

**THE CORPORATION OF THE MUNICIPALITY
OF ST.-CHARLES**

BY-LAW 2025-33

**BEING A BY-LAW TO GOVERN THE PROCEEDINGS OF MUNICIPAL COUNCIL
AND COMMITTEE MEETINGS OF THE CORPORATION OF THE MUNICIPALITY OF
ST.-CHARLES AND REPEAL BY-LAW 2018-46**

WHEREAS Section 238 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that every municipality shall pass a Procedure By-Law for governing the calling, place and proceedings of meetings, for public notice of meetings and for electronic participation in meetings;

AND WHEREAS the Municipal Council of the Corporation of the Municipality of St.-Charles deems it expedient to enact a By-Law to govern and regulate the proceedings of Council, local boards, and Committees;

NOW THEREFORE, Council for the Corporation of the Municipality of St.-Charles hereby enacts as follows:

1. THAT the meeting procedures of Municipal Council and Committees are set out in attached **Appendix “A”** of this By-Law
2. THAT the attached Appendix “A” shall form part of this By-Law.
3. THAT By-Law 2018-46, 2019-06, 2019-29, 2020-34, 2023-58, 2024-21 and Resolution 2024-248 and all previous By-Laws related to meeting procedures of Municipal Council and Committees, including any amending By-Laws are hereby repealed.
4. THAT this By-Law may be cited at the “Procedure By-Law” or the “Procedural By-Law”.
5. THAT this By-Law shall come into effect on the day it is passed.

**READ A FIRST TIME AND CONSIDERED READ A SECOND AND THIRD TIME
AND FINALLY PASSED IN OPEN COUNCIL THIS 16TH DAY OF JULY 2025.**

MAYOR

CLERK

APPENDIX “A” TO BY-LAW 2025-33

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General

1. Application and Interpretation

- 1.1. This By-Law establishes the rules of order for meetings of Municipal Council and Committees.
- 1.2. A word expressed in the singular in this By-Law includes the plural meaning.
- 1.3. Any use of the male or female pronouns in this By-Law, shall have no significance in the interpretation and application of the terms, provisions and conditions of this By-Law, such use is solely for the sake of convenience.
- 1.4. Any future amendment(s) to the *Municipal Act, 2001* or other legislation as noted in this By-Law may alter the provisions of the legislation referenced but shall not affect the validity of this By-Law or any part thereof.
- 1.5. In the event of conflict between this By-Law and any superior legislation, the provisions of the superior legislation prevail.
- 1.6. A specific statement or rule in this By-Law has greater authority than a general statement or rule.
- 1.7. Any reference to a provision of this By-Law may be referred to as “Section” notwithstanding that it may be a section, subsection, clause or paragraph.
- 1.8. If there is a conflict between two (2) 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 the Clerk, rely on previous rulings and practices or refer to the most recent edition of *Robert’s Rules of Order*.
- 1.9. Procedure shall be a matter of interpretation by the Chair or other presiding Member, subject to the appeal process as set out in Section 13.

2. Principles of this By-Law

The principles of parliamentary law governing meetings include:

- 2.1. The majority of Members have the right to decide.
- 2.2. The minority of Members have the right to be heard.
- 2.3. All Members have the right to information to help make decisions unless otherwise prevented by law.

- 2.4. All Members have the right to an efficient Meeting.
- 2.5. All Members, Municipal Staff and participants have the right to be treated with respect and courtesy.
- 2.6. All Members have equal rights, privileges and obligations.

3. Suspension of Rules

- 3.1. Rules of order provided for in this By-Law, may be suspended at or for a particular meeting by Resolution adopted with the unanimous consent of the Members of Council present and voting, with the exception of the following circumstances, and provided that the suspension of the rules does not result in a contravention of the *Municipal Act, 2001*:
 - Where required by law;
 - In any contract or agreement binding the Municipality;
 - Amending this By-Law;
 - Requirements of Quorum.
- 3.2. A Motion to suspend the Rules of Procedure required by this Procedure By-Law shall not be debatable or amendable. In addition, the Motion to suspend should identify the reasons that the rules are being set aside.

4. Appointment of the Deputy Mayor

- 4.1. At the Regular Meeting of Council in December of an election year, Council shall, by By-Law, appoint a Councillor as Deputy Mayor, to hold office for the term of Council. The appointed Councillor shall be the Councillor who received the highest number of votes during the election process.
- 4.2. In the event that the Councillor who received the highest number of votes during the election process does not accept the appointment or becomes unable to perform his or her duties as Deputy Mayor, the Councillor who received the second highest number of votes during the election process will be appointed as Deputy Mayor.
- 4.3. In the event that the Councillor who received the second highest number of votes during the election process does not accept the appointment or becomes unable to perform his or her duties as Deputy Mayor, Members of Council shall, from amongst themselves, select the Councillor to be appointed as Deputy Mayor.
- 4.4. The Deputy Mayor shall act from time to time in the place and instead of the

Mayor while the Mayor is absent from the Municipality or is absent through illness.

- 4.5. In the event the Head of Council's seat becomes vacant, as defined in Section 259 of the *Municipal Act, 2001*, that vacancy shall be filled in accordance with the options identified in Section 263 of the *Municipal Act, 2001*, with the appointed Deputy Mayor at that time acting in the place of the Head of Council until such time as the vacant seat is otherwise filled by Council.
- 4.6. That in the scenario described in Section 4.5, there is no presumption that the Deputy Mayor at the time of vacancy of the Head of Council is to be automatically appointed as permanent Head of Council.
- 4.7. When the Mayor and the Deputy Mayor are absent or refuse to act, the Council shall, by Resolution, appoint one of its Members to act in the place of the Mayor and such Member shall have all the powers and duties of the Mayor with respect to the role of presiding at meetings, as Acting Chair, at a duly called meeting.

5. Administrative Authority of the Clerk

- 5.1. The Clerk is authorized to revise or correct By-Laws, Minutes and other records or documents relating to Council and Committee for technical, typographical or other administrative errors and omissions for the purpose of ensuring an accurate and complete record of proceedings and general housekeeping.

Definitions

6. Definitions in this By-Law

- 6.1 **Act** means the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended or replaced from time to time.
- 6.2 **Acting Chair** means such a person who is a Member of the Committee and who acts in place of the Committee Chair when such Chair is absent from a meeting of the Committee for any cause and who shall exercise all the rights, powers and authorities of the Chair while so acting.
- 6.3 **Ad Hoc Committee** means a special purpose Committee of limited duration, appointed by Council to inquire into and report on a specific matter or concern and which is dissolved automatically upon submitting its final report to Council, unless otherwise directed by Council. It can also be referred to as a "Working Group" or a "Steering Committee".

- 6.4 **Advisory Committee** means a Committee created by Council to act in an advisory capacity on a specific matter of municipal interest.
- 6.5 **By-Law** means an enactment, in a form approved by Council, passed for the purpose of giving effect to a decision or proceedings of Council.
- 6.6 **CAO** means the Chief Administrative Officer of the Municipality of St.-Charles who is appointed by By-Law and whose duties are prescribed herein and in the *Act*.
- 6.7 **CEO** means the Chief Executive Officer which shall mean the Mayor in accordance with the *Act*.
- 6.8 **Chair** means the presiding officer at a Meeting, who conducts the meeting and sees that the rules and procedures are observed and is actually presiding at the time, whether that person is the regular presiding officer or not.
- 6.9 **Clerk** means the Clerk of the Municipality of St.-Charles, or their designate.
- 6.10 **Closed Meeting** means a Meeting or part of a Meeting that is closed to the public pursuant to Section 239 of the *Act*.
- 6.11 **Committee** means Committee of the Whole, Advisory Committee or other Committee as established by Council, of which 50 per cent of the members are also members of one or more Councils or Local Boards
- 6.12 **Committee of the Whole** means a Committee comprised of all Members of Council.
- 6.13 **Consent Agenda** means a listing of Consent Items being presented to Council and Committee for its consideration and vote.
- 6.14 **Consent Item** means an item or report that is presented for approval without debate and with no delegation or presentation and is generally considered routine in nature.
- 6.15 **Council** means the Municipality of St.-Charles' elected representatives, comprised of the Mayor and Councillors.
- 6.16 **Councillor** means any Member of Council, other than the Mayor.
- 6.17 **Declared Emergency** means an emergency declared by the Premier, Cabinet or the municipal Head of Council under the *Emergency Management and Civil Protection Act*.

- 6.18 **Delegation** means any person, group of persons, firm or organization, who is neither a Member of a Committee or Council or an appointed Official of the Municipality or a consultant or other individual hired by the Municipality, wishing to address Council on a specific matter upon request to the Clerk.
- 6.19 **Deputy Mayor** means a Member of Council appointed from within to act in the absence of the Mayor in accordance with the Deputy Mayor appointment schedule, and who shall perform such duties as are prescribed herein or as may be determined from time to time by the Mayor.
- 6.20 **Director** means the most senior staff of the Municipality of St.-Charles as delegated by the CAO.
- 6.21 **Electronic Meeting** means any Open or Closed Meeting, called in full or in part, where Council or Committee, as a whole or in part participates remotely or virtually via electronic means (including, but not limited to, audio teleconference, video teleconference, or via means of the internet), 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.
- 6.22 **Emergency** means a situation or the threat or an impending situation caused by forces of nature, an accident, an intentional act, or otherwise that constitutes immediate or imminent threat to property and / or the health, safety, welfare and well-being of the citizens of the Municipality or the Municipal government, which by its nature and magnitude requires a controlled and coordinated response and is by its nature and magnitude distinct from the routine daily operations of the Municipality.
- 6.23 **Majority** means for the purpose of voting, unless otherwise specified, more than half the total number of the Members of Council or Committee present at the vote and not prohibited by statute from voting.
- 6.24 **Majority Vote** means more than one-half (1/2) the votes cast by Members present.
- 6.25 **Mayor** means the Mayor of the Municipality of St.-Charles, as defined in the *Act*.
- 6.26 **Meeting** means any regular, special or other meeting of Council or Committee where a quorum of Members is present, either in person or virtually via electronic means, and Members discuss or otherwise deal with any matter in a way that materially advances the business of Council or Committee.
- 6.27 **Member** means a Member of Council, including the Mayor, or a Member of

Committee, including the Chair.

- 6.28 **Motion** means a question to be considered by Council, moved by one (1) Member and seconded by another Member to adopt, amend, or otherwise deal with a matter before Council or Committee. The Motion is moved, seconded, read and is subject to debate.
- 6.29 **Motion to Defer** means a Motion to delay consideration of a matter until later in the same Meeting or at a future Meeting of Council or Committee.
- 6.30 **Motion to Refer** means a Motion to direct a matter under discussion by Council and / or Committee of the Whole to staff or another Committee for further consideration or review.
- 6.31 **Municipality** means the Corporation of the Municipality of St.-Charles.
- 6.32 **Notice of Motion** means a written notice respecting a substantive matter not on the agenda, submitted to the Clerk, for inclusion on the agenda of a future Meeting.
- 6.33 **Point of Order** means a question by a Member calling attention to a possible violation of the rules or customary procedures of this By-Law.
- 6.34 **Point of Privilege** means a question by a Member who believes that another Member has spoken disrespectfully towards that Member or another Member, Municipal staff or a delegation or who considers that his or her integrity or that of a Member or Municipal staff or delegation has been impugned or questioned by a Member.
- 6.35 **Quorum** means a majority of the Members of Council or Committee.
- 6.36 **Standing Committee** means a Committee constituted to perform a continuing function and remains in existence permanently or for the life of the Council that establishes them and are appointed by By-Law or Resolution. Any recommendation made by a Standing Committee would then be presented at the next Regular Meeting as opposed to a Committee of the Whole.
- 6.37 **Statutory Committee** means Committees established pursuant to a specific enabling statute, such as a Committee of Adjustment established pursuant to the *Planning Act*, a Municipal Election Compliance Audit Committee established pursuant to the *Municipal Elections Act*, and any other body established pursuant to enabling legislation which services in an arms-length (quasi-judicial) capacity on behalf of or in cooperation with the Corporation of the Municipality of St.-Charles.

- 6.38 **Two-Thirds Majority** means two-thirds (2/3) of the Members of Council or Committee present and eligible to vote.
- 6.39 **Workshop** means a meeting of Council where the purpose is for Council to discuss issues or impart in education in an informal venue. With the exception of procedure matters, no Motions are passed, and no matter is discussed which advances the business of the Municipality.

Duties and Conduct

7. Chair of Meeting

- 7.1. The Chair of Council, Committee of the Whole or a Workshop is the Mayor and, in the absence of the Mayor, the Deputy Mayor is Chair.
- 7.2. If the Mayor or Deputy Mayor or Committee Chair is not present at a Meeting by the commencement of the Meeting, the Clerk shall call the Meeting to order and the Members present shall, from amongst themselves, appoint a member to act as Chair in the place and instead of the Chair until the Chair arrives.
- 7.3. The Chair and Vice Chair of any other Committees may be appointed by a vote of the Members of the Committee.

8. Appointments to Committees as Mayor's Designate and as Committee Chairs

- 8.1. The Mayor shall be an ex-officio Member of all Committees of Council and shall have the right to participate but does not form part of the quorum.
- 8.2. Where Council representation is required on a Committee or a Local Board, the Mayor, in consultation with Members of Council, shall designate the Member or Members to represent the Council on such Committee or Local Board, and present the appointments for review and approval via Council resolution within the first three (3) months of the Council term.
- 8.3. Departmental Committee Chairs will be established by the Mayor in consultation with Members of Council and presented to Council for review and approval via Council resolution within the first three (3) months of the Council term.
- 8.4. It shall be the responsibility of all Committees of Council:
- a) To consider and report on any and all matters referred to by Council;
 - b) To provide direction and guidance to staff, through the CAO, set priorities

- and ensure co-ordination among the policies, programs and services of the Municipality; and,
- c) To promote accountability.
- 8.5. Committees shall not recommend the expenditure of any funds not provided for in the current year's budget approved by Council unless their recommendation specifically identifies the expenditure as unbudgeted and further identifies a source of funds for the expenditure.
- 8.6. Committee Chairs will be established as per the departments currently structured in the Municipality.
- 8.7. As Committee Chairs, Council Members may advocate for items related to their respective portfolios or speak to the aforementioned items at a Meeting.
- 8.8. Committee Chairs may serve as a general point of contact for the public for items / issues related to that portfolio.
- 8.9. Committee Chairs shall not engage in or direct the day-to-day operational activities or decisions of the department. Their role is limited to providing policy-level guidance through Council and serving as a liaison on matters within their assigned portfolio.

9. Roles and Duties of the Mayor / Chair

- 9.1. It is the role of the Head of Council:
- a) To act as Chief Executive Officer of the Municipality;
 - b) To provide leadership to Council:
 - i. Without limiting clause b), to provide information and recommendations to Council with respect to the role of Council described in Section 224(d) and (d.1) of the *Municipal Act, 2001*;
 - c) To represent the Municipality at official functions; and,
 - d) To carry out the duties of the Head of Council under the *Municipal Act, 2001*.
- 9.2. As Chief Executive Officer of a Municipality, the Mayor 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.

- 9.3. The Chair shall call a Meeting to order as soon as there is Quorum present after the time set for the Meeting.
- 9.4. The Chair shall preside over the Meetings so business can be carried out efficiently and effectively, and shall:
- a) Maintain order and preserve the decorum of the Meeting;
 - b) Rule on all procedure matters;
 - c) Receive and submit to a vote all Motions presented by the Members that do not contravene the rules of procedure;
 - d) Decline to put any Motions to a vote which do not comply with the rules of procedure, or which are not within the jurisdiction of Council or Committee;
 - e) Announce the result of the vote on any Motions presented for a vote;
 - f) Expel or exclude from any Meeting any person whom the Chair feels has exhibited improper conduct at the Meeting;
 - g) Adjourn or suspend the Meeting if they consider it necessary because of grave disorder;
 - h) Close the Meeting when business is concluded or recess the Meeting;
 - i) After issuing appropriate warning, may call by name any Member persisting in breach of the rules of procedure, order them to leave the Meeting and if the Member refuses to leave the Meeting, the Chair may request the CAO or designate to contact security or police for assistance to remove the Member;
 - j) Shall decide all matters not covered by this By-law and may call upon the Clerk to provide advice regarding procedure whereupon the Clerk shall provide advice, following which the Chair shall announce the ruling;
 - k) May call a vote on the question of sustaining the ruling of the Chair in response to a Member disagreeing and appealing the ruling of the Chair and may provide further explanation of the ruling prior to calling the vote and announce the results of the vote;
 - l) If necessary, may call a recess for a brief, specified time to consult the Clerk or CAO, or any other person deemed appropriate, or to provide a short break to Members of Council;
 - m) If there is a threat or imminent threat to the health or safety of any person, or if there is a possibility of public disorder, recess the Meeting for a specified time;
 - n) Ensure all Members who wish to speak have had an opportunity to speak at least once when the matter is being discussed;
 - o) Ensure clarity, where required, by reading, or requesting the Clerk or other appropriate person to read Motions before voting;
 - p) Vote on all matters unless disqualified from doing so by any statute;
 - q) Adjourn the Meeting when all business is concluded; and,
 - r) Authenticate, when necessary, by their signature, all By-Laws, Resolution and Minutes.

10. Roles and Duties of the Deputy Mayor

- 10.1. When the Mayor is absent from a Meeting, the Deputy Mayor may exercise all the rights, powers and authority of the Mayor as Head of Council.
- 10.2. Outside of Meetings and this By-law, the Deputy Mayor is not assigned any additional authority.

11. Roles and Duties of Members

All Members shall:

- 11.1. Attend scheduled Meetings.
- 11.2. Carefully consider and make decisions about Meeting business, including seeking information and advice from staff prior to and during a Meeting.
- 11.3. Vote on all Motions put to a vote unless disqualified from voting under any statute.
- 11.4. Respect the rules of order as set out in this By-Law.
- 11.5. Listen attentively, participating in a Meeting and not interrupting, unless to raise a Point of Order or Point of Privilege, as set out in this By-Law.
- 11.6. Refrain from using any offensive, disrespectful or unparliamentary language.
- 11.7. 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 Municipality of St.-Charles.
- 11.8. Respect and follow the decisions of Council or Committee.
- 11.9. Refrain from engaging in private conversation while in the Council Chamber in such manner as to interrupt the proceedings of Council.
- 11.10. Refrain from speaking on any subject other than the subject in debate.
- 11.11. Respect the confidentiality of matters discussed in Closed Meetings and not disclose the subject or substance of these discussions unless authorized to do so by Council or Committee.

11.12. Comply with the ruling of the Chair and the decisions of Council and Committee.

11.13. 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 are in place to implement the decisions of Council;
- e) To ensure the accountability and transparency of the operations of the Municipality, including the activities of the senior management of the Municipality;
- f) To maintain the financial integrity of the Municipality; and,
- g) To carry out the duties of Council under the *Municipal Act, 2001*, or any other Act.

12. Duties of Attendees

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

12.2. Attendees must maintain order and shall refrain from interrupting proceedings, including speaking out of turn, heckling, or engaging in side conversations.

12.3. As determined by the Chair, attendees that are displaying placards or props or displaying any behaviour that may be considered disruptive may be asked to leave the Meeting.

12.4. Attendees shall speak in a respectful and non-inflammatory manner when addressing Council or staff.

12.5. Attendees must ensure they do not interrupt any speech or action of the Members or any person addressing Council.

12.6. Attendees must ensure that all personal digital devices are turned off or set to silent mode during a Meeting.

12.7. Individuals who wish to submit materials for Council's consideration must do so through the Clerk, and the Clerk will determine the distribution of such materials in due course.

13. Rules of Debate and Questions from Members

13.1. The Chair shall preside over the conduct of the Meeting including the preservation of good order and decorum, ruling on points of order, questions of

- privilege, points of information and ruling on all questions relating to the procedure of the Meeting.
- 13.2. Any ruling made by the Chair is subject to appeal by any of the Members to Council or Committee.
 - 13.3. If an appeal is made by a Member, the Member appealing shall, after announcing the appeal, state the reasons. The Chair may then respond prior to the appeal being voted upon.
 - 13.4. The appeal shall be put to a vote without debate, conducted by roll call.
 - 13.5. If the appeal is upheld, then the Chair shall change his or her ruling accordingly. If the appeal is rejected, then the ruling stands.
 - 13.6. The Chair may speak on any matter before the commencement of debate on that matter.
 - 13.7. The Chair may speak to close the debate on any matter after everyone else wishing to speak has spoken.
 - 13.8. If the Chair has declared a pecuniary interest on any item on an Agenda, then the Chair shall withdraw from the chair during the deliberation of that matter by Council or Committee.
 - 13.9. No person shall speak aloud at a Meeting or address Members without first receiving permission of the Chair to do so. All remarks shall be addressed to the Chair. Any person contravening this rule shall be considered to have engaged in improper conduct and may be subject to removal by the Chair.
 - 13.10. The Chair will provide each Member with an opportunity to speak.
 - 13.11. No Member, without leave of the Council or Committee, as the case may be, speak to a matter, including any reply, for longer than ten (10) minutes.
 - 13.12. After being recognized by the Chair, every Member shall respectfully acknowledge the Chair prior to speaking on any matter.
 - 13.13. A Member shall not speak more than once on a matter without the leave of Council or Committee, as the case may be, except:
 - a) If questioned by another Member; or,
 - b) To explain comments which the Member believes have been misunderstood; or,
 - c) In the case of the mover of a main Motion, in reply just before the Chair and after everyone else has spoken.

- 13.14. A Motion to defer or refer shall take precedence over any Motion or amendment except a Motion to adjourn.
- 13.15. A Motion to defer must specify a reason and a time or condition for reconsideration.
- 13.16. Before a Motion is accepted, Members shall be given the opportunity to speak or ask questions directly relating to the matter under consideration at least once on the particular matter.
- 13.17. 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.
- 13.18. Once a Motion that a vote be now taken is presented and entertained by the Chair, it shall be put to a vote without further debate and if carried by a two-thirds (2/3) vote of the Members present, the Motion and any amendments thereto under discussion shall be submitted to vote forthwith and without further debate.
- 13.19. The Chair may ask questions or offer comments without leaving the chair. However, to move a Motion or participate in a debate, the Chair must first relinquish the chair.
- 13.20. If the Mayor wishes to move a Motion or join debate, the Deputy Mayor shall preside. If unavailable, another Member shall be appointed Acting Chair.
- 13.21. Members are encouraged to provide questions to staff prior to the Meeting and address any answers received during the comments portion of the discussion.
- 13.22. When a Member is speaking, no interruptions are permitted except to raise a Point of Order or a Point of Privilege.
- 13.23. Comments are to be relevant to the matter of business at the Meeting.
- 13.24. Members shall be concise and avoid unnecessary repetition.

14. Point of Information

- 14.1 No person at a Meeting shall use offensive words or unparliamentary language.
- 14.2 No person at a Meeting shall disobey the procedural rules or the decisions of the Chair or of the Council or Committee, as the case may be, on questions or order or practice or upon the interpretation of the procedural rules.
- 14.3 No Member at a Meeting shall leave their seat while a vote is being taken and

until the results are declared and must first address the Chair for permission.

- 14.4 No Member at a Meeting shall enter the Meeting while a vote is being taken.
- 14.5 No person at a Meeting shall make any noise or disturbance while a vote is being taken and until the result is declared.
- 14.6 The Chair may pause the vote in the event a disturbance occurs.
- 14.7 No person at a Meeting shall interrupt a Member while speaking, by speaking out, making a noise or disturbance, except to raise a Point of Order.
- 14.8 Any person who contravenes any of the rules set out in Section 14 at a Meeting shall be considered to have engaged in improper conduct and may be subject to expulsion or exclusion by the Chair. The decision of the Chair is not subject to appeal.
- 14.9 If a Member wishes to leave a Meeting prior to adjournment and not return thereto, the Member shall so advise the Chair of the reason for departure and the fact and time of the Member's early departure shall be recorded in the Minutes.

15. Points of Order

- 15.1. 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 this By-Law; or,
 - b) A deviation from the matter under consideration and the current discussion is not within the scope of the proposed Motion.
- 15.2. Where a Member raises a Point of Order, the Chair shall:
 - a) Interrupt the matter under consideration;
 - b) Ask the Member raising the Point of Order to state the Point of Order with a concise explanation of the Point of Order; and,
 - c) Rule on the Point of Order immediately without debate by Council or Committee.
- 15.3. A Member may appeal the ruling of the Chair to Council or Committee which will then decide whether to uphold the decision or overturn the decision, without debate, by way of a Majority Vote of the Members present. If there is no appeal, the decision of the Chair is final.
- 15.4. Once the Point of Order has been dealt with, the debate shall resume at the point it was before the Point of Order was raised unless the decision of the Point of Order has changed the procedure.

- 15.5. Where a person has been deemed guilty of improper conduct by the Chair and is expelled or excluded from the Meeting by the Chair and such person refuses to so leave, the Chair may adjourn the Meeting without any Motion to do so until such time as the person has left the meeting room.
- 15.6. No Member shall disobey the rules of Council or decision of the Mayor or Chair or of the Council on questions of order or practice or upon the interpretation of the rules of Council.
- 15.7. In case a Member persists in any such disobedience after having been called to order by the Chair, the Chair shall forthwith put the question, no amendment, adjournment or debate being allowed, "that such Member be ordered to leave their seat for the duration of the Meeting of Council".
- 15.8. If the Member verbally apologizes, they may, by vote of the Council, be permitted to retake their seat.

16. Point of Privilege

- 16.1. A Member may raise a Point of Privilege at any time if they consider their personal dignity, reputation, integrity, the integrity of Council or Committee as a Whole, a Municipal staff member, or a delegation has been impugned.
- 16.2. Where a Member raises a Point of Privilege, the Chair shall:
 - a) Interrupt the matter under consideration;
 - b) Ask the Member raising the Point of Privilege to state the Point of Privilege with a concise explanation of the Point of Privilege; and,
 - c) Rule on the Point of Privilege immediately without debate by Council or Committee.
- 16.3. A Member may appeal the ruling of the Chair to Council or Committee which will then decide whether to uphold the decision or overturn the decision, without debate, by way of a Majority Vote of the Members present. If there is no appeal, the decision of the Chair is final.
- 16.4. Once the Point of Privilege has been dealt with, the debate shall resume at the point it was before the Point of Privilege was raised unless the decision of the Point of Privilege has changed the procedure.
- 16.5. Where the Chair considers the integrity of any Member or staff has been impugned or questioned, the Chair may permit that Member or staff to make a statement to Council or Committee. Such statement shall be limited to five (5) minutes.

- 16.6. Points of Privilege and the ruling of the Chair shall be recorded in the Minutes of the Meeting.

Meetings

17. Inaugural Council Meeting

- 17.1. The first Meeting of Council following a regular election shall be held at a date and time set by the Clerk in consultation with the Mayor and in accordance with the *Act*. The Meeting will be held in the Council Chamber at the Municipal Office or at such alternate location as determined by the Clerk.
- 17.2. At the Inaugural Meeting of Council, all elected Members shall make their declaration of office and sign Council's Code of Conduct. The Clerk may provide additional policies or procedures to Council as appropriate.
- 17.3. Council may appoint Members to Local Boards and Committees. Council may also pass a By-Law for Bank Signing Authority. Otherwise, Council shall not proceed with any other regular business at this Meeting.

18. Location and Schedule of Meetings

- 18.1. Regular Meetings of Council, Committee of the Whole and Special Meetings of Council will take place in Council Chambers at the Municipal Office or at another location within the Municipality or as provided for in the *Act*, when notice is given.
- 18.2. Council shall approve a schedule of Regular Meetings of Council and Committee of the Whole for each calendar year, which may be amended by Resolution of Council. The schedule of Meetings shall be posted on the Municipality's website and available from the Clerk's office.
- 18.3. Council may, by Resolution passed by two-thirds (2/3) of the Members present, dispense with or alter the date, time or place of a Meeting, provided that adequate notice of the change is posted at the Municipal Office, and provided that the location be within the boundaries of the Municipality.
- 18.4. Generally speaking, there will be one (1) Committee of the Whole and one (1) Regular Meeting of Council per month, except during the months of January, July, August and December. Special Meetings may be called as required.
- 18.5. The Meeting schedule of all other Committees is determined by the Committee.

19. Regular Meetings of Council

- 19.1. Regular Meetings of Council will typically be held on the third Wednesday of each month, except during the months of August and December, commencing at 6:00 p.m. in the Council Chamber, unless otherwise noted, in accordance with the schedule of meetings approved by Council. The Regular Meeting of Council in the months of August and December shall be held on the second Wednesday of the month.
- 19.2. Notwithstanding Section 19.1, Meetings may be cancelled or postponed in accordance with Section 23.
- 19.3. If a Council Meeting falls on a public or civic holiday, the Council shall meet at the same hour on the next following business day, which is not a public or civic holiday, unless otherwise provided by Resolution of Council.

20. Regular Committee of the Whole Meetings

- 20.1. Regular Committee of the Whole Meetings will typically be held on the first Wednesday of each month, except during the months of January, July, August and December commencing at 6:00 p.m. There shall be no Committee of the Whole Meeting during the months of January, July, August and December.
- 20.2. Notwithstanding Section 20.1, Meetings may be cancelled or postponed in accordance with Section 23.
- 20.3. If a Committee of the Whole Meeting falls on a public or civic holiday, Council shall meet at the same hour on the next following business day, which is not a public or civic holiday, unless otherwise provided by Resolution of Council.

21. Special Meetings of Council

- 21.1. A Special Meeting may be called by the Mayor or Chair, or by the Mayor in consultation with the Chief Administrative Officer (CAO) and the Clerk, at any time, by providing written direction to the Clerk stating the date, time and purpose for the Special Meeting.
- 21.2. As per the Act and notwithstanding Section 21.1, the Clerk may call a Special Meeting when petitioned in writing by a majority of Members. The purpose of the Meeting shall be set out in the petition together with the date, time and location of the Meeting. Once such a petition is received by the Clerk, no Member may remove his or her name.
- 21.3. The Clerk may, at any time, summon a Special Meeting of Council to deal with matters of an urgent nature. Matters of an urgent nature are to be deemed as urgent in the opinion of the Clerk.

- 21.4. The Clerk shall seek the availability of Members prior to calling a Special Meeting of Council.
- 21.5. A Special Meeting is limited to business included in the Notice of Meeting.
- 21.6. A Special Meeting may be either open or closed in accordance with the *Act*.

22. Workshops

- 22.1. The Mayor and/or Chief Administrative Officer, in consultation with the Clerk, may convene a Workshop for Members of Council for the purpose of:
 - a) Educating or training; or,
 - b) For providing the Members with information and/or advice.
- 22.2. No business shall be advanced during a Workshop.
- 22.3. Workshops are not open to the public and are not livestreamed.

23. Cancellation or Postponement of Meetings

- 23.1. A Regular or Special Meeting of Council or Committee of the Whole, or a Workshop, 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) If the Meeting is cancelled by Council or Committee recommendation;
 - c) In the event of an emergency or imminent weather event; or,
 - d) Where the Meeting is no longer required as determined by the Clerk and the CAO due to a lack of forecasted agenda items.
- 23.2. The Clerk gives notice of the cancellation or postponement of a Regular or Special Meeting of Council or Committee of the Whole, or Workshop, on the municipal website. Council Members are notified of cancellations through electronic means (email, instant messaging), or via telephone, whenever possible. Where time is limited, a notice is posted on the main entrance of the Municipal office and / or online.
- 23.3. Meetings of other Committees may be cancelled or postponed by the Clerk, Chair or other assigned person where Quorum cannot be achieved, in the event of an emergency or where the Meeting is deemed no longer required by the Chair in consultation with the Clerk or designate.

24. Notice of Meetings

- 24.1. Annually, the Clerk will prepare a calendar giving notice of specific dates when

Regular Meetings of Council and Committee of the Whole Meetings are scheduled and this calendar will be available on the municipal website.

- 24.2. The Clerk will give notice of a Meeting in the form of a Meeting Agenda which shall identify the date, time and place for the Meeting, to all Council Members, to Committee Members where required, to the CAO and Department Heads, and to such other persons as the Mayor, Chair or the Clerk deems necessary.
- 24.3. Agendas for the Regular Meeting of Council and Committee of the Whole Meeting will be posted on the municipal website no later than seventy-two (72) hours prior to the scheduled Meeting.
- 24.4. Items or matters will not be added to the Agenda after its publication by inclusion in an Addendum unless determined by the Clerk, in consultation with the Chief Administrative Officer, to merit addition.
- 24.5. The Clerk may amend the Agenda prior to the meeting by notifying the Chair and distributing copies of the amended Agenda and any additional supporting material to the Members and the public at the earliest opportunity.
- 24.6. In the case of a Special Meeting of Council or any Committee, the Clerk shall attempt to inform each Member and such other persons as the Mayor or the Clerk deem necessary of the date, time, location and purpose of the Meeting by telephone, electronic mail or otherwise.
- 24.7. Agendas for Special Meetings of Council will be posted on the municipal website no later than forty-eight (48) hours prior to the scheduled Meeting.
- 24.8. Emergency Special Meetings may be held, without written notice, to deal with issues that may urgently or immediately affect the health or safety of residents. The Clerk shall attempt to notify the public of Emergency Special Meetings as soon as possible and in the most expedient manner available.
- 24.9. The Clerk may provide earlier or additional forms of notice, as the Clerk deems appropriate.
- 24.10. The failure of any person to receive notice of a Meeting shall not affect the validity of the Meeting or any action taken during the Meeting.

25. Notice of Meeting Closed to the Public

- 25.1. Where a matter may be considered by Council or Committee for discussion in closed session, whenever possible, written notice will include:
 - a) The fact the Meeting will be closed to the public as provided by the

- appropriate legislation; and,
- b) The general nature of the matter to be considered at the Closed Meeting.

26. Invalidation of the Notice of Meeting

- 26.1. 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.

27. Quorum

- 27.1 The Quorum required to commence and continue a Meeting of Council, or a Committee shall be more than fifty percent (50%) of the Members.
- 27.2 If Quorum is not achieved within fifteen (15) minutes after the time appointed for the commencement of a Meeting, the Clerk will record the names of the Members present and the Meeting shall automatically be deemed adjourned until the next Regular Meeting or until a Special Meeting is called to deal with matters intended to be dealt with at the adjourned Meeting.
- 27.3 As soon as there is Quorum after the time appointed for the commencement of the Meeting, the Chair shall call the Meeting to order.
- 27.4 If at any time during the Meeting there is no longer Quorum, the Meeting shall automatically be deemed adjourned until there is Quorum again in attendance or until the Chair declares the Meeting adjourned. Should the lack of Quorum continue for fifteen (15) minutes from the time of its occurrence, then the Meeting shall automatically be deemed adjourned either until the next Regular Meeting or until a Special Meeting is called to deal with the matters still to be dealt with at the adjourned Meeting.

28. Seat Allocation

- 28.1 Prior to the commencement of the first Regular Meeting of Council following an election, the Clerk, in consultation with the Mayor, shall establish for Council and Committee Meetings, the seating arrangement to be used for the term of that Council.
- 28.2 The Clerk, in consultation with the Mayor, shall designate the seating arrangement for the media, municipal staff and the public at Council and Committee Meetings.
- 28.3 Any person who contravenes any established seating arrangement shall be guilty of improper conduct and may be subject to expulsion or exclusion from the meeting by the Mayor.

29. Closed Meetings

29.1. All Meetings shall be open to the public, except as provided for in Section 239 of the *Act*. Council or Committee may convene a Meeting or part of a Meeting in a Closed Meeting in order to discuss the following matters:

- 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 Council or Committee may hold a Closed Meeting under another statute;
- 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 belongs 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.

29.2. Council or Committee shall convene into a Closed Meeting for the following purposes:

- a) A request under the *Municipal Freedom of Information and Protection of Privacy Act*, if Council or Committee is the head of an institution for the purposes of that statute; or,
- b) An ongoing investigation respecting the Municipality, a local board or a Municipally controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, a municipal Ombudsman referred to in subsection 223.13(1) of the *Act*, or a closed meeting investigator referred to in subsection 239.2(1) of the *Act*.

- 29.3. In accordance with Section 239 (3.1), 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:
- a) The meeting is held for the purpose of educating or training the Members; and,
 - b) At the Meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council, the local board or Committee.
- 29.4. If, during a Meeting of Council or Committee, a Member wishes to move into a Closed Meeting, the Member shall either move a Motion to defer the matter to the Closed Meeting items on the Agenda or move a Motion which would require two-thirds (2/3) vote of those Members present to immediately recess in a Closed Meeting.
- 29.5. Before all or part of a Meeting is closed to the public, Council or a Committee thereof, shall state by Resolution the fact of the holding of the Closed Meeting and the general nature of the matter to be considered.
- 29.6. Direction to staff or consultants retained by the Municipality may be provided at Closed Meetings when permitted under the *Act*, by consensus of Members present.
- 29.7. The number of times a Member may speak on any question shall not be limited at a Closed Meeting, provided that no Member shall speak more than once until every Member who is entitled to do so has spoken.
- 29.8. A Motion for adjournment shall not be entertained by the Chair at a Closed Meeting.
- 29.9. Upon completion of the Closed Meeting, Council or Committee, as the case may be, shall immediately reconvene to the Open Meeting. The Mayor or Chair shall provide a verbal report to the public and generally summarize the disposition of items discussed in the Closed Meeting without revealing any confidential security.
- 29.10. Any matters discussed in the Closed Meeting requiring a decision of Council or Committee will be brought forward in the Open Meeting.
- 29.11. The Meeting of Council or a Committee shall not be closed to the public during the taking of a vote unless the *Act* permits or requires a meeting to be closed to the public, and 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 with the Municipality.

- 29.12. No Member shall disclose or discuss, through any means including written, electronic or verbal communication to any individual or third party, any information that has been or will be discussed at a Closed Meeting or any records or documents disclosed unless Council or Committee has expressly authorized the disclosure of such information, records or documents or if directed to do so by law.
- 29.13. Records of the Closed Meetings shall be kept in the form of minutes, as those kept for Open Meetings, and shall be adopted at the next scheduled Closed Meeting or as soon as possible thereafter and kept in a secure location by the Clerk.

30. Electronic Meetings

- 30.1. Members who participate in a Meeting through electronic means in accordance with this By-Law and the *Act* shall be deemed to be present at the Meeting for the purposes of every Act.
- 30.2. Members can participate in both Open and Closed Meetings and Members participating electronically shall count towards quorum. It is preferred that quorum be physically present in Council Chambers.
- 30.3. The Chair of the Meeting shall be physically present in Council Chambers together with the Clerk or their designate. If the Mayor is unable to attend in person, the Deputy Mayor must be physically present to Chair the Meeting.
- 30.4. Members can participate electronically:
 - a) If a Member is travelling for work or pleasure and unable to attend in person;
 - b) If a Member is ill and not fit to physically attend the Council Chambers;
 - c) In the event of a family emergency; or,
 - d) In the event of poor winter road conditions.
- 30.5. Members planning to participate electronically must give notice to the Clerk a minimum of two (2) days before the scheduled Meeting, unless in the case of illness or poor road conditions.
- 30.6. Where the Rules of Procedure conflict with the need to facilitate electronic participation, the Chair in consultation with the Clerk shall have the authority to modify the Rules of Procedure to ensure Members can effectively electronically participate in the meeting.
- 30.7. Public Notice of an Electronic Meeting shall include sufficient information as to provide the public with a means to electronically access the Open Meeting of

such Electronic Meeting.

- 30.8. Presentations and delegations to Council shall be permitted by electronic means provided, written submission is received in advance of the meeting, which shall be received by the Clerk by 12:00 noon on the Wednesday before the next regularly scheduled Council Meeting. The written submission must include a request to attend by electronic means.
- 30.9. The Clerk may provide for the electronic participation of Staff.
- 30.10. Notwithstanding the above, electronic participation by Members of Council, presenters, delegates, staff or the public will only be provided if the necessary technology is available in the Council Chambers or any other location, as determined by the Clerk.
- 30.11. Members of the public who cannot attend a Meeting of Council in person may submit written questions to the Clerk, which clearly indicate the Agenda Item and question. Written questions must be received by the Clerk no later than 4:00 p.m. on the day before the Meeting. Written questions received will be read by the Clerk during the Meeting.
- 30.12. Municipal staff shall ensure that said electronic means shall permit the Members and the public to hear and be heard by all other participants in the Meeting.
- 30.13. The Clerk shall ensure that, in respect of Meetings that are open to the public, electronic means will be posted on the St.-Charles website (www.stcharlesontario.ca) with the Meeting participation instructions.
- 30.14. Meetings shall be broadcast live. Video recordings will remain available online for a period of no less than six (6) months. The public may request an audio recording of any Open Meeting by written request to the Clerk. The loss of connection during a Meeting, or inability to broadcast shall not invalidate the Meeting.
- 30.15. A roll call for all those who are in attendance via electronic means shall state their full name and will be recorded by the Clerk or their designate and be maintained with the Meeting Minutes.
- 30.16. Members participating by electronic means who are declaring a pecuniary interest must do so by stating their full name, the date of the pecuniary interest and the reason for the declaration.
- 30.17. During the Meeting, the microphones of all Members and Municipal Staff attending via electronic means shall remain on. Where members of the public are participating via electronic means, those microphones shall be muted and only unmuted when the Chair requests for presentations or delegations.

- 30.18. Members participating by electronic means shall inform the Chair of their intention to leave the Meeting either on a temporary or permanent basis.
- 30.19. Members participating by electronic means shall be deemed to have left the Meeting when they are no longer electronically connected to the Meeting.
- 30.20. In the event of a loss of connection, or any connection issues which impede the ability of the Member to participate in the Meeting in real time, the Meeting will continue without attempts by either staff or the Member to reconnect provided quorum is maintained.
- 30.21. Prior to a vote, the Chair will request a mover and seconder, and the Clerk shall read each Motion. The mover and seconder's name shall be recorded on the Motion.
- 30.22. The Chair will call the vote for:
- a) Those in favour of the Motion; and,
 - b) Those opposed to the Motion.
- 30.23. The Chair shall ensure all Members attending by electronic means are polled for each vote.
- 30.24. All Motions will be considered to be carried or defeated, whatever the case may be, after the Chair has polled each vote, and each Motion shall be maintained with the Meeting Minutes.

31. Agendas

- 31.1 The Clerk provides administrative processes to support the approval, preparation, notice, publication, and distribution of agendas, following approval by the Chief Administrative Officer.
- 31.2 It is the responsibility of the Clerk to prepare the agendas of all Council and Committee Meetings in accordance with the provisions contained in this By-Law.
- 31.3 All items for an Agenda must be in an approved format and must be received in writing by the Clerk no later than 12:00 p.m. (noon) on the Wednesday of the week prior to the Meeting.

32. Record of Meetings (i.e. Minutes)

- 32.1. The Clerk, or their designate, records the Minutes of Meetings of Council and Committee of the Whole without note or comment in accordance with Section 239 (7) of the *Act*. The Minutes record:

- a) The date, time, and location of the Meeting;
 - b) The name of all Members in attendance;
 - c) The name and nature of presentations and delegations; and,
 - d) All resolutions, decisions and other proceedings of the Meeting.
- 32.2. Minutes of each Meeting of Council are presented to a subsequent Regular Meeting of Council for approval, as time permits.
- 32.3. Minutes of Council and Committee meetings shall be prepared by the Clerk and adopted by Council for the sole purpose of confirming the administrative proceedings at such meetings. The correction of errors or omissions may be made by Council without debate.
- 32.4. The receipt of Minutes from other Committees or Agencies by Council does not constitute endorsement by the Municipality of any recommendations or actions contained therein.

33. Public Record

- 33.1. All communications received by the Clerk pertaining to a matter on the Agenda of a public or open Meeting may form part of the public record. Personal information and opinion in communications are part of the public record unless the author of the communication requests the removal of their personal information when submitting it or where confirmed by the Clerk.
- 33.2. Sensitive personal information may be redacted at the discretion of the Clerk.

34. Recordings, Broadcasting and / or Streaming

- 34.1 All Council and Committee of the Whole Meetings may be audio recorded, video recorded, broadcast and / or streamed publicly by the Municipality with the exception of proceedings closed to the public provided for by the *Act* or this By-Law. Given their nature and informal approach, Workshops will generally not be live-streamed or recorded.
- 34.2 Closed Meetings will be audio recorded only.
- 34.3 Attendees and members of the public may not use their own recording, broadcasting and / or streaming services during a Meeting unless they have arranged to do so prior to the Meeting and have received approval to do so from the Clerk.
- 34.4 The Public may request in writing at any time from the Clerk, a copy of the audio recording of any meeting open to the public. The Public will be charged for the cost of data stick (i.e. USB drive) onto which the recording will be copied, in

accordance with the current Fees and Charges By-Law. Such recording shall be available within seven (7) days of the request being filed.

35. Advisory and Ad Hoc Committees

- 35.1. Advisory Committees are created by Council with no defined ending and serve to make recommendations and / or to provide key information and materials to Council.
- 35.2. Each Advisory Committee shall have Terms of Reference that set out its purpose, guidelines for membership and how it will operate.
- 35.3. A minimum of one (1) Member of Council will be appointed to an Advisory Committee.
- 35.4. Advisory Committees do not have decision-making authority and their recommendations must be approved by Council.
- 35.5. Council may appoint Ad Hoc Committees, with a definite ending, to consider a specific matter and report to Council through the CAO or Director.
- 35.6. A Motion appointing an Ad Hoc Committee shall include:
 - a) The name of the Ad Hoc Committee;
 - b) The Members of Council forming the Ad Hoc Committee;
 - c) The purpose and objectives of the Ad Hoc Committee;
 - d) The date by which the Ad Hoc Committee shall report to Council; and,
 - e) The term of the Ad Hoc Committee and the date its mandate expires.
- 35.7. Members of the management team or their designates shall render assistance to Council or Committees as required and shall attend meetings of Council and Committees. Staff are non-voting participants.
- 35.8. The Clerk may establish simplified Rules of Procedure for Advisory Committees, Quasi- Judicial Committees or Local Boards. Where simplified Rules of Procedure are not established, the Committee or Local Board shall be deemed to have adopted this Procedure By-Law, save and except those Local Boards or Committees which may adopt their own Rules of Procedure, subject to approval by the Clerk or through other legislation.

Order of Business

36. Meetings of Council (Regular and Special)

36.1. Notwithstanding Sections 36 and 37, the order of business for a Council Meeting and Committee of the Whole Meeting may be adjusted at the discretion of the Clerk and the Chair.

36.2. The Clerk shall prepare an agenda for the use of Members for Regular and Special Meetings of Council as follows:

- Call to Order and Administrative Items
 - Resolution to Open the Meeting
 - Roll Call / Regrets
 - Indigenous Land Acknowledgement
 - Resolution to Adopt the Agenda
 - Disclosure of Pecuniary Interest
- Questions by Members of the Public and Announcements by Council
- Presentations and Delegations
- Staff / Committee Reports (urgent / time sensitive reports only)
 - Chief Building Official
 - By-Law Enforcement
 - Fire Chief
 - Director of Operations
 - Treasurer / Director of Finance
 - Clerk
 - Chief Administrative Officer
- Consent Agenda
 - Resolution to Adopt the Minutes of Meetings
 - Council Minutes
 - Resolution to Receive Minutes
 - Manitoulin-Sudbury District Services Board (MSDSB)
 - Public Health Sudbury & Districts Board (PHSD)
 - St.-Charles Public Library Board
 - Sudbury East Chamber of Commerce (SECC)
 - Sudbury East Municipal Association (SEMA)
 - Sudbury East Planning Board (SEPB)
 - Resolution to Receive Correspondence for Information
 - Resolutions of Support for Correspondence
 - Resolution to Receive the Cash Disbursement Register
 - For Information Only Staff Reports
 - Department Quarter Reports

- Other Routine Resolutions
 - Reports and Other Items Withdrawn from Consent Agenda
 - Unfinished Business
 - Resolutions from Committee of the Whole Decisions
 - By-Laws
 - First and Second Reading
 - Third and Final Reading
 - Notices of Motion
 - Addendum
 - Closed Session
 - Resolution to Enter into Closed Session
 - Disclosure of Pecuniary Interest
 - Resolution to Adopt the Minutes of Closed Session Meetings
 - Reconvene to Open Session
 - Resolution to Reconvene to Open Session
 - Report from Mayor following Closed Session
 - Adjournment
 - Confirmation By-Law – First and Second Reading
 - Confirmation By-Law – Third and Final Reading
 - Resolution to Adjourn
- 36.3. The items on the Agenda of each meeting shall be taken in the order in which they stand on the Agenda unless otherwise decided by Resolution by two-thirds (2/3) of the Members present.
- 36.4. All items on an Agenda not dealt with at a Regular Meeting shall be placed on the Agenda for the next Regular Meeting unless otherwise decided.

37. Committee of the Whole

- 37.1 The Clerk shall prepare an agenda for the use of the Members for Meetings of Committee of the Whole as follows:
- Call to Order and Administrative Items
 - Resolution to Open the Meeting
 - Roll Call / Regrets
 - Indigenous Land Acknowledgement
 - Resolution to Adopt the Agenda

- Disclosure of Pecuniary Interest
 - Questions by Members of the Public and Announcements by Council
 - Presentations and Delegations
 - Staff / Committee Reports
 - Chief Building Official
 - By-Law Enforcement
 - Fire Chief
 - Director of Operations
 - Treasurer / Director of Finance
 - Clerk
 - Chief Administrative Officer
 - Notices of Motion
 - Addendum
 - Closed Session
 - Resolution to Enter into Closed Session
 - Reconvene to Open Session
 - Resolution to Reconvene to Open Session
 - Report from Mayor following Closed Session
 - Adjournment
 - Resolution to Adjourn
- 37.2 The items on the Agenda of each Meeting shall be taken in the order in which they stand on the Agenda unless otherwise decided by Resolution by two-thirds (2/3) of the Members present.
- 37.3 All items on an Agenda not dealt with at a Committee of the Whole Meeting shall be placed on the Agenda for the next Committee of the Whole Meeting unless otherwise decided.

38. Roll Call / Regrets

- 38.1. The Roll Call shall be called by the Mayor and recorded by the Clerk.
- 38.2. If a Member arrives at a Meeting after the Roll has been called, the Clerk of the Meeting shall note the time of arrival in the Minutes.
- 38.3. If a Member must leave the Meeting that is still in progress, the Clerk of the Meeting

shall note the time of departure in the Minutes.

- 38.4. If a Member is unable to attend a Meeting, they must advise the Clerk with written or electronic notice as soon as practicable of their intended absence and the reason for the absence.

39. Pecuniary Interest

- 39.1. When a Member has a declaration of pecuniary interest, direct or indirect, in any matter and is present at a Meeting of Council, at which the matter is the subject of consideration, the Member shall act in accordance with the *Municipal Conflict of Interest Act*, as amended, and declare a pecuniary interest.
- 39.2. If the Chair has disclosed a pecuniary interest on any matter before Council or Committee, the Chair shall withdraw from the Chair during the deliberations on that matter.
- 39.3. The Member disclosing a pecuniary interest, shall at a Meeting or as soon as possible afterwards, and no later than forty-eight (48) hours after declaring the pecuniary interest, file with the Clerk a written statement of the interest and its general nature with the Declaration of Interest Form, as attached as Schedule "A".
- 39.4. The Declaration of Interest Form, as prepared by the Clerk, shall form part of the Registry. The Registry shall be made available for public inspection and kept up to date, no later than seventy-two (72) hours following the declaration, at the Clerk's Office during regular office hours.

40. Staff Reports

- 40.1. In accordance with established administrative protocols, reports to Council or Committee are prepared by staff, approved by the CAO, submitted in writing to the Clerk and distributed with the agenda for the applicable Meeting.
- 40.2. Reports prepared by staff contain information and recommendations prepared in context of their professional, technical and administrative expertise independent of any particular political, constituent or stakeholder interest.
- 40.3. An information report is prepared for the information of Council and usually presented at Regular Meeting and will form part of the Consent Agenda.
- 40.4. In most circumstances, only time-sensitive items will be presented first to Council at a Regular Meeting.

41. Consent Agenda

- 41.1. Consent Agenda items of business, with recommendations included, shall be approved collectively by way of a single Motion. Consent Agenda items may include, but not be limited to the following:
 - a) Council Minutes for adoption;
 - b) Committee and agency Minutes for receipt;
 - c) Correspondence for receipt;
 - d) Resolutions of Support for correspondence;
 - e) Cash Disbursement lists for approval;
 - f) For Information staff reports for receipt; and,
 - g) Department Quarter Report for receipt.
- 41.2. Where a Member has declared a pecuniary interest on an item listed in the Consent Agenda, such matter shall be separated and placed in the Agenda under Reports and Other Items Withdrawn from Consent Agenda and voted upon separately.
- 41.3. A Member may make brief comments on any item listed in the Consent Agenda, without formally removing that item from the Consent Agenda, prior to the consideration of the adoption of the matters listed. Any questions regarding an item on the Consent Agenda shall be submitted to the Clerk in writing no later than 12:00 noon one (1) day in advance of the Meeting to give the author of the report an opportunity to prepare a complete and accurate response.
- 41.4. If a Member wishes to debate or amend the recommendation of an item listed on the Consent Agenda, the Member shall request that the item be removed from the Consent Agenda and dealt with as a separate item. The Member wishing to have the item removed from the Consent list to allow for debate or amendment of the recommendation shall provide the Clerk notice of same not later than 4:00 p.m. on the Monday prior to the Meeting.
- 41.5. Where prior notice has not been provided in accordance with this section, a Member wishing to remove an item from the Consent Agenda for the purpose of debate or amendment shall move for its removal from the Consent Agenda and added to the Reports and Other Items Withdrawn from Consent Agenda for Council's consideration. Such Motion shall be passed by the Majority of Members present.
- 41.6. Any Member who wishes to debate and have a separate vote on any item(s) set forth in the Consent Agenda Motion shall so advise the Chair, following which:
 - a) The item(s) shall be separated from the Consent Agenda Motion;
 - b) The main Consent Agenda Motion shall be voted on;
 - c) Amendments to the separated item(s) may be proposed during the

- course of the debate; and,
- d) Each separated item shall be voted on individually.

41.7. Items separated and placed on the Agenda under Reports and Other Items Withdrawn from Consent Agenda shall be dealt with in the order they appear on the Agenda unless otherwise directed by the Chair.

42. Notices of Motion

- 42.1. A Notice of Motion may be submitted to the Clerk by a Member at any time in writing on the prescribed Notice of Motion Form attached as Schedule “B”.
- 42.2. Each Notice of Motion received by the Clerk by 12:00 p.m. on the Wednesday prior to the Meeting and prior to the preparation of the Agenda shall be included in the Agenda for the Meeting under the item “Notices of Motion” to be read.
- 42.3. A Notice of Motion, in writing, may also be received by the Clerk prior to the closing of a Meeting. In this event, the Chair shall either instruct the Clerk to read the Notice of Motion or declare the Motion as read and it shall be duly recorded in the Minutes and shall form part of the Agenda for the subsequent Meeting under the item “Notices of Motion”.
- 42.4. The presentation of a Notice of Motion does not require a seconder for the Motion until it comes before a Meeting for debate.
- 42.5. The Member who delivers a written Notice of Motion to the Clerk to be read at any Meeting need not be at the Meeting during the reading of the Notice of Motion.
- 42.6. Once a Notice of Motion has been read or declared read at a Meeting, it shall then be placed on the next Meeting under the item of “Notices of Motion” for debate. At that Meeting, the Member of Council who submitted the proposed Motion shall move the Motion and introduce it. The Motion must then be seconded. After discussion by the Members, the Motion will be put to a vote for final disposition of the item.
- 42.7. A Member of Council may request that the notice provisions be waived, which will require a two-thirds (2/3) vote.
- 42.8. No staff report will be prepared unless the Motion is referred to staff for a further report.
- 42.9. It is the duty of the Member of Council to:
 - a) Prepare the proposed Motion in writing; and

- b) Submit the proposed Motion to the Clerk prior to the publication deadline for any Agenda.

43. Addendum

- 43.1. There shall only be an Addendum to an Agenda for Meeting when one (1) or more items arise after the closing of the deadline for the preparation of the Agenda and prior to the meeting, which items the Clerk believes are of urgent nature and require immediate consideration at the Meeting.
- 43.2. Before any Addendum may be dealt with at Council, a Resolution must be passed by two-thirds (2/3) of the Members present authorizing Council to deal with all or any of the items on the Addendum.
- 43.3. The Addendum shall include provisions for declarations of pecuniary interest.

44. By-Laws

- 44.1. All By-Laws shall receive first and second reading in a single Motion by Council by Majority Vote, unless otherwise required by legislation. The By-Law number and title shall be read and the entirety of the By-Law need not be read.
- 44.2. Each By-Law shall receive third and final reading by individual Motion by Council by Majority Vote.
- 44.3. A Confirmatory By-Law shall be enacted at the conclusion of each Regular Meeting.

Public Participation

45. Questions and Announcements

- 45.1. Questions by the general public shall be limited to a total duration of fifteen (15) minutes with each individual being allowed a maximum of five (5) minutes to speak.
- 45.2. The Clerk shall advise the Chair once the prescribed time limit has lapsed.
- 45.3. A limit of two (2) questions per attendee will be permitted.
- 45.4. Submissions from the Public received during a Meeting shall be heard first from any member of the public attending the meeting in-person, followed by any member of the public registered to participate remotely via electronic means, followed by written submissions received by the Clerk.

- 45.5. The Chair, in consultation with the Clerk, may accommodate a different order of speakers where deemed possible and appropriate.
- 45.6. Attendees wishing to speak shall stand and await approval from the Chair before commencing.
- 45.7. All question topics shall be limited to current agenda items. Questions and announcements are for questions / inquiries only, and not an opportunity to provide comments on municipal matters. Council reserves the right to ask attendees to limit their question to the matter at hand.
- 45.8. Once approval is granted the attendees shall state their first and last name and Agenda item number, which the Clerk will record in the Minutes.
- 45.9. Questions will be taken one (1) at a time, in the order received.
- 45.10. Attendees wishing to ask more than one (1) question shall give all other attendees the opportunity before being permitted to ask a second question.
- 45.11. The Chair shall be given first opportunity to respond to the Attendee and may ask Members of Council or staff for further input. Questions requiring a lengthy answer, or which require research shall be directed to staff for further review.
- 45.12. Council reserves the right to refer the inquiry to Staff for timely follow-up subsequent to the Meeting, however, staff are not expected to prepare or provide recommendations regarding the informal inquiry at the Meeting.
- 45.13. There are no obligations on Council to respond or action items related to a question asked during announcements and inquiries.
- 45.14. Generally, no Motions are passed related to matters raised during announcements and inquiries.
- 45.15. The Chair shall have the right to curtail any questions which are not related to an agenda item, or questions which are deemed to be inappropriate, derogatory or otherwise not suitable for discussion in an Open Meeting.
- 45.16. This opportunity to speak shall not be used to file complaints of any nature, but to clarify information on the specific subject being discussed. Attendees wishing to file a complaint shall direct the information to municipal administration staff outside of Meeting times.
- 45.17. The questions and announcements section may be cancelled by Resolution if

passed by two-thirds (2/3) of the Members present.

46. Presentations

- 46.1. A maximum of three (3) Presentations or Delegations combined at ten (10) minutes each will be permitted at a Meeting. This allows for a total of thirty (30) minutes.
- 46.2. Presentations are typically informational and initiated by the Municipality of external organizations.
- 46.3. The Clerk shall place each Presentation on the appropriate Agenda and each Presentation shall appear on the Agenda and be heard in the order determined by the Clerk.
- 46.4. The decision of the Clerk as to the placement of a Presentation on the Agenda shall be considered final.
- 46.5. Presentations at Council Meetings shall be limited to a maximum of ten (10) minutes although such time limit may be extended by decision of the Chair, by such amount of time as the Chair deems appropriate.
- 46.6. If a Presentation extends beyond the maximum time limit during a Meeting, without prior approval of the Chair, then the Clerk will issue a warning to the presenter. It is the Chair's discretion as to whether they are allowed to continue past the maximum time limit.
- 46.7. The Clerk shall advise the Meeting when there is one (1) minute remaining and once the time allotted to a Presentation has expired, the Chair shall inform the presenter, and the presenter shall immediately cease its Presentation.
- 46.8. Outside organizations or individuals wishing to make a presentation shall complete the prescribed Council Delegation Request Form attached as Schedule "C", and shall provide the Clerk with written materials, presentation materials, etc. for inclusion on the agenda by the deadline outlined by the Clerk, being no later than 12:00 noon the Wednesday preceding the Council meeting.
- 46.9. The Form shall be addressed to the Clerk and shall be as follows:
 - a) Be printed, typewritten or legibly written;
 - b) Clearly set out the matter at issue and the request made of Council;
 - c) Be signed by the name of the writer; and,
 - d) Contain the mailing address, street address, telephone number and email address of the writer.

- 46.10. A presenter making its Presentation may use such visual aids as it deems advisable provided that where such visual aids require the use of municipal equipment, arrangements must be made by the presenter with the Clerk at least one (1) day prior to the meeting.
- 46.11. The Clerk may limit the frequency and / or number of times a group or individual may appear before Council.
- 46.12. The following types of presentations shall provide information only and shall be heard at the beginning of a Council Meeting:
- a) Presentations by groups or individuals on subjects that are within the jurisdiction or influence of local government, as determined by the Clerk and Chair;
 - b) Presentations by outside organizations providing information with no accompanying report or recommendations; and,
 - c) Presentations recognizing achievements.
- 46.13. Presentations by an outside organization or individual shall not be permitted for the sole purpose of generating publicity or promotion.
- 46.14. Presenters requesting specific financial assistance or services in-kind from Council shall be directed to the appropriate department for review. A decision will not be made at the Meeting where the Presentation is heard.
- 46.15. Presenters requesting specific action from the Municipality related to an operational issue shall be directed to the appropriate department for review. A decision will not be made at the Meeting where the Presentation is heard.
- 46.16. Upon the completion of a Presentation to Council or a Committee, any discourse between Members of Council, the Committee, or the Head of Departments and the presenter shall be limited to asking questions for clarification and obtaining additional relevant information only. Members of Council or the Committee and the Head of Departments shall not enter into debate with the presenter respecting the presentation.
- 46.17. The Chair may curtail any Presentation, any questions of a presenter or Member of Council or debate during a Presentation for disorder or any other breach of this By-Law and, if the Chair rules that the Presentation is concluded, the person or persons appearing shall immediately withdraw.
- 46.18. Where a public hearing is held by a Committee pursuant to the *Act*, no person shall be permitted to appear before Council in respect of that matter.

47. Delegations

- 47.1. A maximum of three (3) Delegations or Presentations combined at ten (10) minutes each will be permitted at a Meeting. This allows for a total of thirty (30) minutes.
- 47.2. Delegations are typically initiated by member of the public seeking to address Council on a specific issue.
- 47.3. The Clerk shall place each Delegation on the appropriate Agenda and each Delegation shall appear on the Agenda and be heard in the order determined by the Clerk.
- 47.4. The decision of the Clerk as to the placement of a Delegation on the Agenda shall be considered final.
- 47.5. Depending on the situation in question, Delegations shall be encouraged by the CAO and the Clerk to first resolve the issue with staff. Matters which are operational or administrative only shall be referred to the appropriate Department Head for resolution.
- 47.6. Delegations at Council Meetings shall be limited to a maximum of ten (10) minutes although such time limit may be extended by decision of the Chair, by such amount of time as the Chair deems appropriate.
- 47.7. If a Delegation extends beyond the maximum time limit during a Meeting, without prior approval of the Chair, then the Clerk will issue a warning to the Deputee. It is the Chair's discretion as to whether they are allowed to continue past the maximum time limit.
- 47.8. An individual who is under eighteen (18) years of age must provide the Clerk with written permission from the individual's parent or guardian.
- 47.9. Individuals who register as a delegation will have their name and the purpose of their delegation published on an agenda.
- 47.10. Anyone wishing to appear before Council shall register as a Deputee by submitting the prescribed Council Delegation Request Form attached as Schedule "C", and shall provide the Clerk with written materials, presentation materials, etc. for inclusion on the agenda by the deadline outlined by the Clerk, being no later than 12:00 noon the Wednesday preceding the Council meeting.
- 47.11. The Form shall be addressed to the Clerk and shall be as follows:
 - a) Be printed, typewritten or legibly written;
 - b) Clearly set out the matter at issue and the request made of Council;

- c) Be signed by the name of the writer; and,
 - d) Contain the mailing address, street address, telephone number and email address of the writer.
- 47.12. A delegation shall only register themselves to speak and may not register other Delegations.
- 47.13. A person may only make one request for a Delegation per Meeting, subject to the discretion of the Clerk.
- 47.14. A Deputee making its Delegation may use such visual aids as it deems advisable provided that where such visual aids require the use of municipal equipment, arrangements must be made by the Deputee with the Clerk at least one (1) day prior to the meeting.
- 47.15. No delegation shall be made to Council on matters relating to litigation or potential litigation, including those matters which are before and under the jurisdiction of any Court or Administrative Tribunals unless such matter is referred to Council by the said Administrative Tribunal or Court.
- 47.16. No delegation shall speak on a matter that is not within the jurisdiction of the Council. The Mayor, in consultation with the Clerk, will determine if a matter is within the jurisdiction of the Council.
- 47.17. Delegations shall not be permitted to appear before Council for the sole purpose of generating publicity for an event.
- 47.18. The Clerk shall advise the Meeting when there is one (1) minute remaining and once the time allotted to a Delegation has expired, the Chair shall inform the Deputee and the Deputee shall immediately cease its Delegation.
- 47.19. Upon the completion of a Delegation to Council or a Committee, any discourse between Members of Council, the Committee, or the Head of Departments and the Deputee shall be limited to asking questions for clarification and obtaining additional, relevant information only. Members of Council or the Committee and the Head of Departments shall not enter into debate with the Deputee respecting the Delegation.
- 47.20. Members of Council are permitted to ask individuals making a Delegation questions only for clarification and to obtain additional relevant information. A decision will not be made at the Meeting where the Delegation is heard.
- 47.21. Members shall not ask questions of staff until all representatives of a Delegation have been heard.

- 47.22. No delegation shall:
- a) Speak disrespectfully of any person;
 - b) Use offensive language or unparliamentary language; and / or,
 - c) Speak on any subject other than the subject for which they have received approval to address Council.
- 47.23. Deputies shall refrain from making statements or comments that are, in the opinion of the Chair, frivolous or vexatious in nature.
- 47.24. Deputies who share the same position on a matter or are from the same organization, are encouraged to speak in one (1) Delegation.
- 47.25. The Chair may curtail any Delegation, any questions of a Deputy or Member of Council or debate during a Delegation for disorder or any other breach of this By-Law and, if the Chair rules that the Delegation is concluded, the person or persons appearing shall immediately withdraw.
- 47.26. The Chair shall have discretion to further provide limitations on Delegations, including the number of Delegations per Meeting, in consultation with the Clerk.
- 47.27. A Delegation, once heard, shall not be entitled to be heard either at Council or Committee on substantially the same matter for a period of twelve (12) months from the date of its first hearing.

48. Correspondence

- 48.1. Correspondence intended to be presented to Council shall,
- a) Include the author's full name and contact information;
 - b) Be legibly written or printed;
 - c) Be appropriate and respectful in tone, and not contain any improper or offensive language or information; and
 - d) Be filed with the Clerk.
- 48.2. The Clerk shall receive correspondence from the public and if, in the Clerk's opinion, the matter warrants the consideration of Council, place the correspondence on an agenda, or may refer it to administration for a reply.
- 48.3. When required due to urgency or timing, and subject to the discretion of the Mayor in consultation with the Clerk, correspondence may be placed on a Council Agenda as an additional item.
- 48.4. The Council's 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.

- 48.5. The Clerk shall prepare a Council Information Index listing all correspondence received by the Clerk. The Council Information Index shall be delivered electronically directly to each Member of Council every Friday, unless otherwise specified. All correspondence will appear on the Consent Agenda of the next Regular Meeting, unless a Member of Council requests in writing one (1) of the following:
- a) That an item remain for information only;
 - b) That an item be provided to staff to draft a report to be included on the Agenda for the next Committee of the Whole;
 - c) That an item be supported by Resolution;
 - d) That an item be provided to staff to prepare a similar Resolution for the Municipality; or,
 - e) That an item be withdrawn from the Consent Agenda and included in the same Meeting for further discussion by Council.
- 48.6. In responding to items on the Council Information Index, Members must respond in writing or electronic format to the Clerk and may copy other Members on the response for information only. Any Member copied should not respond to another Member's request regarding items on the Council Information Index.
- 48.7. If a Member moves for action to be taken on an item contained in the Council Information Index, but that Member will not be present at the next Regular Meeting, the item shall be placed on the next Regular Meeting where that Member will be present.

49. Petitions

- 49.1. Petitions may be submitted in writing or electronically to the Clerk and will include a minimum of two (2) citizen residents and their respective contact information, including the name of the spokesperson, unless otherwise required by law, and a clear statement of the purpose of the Petition. Petitions will be placed under the Correspondence for receipt section of the Regular Meeting of Council Agenda, unless otherwise determined by the Mayor in consultation with the Clerk.
- 49.2. If the petition is deemed appropriate by Council, the request conveyed in the petition will be considered by the Committee of the Whole or Council for disposition.
- 49.3. The Municipality is not responsible or accountable for the accuracy or reliability of petitions that are submitted.

- 49.4. Petitioners may request to present their case to Council by way of Delegation.

Motions

50. General Motions

- 50.1. After the Chair commences to take a vote on a question, no Member shall speak to such question or present any other Motion until a vote has been taken.
- 50.2. Voting shall be by way of a “show of hands” in favour or against, except when a recorded roll call / recorded vote is requested by any Member. The Clerk shall record the results of all votes.
- 50.3. After a Motion has been moved and seconded, it shall be deemed to be in the possession of Council or Committee. A Motion or amending Motion may be withdrawn with the consent of the Mover and Seconder at any time before the amendment or decision.
- 50.4. Once a Motion has been seconded, it may upon request, be read or stated by the Chair or Clerk at any time during the debate.
- 50.5. If the Chair is of the opinion that an amending Motion is contrary to the main Motion, the Chair shall apprise the Members immediately. A Member of Council or Committee may appeal the ruling of the Chair. If appealed, the Chair will take an immediate vote on the Motion without debate.
- 50.6. When a Motion is under consideration, no other Motion shall be received unless it is a Motion:
- a) To amend the Motion. A **Motion to Amend**:
 - i. Is open to debate;
 - ii. Shall not propose a direct negative to the main Motion;
 - iii. Shall be relevant to the main Motion;
 - iv. Is subject to only one (1) further amendment, and any amendment more than one (1) must be to the main Motion, and,
 - v. If more than one (1), shall be put in the reverse order to that in which they were moved, and shall be decided or withdrawn before the main Motion is put to the vote.
 - b) To refer the Motion to Committee, Council or Staff. A **Motion to Refer**:
 - i. Is open to debate;
 - ii. Is amendable; and,
 - iii. Shall preclude amendment or debate of the preceding Motions.

- c) To defer the Motion to another time. A **Motion to Defer**:
 - i. Is not open to debate;
 - ii. Is not subject to amendment; and,
 - iii. Applies to the Main Motion and any amendments thereto under debate at the time the Motion to Defer is put forth.
- d) To adjourn the Meeting. A **Motion to Adjourn**:
 - i. Is not open to debate;
 - ii. Is not subject to amendment; and,
 - iii. Shall always be in order.
- e) To call a vote on the Motion. A **Motion to Call a Vote on the Motion**:
 - i. Cannot be amended;
 - ii. Cannot be proposed when there is an amendment under consideration;
 - iii. When resolved in the negative, shall be followed by resumption of debate;
 - iv. Shall always be in order; and,
 - v. When resolved in the affirmative, shall be forwarded by voting on the motion, without debate or amendment.
- f) Once all the Motions relating to the main Motion have been dealt with, and once the main Motion is put, there shall be no further discussion or debate, and the Motion shall immediately be voted on.

51. Reconsideration of a Council Decision

- 51.1. Council may reconsider an entire Resolution that was decided during any term of Council. A reconsideration of a portion of a Resolution shall not be permitted. Such reconsideration can either amend the previous decision or rescind it subject to the following rules:
 - a) No Resolution shall be reconsidered more than once during the term of Council; and,
 - b) A Motion to Reconsider shall not be reconsidered.
- 51.2. A Member who voted on the prevailing side of a decision may bring a Motion to Reconsider at the same Meeting at which the question to be reconsidered was dealt with and if such Motion is seconded, it shall be open to debate and disposed of at that Meeting. This Motion shall require the support of a Majority of the Members present.
- 51.3. A Member who voted on the prevailing side or who was absent from the vote or was not a Member of Council at the time of the vote may bring a Notice of Motion to Reconsider at a Meeting subsequent to that at which the question to be reconsidered was dealt with and shall require a two-thirds (2/3) vote to be

carried.

- 51.4. A Motion to Reconsider shall be submitted in writing on the prescribed Notice of Motion Form attached as Schedule “B”.
- 51.5. Once the Motion to Reconsider has been approved, then the question to Council may be debated and voted on.
- 51.6. No delegations shall be permitted to speak on a Notice of Motion to Reconsider.
- 51.7. A Resolution that was decided by Council cannot be reconsidered if action has been taken in implementing the Resolution, resulting in legally binding commitments that are in place on the date the Motion to Reconsider is considered by Council.
- 51.8. When Council has decided either for or against a certain question, Council or a Committee shall not reconsider the same question during the same calendar year until a Motion to Reconsider has been adopted by Council.
- 51.9. No more than two (2) Motions to Reconsider of any question shall be permitted in the same calendar year.

52. Motion Containing Two or More Matters

- 52.1. When a Motion under consideration concerns two (2) or more matters, upon the request of any Member, they may be taken separately through a Motion. This Motion shall be seconded. Such a request may also be made by the Chair. This may also be referenced as a “**Motion to Divide**”.
- 52.2. The Motion to Divide shall be put to a vote on whether to divide the Motion before proceeding. If successful, each divided portion shall be debated and voted on separately.

53. Voting

- 53.1. After a Motion is put to a vote by the Chair, no Member shall speak to it, nor will any other Motion be made until after the vote is taken and the result has been declared.
- 53.2. All Members of Council or Committee will vote on all Motions by way of a show of hands, unless prohibited by statute. A failure or refusal by any Member other than the Chair to vote openly and individually, including an “Abstention”, is deemed to be a vote in the negative.

- 53.3. Each Member present and voting indicates his or her vote by show of hands or

electronically (dependent on available technology), and no vote is taken by ballot or any other method of secret voting.

53.4. Nothing in Sections 50, 51, 52, 53, 54, 55, 56, 57 and 58 shall be deemed to prevent the Chair from voting on any question.

53.5. The Chair shall announce the results of the vote once the vote is completed.

53.6. A Members opposition to any question shall not be recorded in the Minutes unless a roll call / recorded vote has been taken.

54. Telephone / Electronic Mail Poll

54.1. Where a matter of an emergency nature arises, which requires the approval of Council, and, in the opinion of the CAO, requires immediate action by the Municipality prior to the next Meeting of Council, the Clerk can conduct a telephone and / or electronic mail poll of the Member of Council.

54.2. The Resolution authorizing the appropriate action will be read to each Member for information and the Resolution will be included in the next Regular Meeting, together with a report from the Clerk stating the results of the poll of Council.

54.3. If, as a result of the poll of Council, the action is authorized, the CAO shall direct staff to take the appropriate action.

55. Majority Vote

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

55.2. The following represents the required number of votes for a Majority Vote or Two-Thirds (2/3) Vote.

Number of Members Present	Majority Vote	Two-Thirds Vote
5	3	4
4	3	3
3	2	2

56. Tie Vote

56.1. Any vote on which there is a tie vote is deemed to be lost.

57. Roll Call / Recorded Vote

57.1. Any Member may request a roll call / recorded vote immediately preceding or

following the taking of a vote.

- 57.2. All Members present at the Meeting shall vote unless they are disqualified from voting with respect to that item as a result of declaring Pecuniary Interest.
- 57.3. A Member of Council's failure to participate in a roll call / recorded vote when they have not declared a Pecuniary Interest is deemed and recorded to be a negative vote.
- 57.4. A roll call / recorded vote will be taken as set out below:
 - a) The Clerk shall call on Members to cast their vote alphabetically by their last name, with the Chair voting last;
 - b) Each Member present that is not disqualified from voting shall announce their vote openly in favour of or against the question, in the order set out above; and,
 - c) The Clerk shall announce and record the result of the vote and record how each Member voted in the Minutes.
- 57.5. Notwithstanding a roll call / recorded vote, a record or notation of a Member's opposition to an issue is not recorded in any Minutes of the Meeting.

58. Adjournment

- 58.1. A Meeting shall be deemed to be automatically adjourned at the hour of 10:00 p.m. if in session, unless otherwise determined by Resolution passed by two-thirds (2/3) of the Members present.
- 58.2. Where by Section 58.1 a Meeting continues past 10:00 p.m., the Meeting shall be deemed to be automatically adjourned at the hour of 11:00 p.m. and each hour thereafter unless such proceedings are continued past that hour with the unanimous consent of all Member present.
- 58.3. At a Meeting of Council, where a Meeting has adjourned automatically or by a Motion by any Member, prior to the adjournment being effective, the Members shall consider the By-Laws and Confirmatory By-Law, if such items have not already been addressed.
- 58.4. A Motion to adjourn may be made by any Member of Council who has been recognized by the Chair. The Motion must be moved and seconded. A Motion to adjourn shall not be made during a vote on any other Motion.
- 58.5. The Chair may adjourn a meeting at the conclusion of the business as noted on the Agenda of the Meeting.

59. Schedules

59.1. Schedules “A”, “B” and “C” shall be deemed to form part of this By-Law.

60. Short Title

60.1. This By-Law, other than in this By-Law itself, shall be referred to as the “Procedure By-Law” or the “Procedural By-Law”.

61. Amendment

61.1. Any provision contained in this By-Law may be repealed, amended, varied, and additions may be made to this By-Law by Majority Vote.

61.2. This By-Law shall be reviewed once during the term of each Council.

62. Repeal

62.1. By-Laws 2018-46, 2019-06, 2019-29, 2020-34, 2023-58, 2024-21 and Resolution 2024-248 and all other By-Laws on the same subject matter which are inconsistent with the By-Law are hereby repealed.

63. Effective Date

63.1. This By-Law shall come into force and effect on the day it is passed.

**READ A FIRST TIME AND CONSIDERED READ A SECOND AND THIRD TIME
AND FINALLY PASSED IN OPEN COUNCIL THIS 16TH DAY OF JUNE 2024.**

MAYOR

CLERK



SCHEDULE "A" TO BY-LAW 2025-33

DECLARATIONS OF INTEREST FORM

Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50

AGENDA

- ☐ Committee of the Whole Meeting
- ☐ Regular Meeting of Council
- ☐ Special Meeting of Council
- ☐ Committee _____

DETAILS

Date of Meeting: _____

Subject Matter: _____

MEMBER SIGNATURE / CERTIFICATION

I, ☐ Councillor ☐ Mayor _____

declare a potential (☐ deemed / ☐ direct / ☐ indirect) pecuniary interest on the matter outlined above for the following reason:

Member Signature: _____

*For a "deemed" direct or indirect pecuniary interest see Section 3 of the Municipal Conflict of Interest Act.
For an "indirect" pecuniary interest see Section 2 of the Municipal Conflict of Interest Act.*

SCHEDULE "B" TO BY-LAW 2025-33



THE CORPORATION OF THE MUNICIPALITY OF ST.-CHARLES
LA CORPORATION DE LA MUNICIPALITÉ DE ST.-CHARLES
2, rue King Street East / Est, P.O. Box / C.P. 70
St.-Charles, Ontario
P0M 2W0

NOTICE OF MOTION FORM

Member of Council: _____
(print name)

Hereby files a **NOTICE OF MOTION** to be included on the Agenda for the meeting of
Council, which is scheduled to be held on: _____
(enter date)

SUBJECT: _____
(enter subject)

and which **NOTICE OF MOTION** to read as follows (*attach additional pages as needed*):

THAT _____

Total pages (*including this page*): _____

Member of Council: _____
(signature) (enter date form signed)

FOR CLERK'S DEPARTMENT USE ONLY	
Date received:	
Time received:	
Entered in Council Agenda for meeting date of:	

SCHEDULE "C" TO BY-LAW 2025-33



THE CORPORATION OF THE MUNICIPALITY OF ST.-CHARLES LA CORPORATION DE LA MUNICIPALITÉ DE ST.-CHARLES

2, rue King Street East / Est, P.O. Box / C.P. 70
St.-Charles, Ontario
P0M 2W0

COUNCIL DELEGATION REQUEST

Name: _____

Address: _____

Phone: _____ Email: _____

Preferred Method of Contact: Phone ☐ Email ☐

Date of Council Meeting for which you are making a request to appear (*must be made at least the Wednesday prior to the meeting by 12:00 p.m.*): _____

TOPIC OF DISCUSSION:

(Pursuant to Procedure By-Law - A maximum of one (1) topic, clearly identified and accompanied by all pertinent information. A maximum of ten (10) minutes speaking time will be allocated.)

Signature of Requestor

Date

FOR OFFICE USE ONLY:		
Received by:	Received (date & time):	Meeting Date Assigned: