2 To preside over Council meetings so that its business can be carried out efficiently and effectively;
- A2.2.3 To provide leadership to the Council;
- A2.2.4 Without limiting subsection A2.2.3, to provide information and recommendations to the Council with respect to the role of Council described in subsections A2.1.4 & A2.1.5;
- A2.2.5 To represent the Municipality at official functions;
- A2.2.6 To carry out the duties of the Head of Council under the Municipal Act or any other Act;
- A2.2.7 To act as Council's representative when dealing with other levels of government, their agencies and the private sector;
- A2.2.8 To serve on the Council of the County of Bruce;
- A2.2.9 To serve as an ex officio member of all committees or other body established or appointed by Council (the Mayor may vote and otherwise participate, unless prohibited by law, in the business of the committee of other body on the same basis as any other Committee member).

A2.3 Role of Chief Administrative Officer (CAO)

- A2.3.1 To exercise general control and management of the affairs of the Municipality for the purpose of ensuring the efficient and effective operation of the Municipality;
- A2.3.2 To ensure implementation of Council's decisions and establishment of administrative practices and procedures to carry out Council's decisions;
- A2.3.3 To ensure undertaking of research and provision of advice to Council on the policies and programs of the Municipality;
- A2.3.4 To carry out such other duties required under the Municipal Act, or any other Act, and other duties assigned by the Council.

A2.4 Role of Clerk/Deputy Clerk

- A2.4.1 Record without note or comment, all resolutions, decisions and other proceedings of the Council;
- A2.4.2 If required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
- A2.4.3 To keep the originals or copies of all By-laws and of all Minutes of the proceedings of the Council;

A2.4.4 To make such minor clerical, typographical or grammatical corrections in form to any By-law, Motion or Resolution and/or Minutes as they may be required for the purpose of ensuring correct and complete implementation of the actions of Council;

A2.4.5 To perform any other duties required under the Municipal Act or under any other Act;

A2.4.6 To perform such other duties as are assigned by the Council.

A2.5 Meetings of Council

A2.5.1 Except as provided in Section 18, all meetings shall be open to the public.

A2.5.2 The Mayor shall preside at all meetings of the Council.

A2.5.3 The Mayor or Chair may expel any person for improper conduct at a meeting.

A2.5.4 In the absence of the Mayor, the Deputy Mayor shall assume the responsibilities, and have the powers of the Mayor under this By-law.

A2.6 Public Notice

A2.6.1 Public notice of meetings will be provided on the municipal website and also in accordance with the Municipality's Notice By-law.

A3 QUORUM

A3.1 A majority of the whole number of members required to constitute the Council shall be necessary to form a quorum pursuant to subsection 237 (1) of The Municipal Act, 2001.

A3.2 If the number of members, who by reason of the Municipal Conflict of Interest Act are ineligible to vote is such that there is no quorum, despite any other Act, any number that is not less than one-third of the total number of members of the Council, Committee or Board shall be deemed to constitute a quorum, but the number shall not be less than two.

A3.3 Unless a quorum is present within fifteen (15) minutes after the time appointed for the meeting of the Council, the Council shall stand adjourned either until a special meeting is called to deal with the matters intended to be dealt with at the adjourned meeting, or until the convening of the next regular scheduled meeting of the Council.

A4 INAUGURAL MEETING

A4.1 The inaugural meeting of a new Council shall be held on the first Tuesday in December at 6:00 p.m. in the Municipal Council Chambers. In the event it is necessary to cancel the scheduled inaugural meeting, the Mayor-Elect shall decide upon the next suitable date and time for the Inaugural Meeting of Council to be held.

A4.2 The inaugural meeting of the new Council shall be opened with a prayer, the officiating clergyman to be selected by the Mayor-Elect.

A4.2.3 The mayor-elect and Clerk shall be responsible for the location, content and format of the Agenda of the Inaugural Meeting and all arrangements of the Inaugural proceedings.

A4.3 Procedures to Elect a Deputy Mayor

The Clerk shall conduct an Election for the Office of Deputy Mayor:

- A4.3.1 Nominations will be conducted by secret ballot.
- A4.3.2 The Clerk shall announce the results of the ballot by declaring the names of those nominated and shall not declare the count. Nominees shall have the opportunity to decline.
- A4.3.3 Voting shall be conducted by secret ballot.
- A4.3.4 The Councillor receiving a clear majority of the votes cast by all members present shall be declared elected.
- A4.3.5 Should no candidate receive a clear majority of the votes cast, the names of the candidate receiving the smallest number of votes shall be dropped and the Council shall proceed to vote again and so continue until the Deputy Mayor is elected.
- A4.3.6 In the case of a tie vote the candidates shall draw lots to fill the position.
- A4.3.7 The Clerk shall announce the result of the ballot by declaring the name of the Councillor who has received a clear majority of the votes and shall not declare the count.
- A4.3.8 The ballots shall then be destroyed.
- A4.3.9 The Deputy Mayor shall be elected for a term of two years and the above procedure shall be repeated at the last meeting of December of the second year of a four year term of Council; And Further the Deputy Mayor elected at this meeting shall assume office at the first meeting held in January of the third year of the four year term.

AS REGULAR MEETINGS

- A5.1 Council Meetings shall be held on the second and fourth Tuesdays of the month, in the Council Chambers.
- A5.2 Regular Meetings of Council shall commence at 6:00 p.m. for a duration of no more than three and one half hours (9:30 p.m.) Unless otherwise determined by a resolution of Council passed by a majority members present, the Council shall adjourn at 9:30 p.m. in the regular evening session. Any unfinished business will be dealt with first on the next Agenda.
- A5.3 The first meeting of the month will include Staff Reports from the Municipal Inspector, Report of Roads, Parks, Landfill Site, Water, Waste Water Departments and CAO which may include planning and economic development reports. The second meeting of the month will include the reports from Recreation Program and Facilities Supervisor, and the Treasurer.
- A5.4 Planning Advisory Committee Meetings will be held the second meeting of the month commencing at 7:00 p.m. and representing the Public Meeting, as required under the Planning Act, for matters of a Planning nature.

AS.5 Postponement Of A Regular Meeting

- A5.5.1 Any regular meeting of the Council may be postponed to a day named in a notice by the Head or Acting Head of Council given through the Clerk's Office and 48 hours in advance of the regular meeting.
- A5.5.2 The date for any regular Council Meeting may be changed by a resolution of the Council passed by the majority of the number of members present.

A6 ABSENTEEISM AND LEAVE OF ABSENCE

- A6.1 All members will endeavor to provide substantive notice of such absence to the CAO/Clerk or Deputy Clerk at least 48 hour prior to the commencement of the meeting from which the member shall be absent.
- A6.2 Where a member is absent from the meetings of Council for three successive meetings, the absence must be authorized by a Resolution of Council; and further if the member is absent for more than three consecutive meetings the member will not receive any further remuneration until they return to active status as authorized by Council.
- A6.3 Where a member is absent from the meetings of Council for three successive months without being authorized to do so by a Resolution of Council, the office of that member shall be declared to become vacant and procedures as set out in Section 263 of the Municipal Act, 2001 shall apply.
- A6.4 If a member desires to leave a meeting of Council prior to adjournment, and not return thereto, he/she shall so advise the Mayor at the beginning of the Meeting and the time of his/her departure shall be recorded in the Minutes.

A7 NOTICE OF REGULAR MEETINGS AND AGENDA

- A7.1 Notice shall not be required to be given of regular meetings of the Council unless the day of the meeting is other than that provided in this By-law. The mailing out or delivery of Agendas therefore shall be considered as adequate notice of such regular meetings.
- A7.2 The CAO/Clerk or Deputy Clerk will endeavor to ensure that the Agenda as far as practical, is prepared prior to the Council for approval by the Mayor, and delivered to each member of Council not later than the preceding Friday or at least forty-eight (48) hours prior to a regular meeting of Council. The Agenda for a Council meeting will be posted on the municipal website.
- A7.3 Departmental Reports dealing with items of the Council Agenda will be available on the Friday, or at least 48 hours prior to the scheduled time of the Council Meeting.
- A7.4 All confidential reports shall be distributed to Council members in paper copy, not electronically.
- A7.5 All matters including staff reports requiring South Bruce Council's attention shall be submitted in writing to the Office of the Clerk for placement on the Agenda for Council Meetings, by the preceding Thursday.
- A7.6 The Clerk may at the request of or with the consent of the Mayor, add such items to the Agenda after the required deadline that are of an emergency or urgent nature, and such items shall appear on an Addendum Agenda which shall be made available to the public at the start of the regular meeting.

A8 SPECIAL MEETINGS

- A8.1 Subject to the provision of Section 240 (a) (b), the Mayor or in the absence of the Mayor, the Deputy Mayor, may at any time call a special meeting or upon receipt of a petition of the majority of the members of the Council, the Clerk shall call a special meeting for the purpose and at the time mentioned in the petition.
- A8.2 At least forty-eight (48) hours notice of all special Council meetings shall be given by the CAO/Clerk or Deputy Clerk. Such notices shall be transmitted by facsimile or via E-mail, or telephone, to the members of the Council.

A8.3 At special meetings of the Council, the only business to be dealt with at a special meeting is that which is listed on the Agenda.

A8.4 Special meetings of Committees and Boards may be called by the Chair if it is considered necessary to do so, and by the Clerk whenever requested in writing to do so by a majority of the members composing such Committees.

A9 COMMENCEMENT OF MEETINGS

A9.1 As soon after the hour fixed for a meeting, and if a quorum is present, the meeting shall be called to order.

A9.2 When a quorum is not present within fifteen (15) minutes after the hour fixed for the meeting, the CAO/Clerk or Deputy Clerk shall record the names of the members of Council present and the meeting shall stand adjourned until the next meeting.

A10 ORDER OF BUSINESS

A 10.1 The CAO/Clerk or Deputy Clerk shall have prepared and printed, for use of the members at the Regular Council Meetings, an Agenda which may include all or some of the following headings:

1. Call to Order:
2. Adoption of the Agenda (and any addendum(s) to the Agenda)
3. Disclosure of Pecuniary Interest & the General Nature Thereof
4. Minutes of Council:
5. Business arising from Minutes;
6. Reports from Municipal Officers
7. Public meetings (if required)
8. Deputations
9. Minutes of Committees
10. Correspondence or Communications (requiring a resolution)
11. Accounts
12. Consent Agenda
13. Closed Session if required
14. By-laws
15. Council Enquires & Reports (must be in writing)
16. Confirmation By-law
17. Adjournment.

A11 MINUTES

A 11.1 The CAO/Clerk or Deputy Clerk, or designate, shall truly record, without note or comment, all proceedings of the Council.

A 11.2 The Minutes of such proceedings shall not record any discussion undertaken in the course of a meeting, but shall only record decisions of the Council expressed in resolution form and shall record all such resolutions including those which are affirmatively voted upon by a majority of the Council members present and those which are defeated.

A 11.3 Declarations, presentations, delegations, communications and enqumes received by the Council in the course of a meeting shall only be referred to in a brief and summary manner.

A 11.4 The adoption, by resolution, of the Minutes of each and every regular and special meeting of the Council shall be subsequently ratified and enacted by a confirmatory By-law.

A 11.5 It shall be the duty of the Clerk to ensure that the Minutes of the last regular meeting and all subsequent meetings are made available to each member not less than forty-eight hours before the hour appointed for holding such regular

meeting. Such Minutes as referred to above may be adopted by Council without having been read at the meeting considering the question of their adoption. Minutes may only be circulated to Staff and Council members prior to their adoption by Council: and further may be circulated to other interested parties following their adoption by Council.

- A 12.1 Every communication or petition intended for presentation to the Council must be legibly written, typed or printed and signed by at least one (1) person. The Clerk shall list with the Agenda only those communications and petitions received prior to 12:00 (noon) on the Thursday preceding the regular Council meeting. Correspondence containing obscene or defamatory language shall not be presented to the Council.
- A 12.2 Any person submitting a communication/petition has the option of having it presented to Council or directly to the committee or board having responsibility thereof.
- A 12.3 All communications or petitions addressed to Council will be heard without debate following the presentation of any communication or petition. Instructions maybe given by Council if in the opinion of Council, they are required. If the petition or communication addresses some present or personal grievance requiring immediate attention, the matter may be brought forward for discussion and direction, or maybe assigned to a future meeting for consideration or referred to a Committee.

A13 BY-LAWS

- A 13.1 Every By-law shall have three readings prior to being passed.
- A 13.2 The first and second reading of a by-law shall be decided without amendment or debate.
- A 13.3 Every By-law when introduced shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any Act, and shall be complete.
- A 13.4 Council may permit a synopsis in place of a complete reading of the By-Law.
- A 13.5 The CAO/Clerk or Deputy Clerk shall set out on all By-laws enacted by Council the date of their readings and passage.
- A 13.6 Each and every By-law passed by the Council shall be printed, signed by the CAO/Clerk or Deputy Clerk and by the head of Council or presiding officer at the meeting at which the By-law was passed, and shall be sealed with the seal of the Corporation.
- A13.7 Each and every By-law adopted by the Council shall be filed by the CAO/Clerk or Deputy Clerk in the By-law books of the Municipality and shall be indexed and cross-indexed by number and subject matter.

A14 DELEGATIONS

- A 14.1 Any person desiring to be heard as a delegation to Council shall submit a request to the CAO/Clerk or Deputy Clerk not later than 12:00 p.m. (noon) on the Thursday of the week preceding the day of the meeting and such a request shall clearly state the nature of the business to be discussed and provide a general summary of the information to be presented.
- A 14.2 Delegations addressing Council shall confine their remarks to the business stated in their request to be heard and shall present same in a respectful and temperate manner.

A14.3 All delegations heard by Council may be referred to a Board or Committee following their presentation. No debate shall be allowed following the presentation; however, any Council Member may direct questions through the Chair to the delegation and certain directions may be given by Council.

A 14.4 Deputations shall be limited to speaking no more than (10) minutes. A delegation wishing to appear before Council/Committee shall be limited to no more than two (2) speakers with a total speaking time of not more than (10) minutes. Upon consent of the majority of members present the (10) minute time limit for deputations/delegations maybe extended. Persons requesting to appear before Council/committee shall be advised of the time limitation in advance of their deputation.

A 14.5 Council may at its discretion, expressed by resolution adopted by a majority vote of its members present, hear any person.

A14.6 A delegation, once heard, shall not be entitled to be heard on substantially the same matter for a period of 3 months from the date of first being heard, unless new information is being provided to assist Council in its decision making. Refusal of request to appear as a delegation may be appealed to the Head of Council.

A 14.7 Delegations will not be scheduled whose subject relates to a matter currently before the courts or administrative tribunals.

A14.8 A maximum of four (4) Public Meetings/Hearings and four (4) Presentations/Delegations per regular meeting shall be permitted, and no delegations shall be permitted during a special meeting unless specifically approved by Council or Committee.

A15 GENERAL ANNOUNCEMENTS

Council members may make announcements, recognize achievements, promote an event or recognize matters of community-wide interest.

A16 CLOSED SESSIONS

A 16.1 Except as provided in this By-law, all meetings shall be open to the public.

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 I Local Board;
- (d) labor 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.

A 16.2 A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the Council, or Board or other body is designated the head of the institution for the purposes of that Act.

A 16.3 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.

A 16.4 Before holding a meeting or part of a meeting that is closed to the public:

- (a) the subject matter shall be included on the Agenda outlining the general nature of the matter considered;
- (b) The meeting shall be called to order in the public;
- (c) A motion shall be passed stating the fact of the holding of the closed meeting and the section of the Act to which the closed meeting complies;
- (d) Following the confidential discussion required, the meeting shall be re-opened by the motion of the decision on the matter; and
- (e) With no further confidential discussion, all decision shall be made in the public portion of the meeting.

A 16.5 If there is no discussion required on the closed meeting subject, there will be no requirement to close the meeting or motion or otherwise, and the required decision may be considered during the public portion of the meeting without debate.

A 17 ADJOURNMENT

A 17.1 A Motion to adjourn the Council or adjourn the debate shall always be in order, but not debatable, except:

- When a member is in possession of the floor;
- When a recorded vote has been called for;
- When the members are voting;
- When it has been decided that the main question shall be put forthwith.

A 17.2 When a Motion to adjourn is defeated, no second motion to the same effect may be made until there has been some intermediate proceeding.

A 18 RULES OF DEBATE AND CONDUCT

A 18.1 Rules of Debate – Head of Council/Chair

In directing the course of debate, the Head of Council/Chair shall:

- (a) Designate the Member who has the floor when the Members raise their hand to speak.
- (b) Preserve order and decide questions to order.
- (c) Cause to be read all motions/recommendations presented in writing and state all motions/recommendations presented verbally before permitting debate on the question, except when otherwise provided in this By-law.

A 18.2 Rules of Debate – Members

In addressing the Council/Committee, no member shall:

- (a) Speak disrespectfully of Her Majesty the Queen or any of the Royal Family, or of the Governor-General, Lieutenant-Governor or any member of the Senate, the House of Commons of Canada, or the Legislative Assembly of Ontario.
- (b) Use offensive, insulting or improper language in or against the Council or any member thereof, employees of the Municipality or citizens of the Municipality.

- (c) Speak beside the question in debate.
- (d) Criticize any decision of the Council/Committee or a decision of the Head of Council/Chair on questions out of order or practice, or upon the interpretation of the rules of the Council/Committee.

A18.3 Rules of Debate - In Council/Committee

- (a) Every member when speaking to any question or motion shall respectfully Address the Mayor/Head of Council or, Chair.
- (b) When a member is speaking, no other member shall pass between him/her and the chair, or interrupt him/her except to raise a point of order.
- (c) Any member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.
- (d) No member shall speak to the same question for longer than 2 (two) minutes. With the leave of Council/Committee, a supplementary question with a further 1 (one) minute, may be granted.
 - (i) A member may ask a question only for the purpose of obtaining facts relevant to the matter under discussion and necessary for a clear understanding thereof.
 - (ii) All questions shall be stated succinctly and questions shall not be used as means of making statements or assertions.

A19.0 QUESTIONS OF PRIVILEGE AND POINTS OF ORDER

A 19.1 Whenever any point of order, privilege, or matter of urgency arises, it shall be immediately taken into consideration.

A 19.2 When the Mayor is called on to decide a point of order of procedure the point shall be stated without necessary comment, and the Mayor or presiding officer shall state the rule or authority applicable.

A19.3 When a point of order is raised, or when a member is called to order from the chair, the Mayor shall then decide the point of order. The member may be permitted to explain. The decision of the Mayor shall be final, unless an appeal is made to the Council, in which case the question: "Shall the ruling of the chair be sustained?" shall be determined without debate by vote. If the appeal is upheld, the Chair shall change his or her ruling accordingly. If the appeal is rejected, then the ruling stands.

A 19.4 Whenever the Mayor is of the opinion that any motion offered to the Council is contrary to the rules of the Council, he or she shall advise the members thereof immediately and quote the rule or authorities applicable. Argument or comment shall not be permitted.

A 19.5 Where a member considers that his or her integrity or the integrity of the Council has been impugned, the member may as a matter of personal privilege, rise at any time for the purpose of drawing the Mayor's attention to the matter.

A20 VOTING

A20.1 Voting – Head of Council

The Mayor/Head of Council (except where disqualified from voting by reason of interest or otherwise) may vote with the Members on all questions.

A20.2 Voting - Chair of Committee of the Whole

The Chair of Committee of the Whole (except where disqualified from voting by reason of interest or otherwise) may vote with the members on all questions.

A20.3 Voting - Chair of Committee or Technical Support Group of Council

Members of Council sitting as members of Committees or Technical Support Groups may not vote with the members of the Committee or Technical Support Group on any question.

A20.4 Voting on Questions

- (a) When the Mayor/Head of Council or Chair calls for the vote on a question, each member shall occupy his/her seat and shall remain there until the result of the vote has been declared by the Mayor/Head of Council or Chair. During such time no member shall walk across the room or speak to any other member or make any noise or disturbance.
- (b) After a question is finally put by the Mayor/Head of Council, Chair or member, no member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
- (c) Every member present at a meeting of the Council/Committee, when a question is put, shall vote thereon, unless he/she has declared any pecuniary interest, direct or indirect in the question.
- (d) The manner of determining the decision of the Council/Committee on a motion shall be by a "show of hands".
- (e) Any motion shall require four affirmative votes in order to be valid and binding on Council. Where only a quorum is present, a resolution/recommendation, in order to carry or be passed, must be affirmed by the majority of the quorum.

A20.5 Failure to Vote

Failure to vote by any member present, except when a member has declared a pecuniary interest, shall be taken as a negative vote.

A20.6 Appeal of Declaration of Result

- (a) **Council/Committee of the Whole and Committees or Technical Support Groups of Council Meetings**

If a member who has voted on a question disagrees with the declaration of the Mayor/Head of Council or Chair that the question is carried, or lost, he/she may, but only immediately after the declaration by the Mayor/Head of Council, or Chair, appeal the declaration. On an appeal by a member, the Mayor/Head of Council or Chair shall call for a recorded vote to be taken on the question in the manner prescribed in Section 20.8 of this By-law.

A20.7 Equality of Votes

Where a vote on a question results in an equality of votes, the result shall be deemed to be a negative.

A20.8 Recorded Vote

- (a) When a member present requests, immediately prior to or immediately subsequent to the taking of the vote, that the vote be recorded, each

member present, except a member who is disqualified from voting by any act, shall announce his/her vote openly.

- (b) The Mayor Head of Council or Chair, immediately following the request for a recorded vote, will put the question again.
- (c) All members present at the Council or Committee Meeting, unless disqualified from voting by any Act, must vote in alphabetical order, beginning with the member who has requested the recorded vote. The Clerk shall call each member individually, record the members vote and report the result of the vote to the Mayor/Head of Council or Chair.
- (d) The Mayor/Head of Council or Chair shall vote last. (unless he/she requested the recorded vote)

A20.9 Voting - Closed Session Meeting

- (a) Subject to Subsection 20.4, a meeting shall not be closed to the public during the taking of a vote.
- (b) Notwithstanding Section 20.4 a meeting may be closed to the public during a taking of the vote where:
 - (i) Section A 16.1 permits a meeting to be closed to the public; and
 - (ii) The vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality or persons retained by or under contract of the Municipality.

A20.10 MOTIONS/RECOMMENDATIONS

A20.11 Motions/Recommendations -General

- (a) Motions/Recommendations, or notices thereof, shall be in writing, moved and seconded, before the Presiding Officer can put forth the question or Motion for consideration. A member may move or second a Motion in order to initiate discussion and debate, but that member may vote in opposition to the motion.
- (b) Every Motion/Recommendation, when duly moved and seconded, shall be received by the Mayor/Head of Council or Chair, may state the question in the form introduced and shall do so if required by a member. He/she shall state the question in precise form in which it will be recorded in the Minutes.
- (c) The following matters may be introduced orally, without written notice, and without leave:
 - (i) A point of order or personal privilege
 - (ii) Presentations of petitions
 - (iii) A Motion to suspend a rule of procedure or in compliance with a rule of procedure
 - (iv) A Motion to adjourn (not debatable)
 - (v) A Motion that the vote now be taken
 - (vi) A Motion that the Council resolve itself into a Committee of the Whole (not debatable)
- (d) When the Motion under consideration concerns two or more matters, a vote on each matter, upon the request of any member, may be taken separately.
- (e) A Motion in respect of a matter which is beyond the jurisdiction of Council shall not be in order.

- (f) No member shall speak to a Motion more than once, without leave from the Mayor/Head of Council or Chair. Each member shall confine their remarks to a limit of 2 (two) minutes.

A20.12 Withdrawal of a Motion

After a Motion has been received and/or read by the Mayor/Head of Council or Chair, it shall be deemed to be in possession of the Council/Committee but may be withdrawn by the mover, with the consent of the seconder, prior to amendment or voting thereon.

A20.13 Motion to Amend

A Motion to amend:

- (a) Shall be presented in writing.
- (b) Shall be relevant to the question being received.
- (c) Shall not be received proposing a direct negative to the question.
- (d) Shall receive disposition of Council/Committee prior to a decision on the main question.
- (e) Shall be disposed of in the reverse order of presentation to any further amendment and/or original motion.
- (f) Shall not be further amended, more than once, provided that further amendment may be made to the original Motion.
- (g) May propose a separate and distinct disposition of a question.

A20.15 Notice of a Motion

- (a) A Motion to rescind or that has the affect of being contrary or opposite to a Motion entered upon the Minutes shall be received or put only when notice of intention to introduce such Motion is given in accordance with Section A20.15 (b).
- (b) Notice of Motion requires the Member of Council to provide, at a minimum, a brief verbal explanation of the matter and to provide the Mayor/Head of Council with a written Motion at a regularly scheduled meeting of Council. Such Motion shall be provided to members in an Agenda for consideration by Council at its next regularly scheduled meeting.

A21 RECONSIDERATION OF PREVIOUS DECISIONS

Except as otherwise provided in this By-Law, after any questions, matter, resolution or By-Law has been decided by Council:

- A21.1 Council may reconsider a Resolution , By-law, question or matter, if a majority of Council agrees to such reconsideration by resolution.
- A21.2 Only a member who voted with the majority at the time of the final decision may at the same, or subsequent Council meeting, move for reconsideration by Resolution.
- A21.3 Any member who was not on Council at the time of the original vote shall be deemed to have voted with the prevailing side.
- A21.4 A Motion for reconsideration may be seconded by any member.

A21.5 No discussion on the main resolution shall be allowed unless the Motion for reconsideration is approved by a majority vote.

A21.6 If a Motion to reconsider is decided in the affirmative, then consideration of the original matter shall become the next order of business.

A21.7 No Motion shall be reconsidered more than once during a period of 90 days (three months) following the date on which the question was decided after which, the subject matter shall become a matter to be brought forward as though it were a new question.

A21.8 A Motion to reconsider suspends action on the Motion to which it applies until it has been decided.

A21.9 If the action approved in the main Motion cannot be reversed, the Motion cannot be reconsidered.

A21.10 The following Motions cannot be reconsidered:

- to adjourn;
- to recess;
- to suspend the Rules;
- to reconsider;
- to postpone indefinitely which has been lost.

A21.11 Standing Committees and/or Local Boards may only recommend to Council that a previous decision be reconsidered.

A22 PARLIAMENTARY PROCEDURE

All proceedings of the Council not specifically provided for in this By-law, shall be dealt with in accordance with ROBERTS RULES OF ORDER NEWLY REVISED 10th Edition and in such case the decision of the Mayor shall be final and accepted without debate.

A23 RULES SHALL APPLY TO COMMITTEES AND BOARDS

A23.1 It shall be the duty of the Mayor to select the members who are to serve on External Committees such as the Recreation Advisory Committee and the following sub-Committees that report to Council through the Recreation Advisory Committee:

- (a) Mildmay Carrick Recreation, Pool, and Complex Sub-Committee;
- (b) Teeswater Culross Recreation, Pool and Complex Sub-committee;
- (c) Teeswater Old Town Hall Sub-Committee;
- (d) Formosa Hall Sub-Committee;
- (e) Formosa Recreation Sub-Committee;

Note : all Sub Committee secretarial duties will be provided by the each of the Sub Committees for their meeting. No member of Council is required to sit on a Sub-Committee.

A23.2 Subject to the approval of Council, the Mayor shall designate two Council representatives to be appointed to the Recreation Advisory Committee; Public members will be selected as outlined in By-law #2011-14.

A23.3 The Mayor shall invite individual Council members to provide their written aspirations as to Committee involvement – their first, second, and third choices. However, it is acknowledged that the Mayor's selection is final and not all requests may be approved.

A23.4 With the consensus of Council such appointments may be reviewed on an annual basis.

A23.5 Where separate Rules of Procedure do not exist for a Committee or Board, the rules set forth herein shall apply.

SECTION B COMMITTEES AND BOARDS

81 STANDING AND ADVISORY COMMITTEES - MEETINGS

81.1 Composition

The Standing and Advisory Committees Structure of Council shall be as per adopted by Council.

81.2 Terms of Reference

The Standing and Advisory Committees Terms of Reference shall be as per adopted by Council.

81.3 Meetings - Schedule

Standing and Advisory Committee meetings shall be held in accordance with the current yearly Council & Committee Meeting calendar adopted by Council, or at the call of the Chair.

81.4 Meetings-Special-Called by Chair

Special Meetings of a Standing or Advisory Committee may be called by the Chair whenever he/she considers it necessary.

81.5 Chairs-Vice-Chairs-Members -Appointment - Procedure.

The Chairs, Vice-Chairs and members of the Standing or Advisory Committees shall be appointed by the Mayor no later than January 31st following an election year.

B1.6 Mayor - Member-Ex-Officio - All Standing and Advisory Committees

The Mayor shall be ex-officio member of all standing and advisory Committees and entitled to vote and to make Motions and Amendments.

81.7 Procedure-Modifications

The rules governing the procedure of the Council and the conduct of its members shall be observed in Standing and Advisory Committee meetings, with the necessary modifications, except that

- 1) Motions in sub-committees do not require a seconder;
- 2) A member shall not speak more than once to a Motion until every member who desires to speak has spoken once.

81.8 Points of Order - Decision by Chair

Points of Order arising in Standing or Advisory Committee meetings shall be decided by the Chair, subject to an appeal by a Member of the Committee.

81.9 Recommendations to Council

Each Standing or Advisory Committee may make recommendations to Council through the meeting Minutes of the Standing or Advisory Committee at the next regular Council meeting, unless otherwise decided.

B1.10 Recommendations - Exception

Notwithstanding Section B1.9 of this By-law, a Standing or Advisory Committee recommendation may be dealt with by Council when the Council meeting reconvenes that same night.

B1.11 Minutes – Kept – Report to Council

Minutes of Standing or Advisory Committees shall be kept and the proceedings shall be recorded in the form of recommendations voted upon by the members.

B1.12 Agenda - Distribution - Deemed Notice

The Agendas shall be deemed notice of regular Standing and Advisory Committee meetings.

B1.13 Agenda - Distribution

The Chair, through the Clerk's representative (Recording Secretary) shall cause to be delivered to each Member of Council and Committee member, an Agenda for each Standing or Advisory Committee in accordance with Section A? and AS of this By-law. Distribution of the Agenda is deemed to be deposited in the members' mail boxes and/or electronically.

B1.14 Agenda – Not Received – Validity – Not Affected

Lack of receipt of the Agenda by the members shall not affect the validity of the Standing or Advisory Committee meeting or any action lawfully taken thereat.

B1.15 Alternates -Appointed - Composition

Where the Mayor deems it necessary "Alternates" may be appointed by resolution of Council to represent the lay members on Standing or Advisory Committees. An Alternate can only act as a voting member of a Committee in the absence of a lay member of the same Committee. The alternates are only counted in a quorum in the absence of the appointed member.

82 AD-HOC COMMITTEES & WORKING GROUPS

B2.1 Ad -Hoc Committees & Working Groups-Composition - Mandate

There shall be Ad-Hoc Committees and Working Groups as established by Council from time to time for consideration of specific matters within the jurisdiction of the Council. When Council establishes an Ad-hoc Committee or Working Group, a mandate for the Committee, as well as the composition shall be adopted. The resolution appointing the Ad-Hoc Committee or Working Group shall include the name of the Ad-Hoc Committee or Working Group and a sunset provision being the date of which the Committee must report back to Council and will cease to exist. If an Ad-Hoc Committee or Working Group requires extra time, the Chair must come back to Council requesting the additional time needed.

B2.2 Chairs-Vice-Chairs -Appointment -Procedure

The Chairs and Vice-Chairs of the Ad-hoc Committee or Working Group shall be appointed by the Mayor.

B2.3 Meetings -Regular -Exception

Ad-hoc Committees and Working Groups shall meet in accordance with the current yearly Council & Committee meeting Calendar adopted by Council, or as established by the Ad-Hoc Committee or Working Group, at a location to be determined by the Chair.

B2.4 Meetings – Special – Called by Chair

Special meetings of Ad-hoc Committees or Working Groups may be called by the Chair whenever he/she considers it necessary.

B2.5 Agenda - Distribution

The Chair shall determine the method and manner of distribution of the Agendas for the Ad-hoc Committees or Working Groups.

B2.6 Members Under 18 Years of Age

Members under the age of 18 years of age are permitted on Ad-Hoc Committees and Working Groups with parental consent.

B3 NOTICE OF MEETINGS

B3.1 The Secretary shall not be required to give notice of regular meetings of Committees and Boards but the mailing and receipt of the Agenda for the meeting shall constitute notice thereof.

B3.2 The Secretary shall endeavor to notify all members of meeting cancellations.

B4 QUORUM

Quorum shall consist of the majority of the whole number chosen to comprise any Committee, or Board, or as otherwise determined by the Council.

B5 MAYOR: EX-OFFICIO MEMBER

The Mayor shall be ex-officio member of all municipal authorities, Committees and Boards and shall have the same rights and privileges as any of the other members, however does not count for quorum (is not counted in determining the number required for a quorum or whether a quorum is present at a meeting).

PART BB DISCLOSURES OF CONFLICT OF INTEREST

BB.1 DISCLOSURES OF CONFLICT OF INTEREST

Provision of Matters

- 1) Members of Council are bound by the provisions of the Act and have personal responsibilities and duties.
- 2) The Clerk shall provide each member of Council with a copy of the Act prior to being sworn into Office.
- 3) A member who knows that he or she will be declaring a Conflict of Interest at an upcoming meeting should notify the Clerk prior to the meeting, and
- 4) Each member of Council and local Board has an individual responsibility to satisfy himself or herself as to whether he or she has a conflict of interest in accordance with the Legislation. No member of Council or local Board shall seek specific advice from any member of the municipal administration.

**SECTION C
CODE OF CONDUCT FOR MEMBERS OF COUNCIL**

C1 GENERAL STATEMENT

C1.1 Council Members shall conduct themselves according to the Code of Conduct.

C1.2 The Municipal Code of Conduct is a general standard that augments the provincial laws and municipal By-law that govern their conduct.

C2 GIFTS AND BENEFITS

C2.1 Members shall not accept fees, gifts, hospitality or personal benefits that are connected directly or indirectly with the performance of duties as Municipality of South Bruce Councillors, except compensation authorized by law.

C2.2 This section does not apply to tokens, mementoes, souvenirs, or such gifts or benefits up to and including a value of \$200.00 that are received as an incident of protocol or social obligation that normally accompanies the responsibilities of office.

C2.3 No Member shall seek or obtain by reason of his or her office any personal privilege or advantage with respect to Municipal services not otherwise available to the general public and not consequent to his or her official duties.

C3 CONFIDENTIALITY

C3.1 All information, documentation or deliberation received reviewed or taken in closed session of Council and its Committees are confidential, except as otherwise directed by Council

C3.2 Members shall not disclose or release by any means to any member of the public either in verbal or written form any confidential information acquired by virtue of their office, except when required by-law to do so.

C3.3 Members shall not permit any persons other than those who are entitled thereto to have access to information that is confidential.

C3.4 Particular care should be exercised in ensuring confidentiality of the following types of information:

- Labour negotiations;
- Information about suppliers provided for evaluation which might be useful to other suppliers;
- Matters relating to the legal affairs of the Municipality;
- Items under negotiation;
- Schedules of prices in contract tenders;
- Information defined as "personal information" under the Municipal Freedom of Information and Protection of Privacy Act;

C3.5 This list is provided for example and is not inclusive. Requests for information should be referred to the Office of the Clerk to be addressed as a formal request under the Municipal Freedom of Information and Protection of Privacy Act.

C4 USE OF MUNICIPAL PROPERTY

C4.1 No member shall use for personal purposes any Municipality of South Bruce property, equipment, supplies, or services of consequence other than for purposes connected with the discharge of Municipal duties or associated community activities of which Municipal Council has been advised.

C4.2 No member shall use information gained in the execution of his or her duties that is not available to the general public, for any purposes other than his or her official duties.

CS WORK OF A POLITICAL NATURE

C5.1 No member shall use Municipal facilities, services or property for his or her re-election campaign.

C5.2 No member shall use the services of Municipal employees for his or her re-election campaign, during hours in which the employees are in the paid employment of the Municipality.

CG CONDUCT AT MEETINGS

C6.1 During meetings, members shall conduct themselves with decorum. Respect for delegations and fellow members and staff requires that all members show courtesy and not distract from the business of the Council or Committee during presentations and when other members have the floor.

C7 REPRESENTING THE MUNICIPALITY

C7.1 Members shall make every effort to participate diligently in the activities of the agencies, boards, and commissions to which they are appointed.

ca INFLUENCE ON STAFF

C8.1 Members shall be respectful of the fact that staff work for the Municipality as a body corporate and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual member or group of members of Council.

C8.2 In addition, members shall be respectful of the fact that staff carry out directions of Council and administer the policies of the Municipality, and are required to do so without any undue influence from any individual member or group of Members of Council.

C9 BUSINESS RELATIONS

C9.1 No member shall borrow money from any person who regularly does business with the Municipality unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

C10 HARASSMENT

C10.1 Harassment of another member, staff or any member of the public is misconduct. Harassment may be defined as any behavior by any person that is directed at or is offensive to another person on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, handicap, sexual orientation, marital status, or family status and any other grounds under the provisions of the Ontario Human Rights Code.

C11 INTERPRETATION

Members of Council seeking clarification of any part of this Code of Conduct should consult with the Clerk .

C12 TRANSPARENCY & OPENNESS IN DECISION MAKING

C12.1 Members of Council will endeavor to conduct and convey Council business in an open and public manner (other than for those matters in which Council may go in camera in accordance with the Municipal Act) so that stakeholders can

obtain the process, logic and rationale which was used to reach conclusions or decisions.

C13 IMPLEMENTATION

C13.1 A Code of Conduct component will be included as part of the orientation workshop for each new Council.

C13.2 Council Members are expected to review and confirm their adherence to the provisions of the Code on a regular basis or when so requested by Council.

SECTION D

D.1 CONTENTS OF BY-LAW

Standing and Advisory Committees

The contents of the By-law, which are applicable, shall apply to all Standing Committees of Council and Advisory Committees of Council.

D.2 AMENDMENT OF THIS BY-LAW

(a) Procedure Suspended - Majority of Members

Any procedure required by this By-Law may be suspended for the duration of the meeting with the consent of a majority of the Member of the Council or Committee of Council present.

(b) Notice - No Amendment or Repeal

No amendment or repeal of the By-Law or any part thereof shall be considered at any meeting of the Council unless notice of the proposed amendment or repeal has been given at a previous regular meeting of the Council and the waiving of this notice by the Council is prohibited. A Motion adding or dissolving a Committee passed at the preceding regular Council meeting is of sufficient notice.

(c) Notice of Provisions

Notice of Provisions for an amendment or repeal of this By-Law shall be in accordance with the Municipality of South Bruce Notice of Provisions By-Law.

(d) Proposed By-Law - Deferred - Notice

If the proposed By-Law is not passed at the Council meeting specified in the notice, but consideration of the matter is deferred, no further notice is required, if a public statement is made at the meeting that the matter has been deferred and that the Municipality intends to adopt or amend the By-law at a later Council Meeting specified in the public statement. This also applies to any further deferrals of the matter.

D.3 SEVERABILITY

Validity - By-Law

Should any section, subsection, clause, paragraph or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole or any part thereof, other than the provisions so declared to be invalid.