

**THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY**

**BY-LAW NO. 45-2022**

**BEING** a by-law to govern and regulate the proceedings of the Municipal Council, the conduct of its members, and the calling of meetings for the Township of North Glengarry.

**WHEREAS** the Council of The Corporation of the Township of North Glengarry deems it important to revise the current Procedural By-law;

**AND WHEREAS** the Municipal Act, 2001. c. 25, s 238 (2) states that every Council and local board shall adopt a procedural by-law to govern the calling, place and proceedings of meetings;

**AND WHEREAS** the Municipal Act, 2001 c. 25, s 5 (3) that municipal power, including a municipality’s capacity, rights, powers and privileges shall be exercised by by-law;

**NOW THEREFORE BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY AS FOLLOWS:**

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## 1) DEFINITIONS

In this By-law;

- a) "Agenda" means the written Order of Business such as an agenda for a Council or Committee Meeting.
- b) "Ad Hoc Committee" means a committee established by Council from time to time to act on a temporary or singular initiative or matter and shall be deemed discontinued when its recommendations upon the specified initiative or matter has been provided and further recommendations are no longer required unless it is continued by Council.
- c) "Adjourn" means to end the meeting.
- d) "By-law" means this procedural by-law.
- e) "CAO" means the individual appointed by by-law to the position of Chief Administrative Officer (CAO) to generally manage the corporate affairs of the Township of North Glengarry.
- f) "Chair" means the person presiding over a meeting who is charged with the responsibility to decide questions and points of order or practice, preserve order and maintain decorum in the proceeding.
- g) "Clerk" means the Clerk and Deputy Clerk of the Township and/or designate.
- h) "Closed session" means a meeting or portion thereof which is closed to the public in accordance with applicable legislation.
- i) "Committee" means a committee of Council which has been duly appointed to deal with specific administrative matters and provides advice and/or recommendations to Council.
- j) "Committee of the Whole" means a Committee composed of all Members of Council.
- k) "Confirming By-Law" means a by-law passed for the purpose of giving general effect to a previous decision or proceedings of Council.
- l) "Council" means the Council of the Corporation of the Township of North Glengarry acting as per the Municipal Act as the governing body of the Township, comprised of seven members; Mayor, Deputy Mayor and five Councillors.
- m) "Defer" means to postpone a decision or discussion on a matter until later in the same meeting or at a future meeting of Council or Committee.
- n) "Delegation" means a person or group who has made a written request to address Council on a specific matter, and by virtue of the written request shall appear as a delegation on an agenda.
- o) "Department Head" means Township management staff reporting to the CAO and solely responsible to manage the affairs of the: Public Works; Treasury; Planning, Building, and By-Law; Fire; and, Community Services departments.
- p) "Deputy Mayor" means the councillor for the Township of North Glengarry elected or appointed to the position of Deputy Mayor to act in the place of the Mayor, in his/her absence.
- q) "Emergency" means a sudden, generally unexpected or time sensitive occurrence demanding immediate action by Council.
- r) "In Camera" means a meeting or portion thereof which is closed to the public in accordance with applicable legislation.
- s) "Majority" means more than half of votes cast by members entitled to vote.
- t) "Mayor" means the Head of Council as defined in the Municipal Act, 2001, of the Township of North Glengarry
- u) "Meeting" means any regular or special meeting of Council or Committee, where, a) a quorum of members is present, and b) members otherwise deal with any matter in a way that materially advances the business or decision making of the Council or Committee.
- v) "Member of Council" means a person duly elected or appointed by by-law to serve on the Council for the Corporation of the Township of North Glengarry.
- w) "Motion" means a proposal moved by a Member, seconded by another Member, to adopt, amend, or otherwise deal with a matter before Council or a Committee.
- x) "Municipal Act" means the Municipal Act, 2001, S.O. 2001, c. 25, as amended from time to time.
- y) "Notice of Motion" means an advance notice to members on a matter which Council will be asked to take a position.
- z) "Ombudsman" means the Investigator appointed by Council pursuant to Section 223.13 of the Municipal Act.
- aa) "Order of Business" means the sequence of business under consideration at a meeting that has been duly called and constituted.
- bb) "Pecuniary Interest" means an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.
- cc) "Petitions" means the presentation of a formal request, in writing, to Council or committee.
- dd) "Point of Order" means a motion raised by a member drawing attention to an infraction of this Procedural By-law.

- ee) "Point of Personal Privilege" means a matter that a member considers to impugn their integrity or the integrity of the Council, Committee, or Staff.
- ff) "Quorum" means the majority of the whole number of the members of Council or Committee who are present in person.
- gg) "Recorded Vote" means the recording in the Council minutes, the names of each member present and the manner or question before the Council. In the case of a member who has declared a conflict on the matter or question, the minutes shall reflect the member abstained from the vote.
- hh) "Regular Meeting" means a scheduled business meeting held in accordance with the approved calendar/schedule of meetings.
- ii) "Resolution" means a formal determination made by Council or Committee on the basis of a motion, duly placed before a regularly constituted Council or Committee meeting for debate and decision, and duly passed.
- jj) "Rules of Procedures" means the applicable procedural rules and rules of conduct contained in this by-law.
- kk) "Special Meeting" means a meeting not scheduled in accordance with the approved calendar/schedule of meetings.
- ll) "Township" means the Township of North Glengarry.

## 2) GENERAL APPLICATION OF THIS BY-LAW

- a) The rules of procedure contained in this by-law shall be observed in all proceedings of Council, committee members and Staff and shall be the rules for the order and dispatch of business in the Council and all committees thereof.
- b) In the event of conflict between this Procedural by-law and legislation, the provisions of the legislation prevail.
- c) If there is a conflict between two or more rules in this Procedural by-law, or if there is no specific rule on a matter, the Chair will rule. In making a ruling, the Chair may consult the Clerk, rely on previous rulings and practices, or refer to Roberts Rules of Order.
- d) Unless a contrary intention appears, in this by-law, words in the singular include the plural and words importing masculine gender include the feminine.
- e) All members, except the Mayor, shall be addressed as "Councillor Surname"
- f) The Mayor, shall be addressed as "Mayor Surname".

## 3) SUSPENSION OF RULES

- a) Rules of Procedure provided for in this Procedural by-law may be suspended by a two-thirds majority vote of Council or Committee, with the exception of the following circumstances:
  - i) Where required by law;
  - ii) Contractual agreements binding the Township;
  - iii) Quorum requirements.
- b) A motion to suspend the Rules of Procedure required by this Procedural by-law shall not be debatable or amendable.

## 4) MEETINGS

- a) Inaugural Meeting
  - i) The first meeting in a new term of Council shall be held no later than the first Monday in December in each election year, at the hour of seven o'clock in the evening.
  - ii) The location of the inaugural meeting shall be in the Council Chambers of the Township of North Glengarry, unless otherwise determined by the resolution of the outgoing Council
- b) Location and Schedule of Meetings
  - i) All regular meetings of Council shall be held in the Council Chambers of the Township of North Glengarry at 3720 County Road 34, Alexandria, or at such other place within the Township of North Glengarry as Council may from time to time determine
  - ii) Council meetings shall be held the second and fourth Monday of each month at 6:00 p.m. Committee of the Whole meetings shall be held on the third Wednesday of each quarter at 3:00pm. A meeting calendar will be presented to Council for approval by the Clerk by the first meeting in December of each year detailing the dates for all Regular Council or Committee of the Whole meetings.
  - iii) In the event the designated day for holding of a Regular Council or Committee of the Whole meeting falls on a public or civic holiday or on a day when City Hall is closed for business,

Council shall meet at the designated hour on the first day following which is not a public or civic holiday.

c) Notice of Meeting/ Agenda circulation

- i) The Clerk shall cause to be delivered to all members of Council a notice/agenda package for each regular meeting of Council via email, electronic download or on the Township Meeting Management system. If requested a hardcopy to the mail box designated for the Member in the Township Office. The notice/agenda package of the regular meeting shall be provided not less than 72 hours before the hour appointed for the holding of such meeting. Shortly thereafter, the Clerk shall also distribute a copy of the notice/agenda package to the Department Heads and post the agenda on the corporate website or Township Meeting Management system.

d) Special Meeting of Council

- i) In addition to regular meetings, the Mayor may at any time summon a special meeting of Council by providing written (or email) direction to the Clerk stating the date, time and purpose for the special meeting. A minimum of 24-hour notice is required to hold any special meeting.
- ii) In addition, a majority of Council Members may at any time petition the Clerk to call a special meeting of Council by providing the written (or email) petition to the Clerk stating the date, time and purpose for the special meeting.
- iii) In addition, in the absence of the Mayor, the Deputy Mayor may at any time summon a special meeting of Council by providing written (or email) direction to the Clerk stating the date, time and purpose for the special meeting.
- iv) The Clerk shall give notice to the members of the Council of all special meetings of Council whenever required without delay using email or electronic download. Shortly thereafter, the Clerk shall also distribute a copy of the notice to Department Heads and the Media; and post the notice / agenda on the corporate website or Township Meeting Management software in order to provide the required 24 hours public notice of a meeting.

e) Closed Meetings of Council

- i) Standing Committee and Council meetings, or portions thereof, may be held "In Camera" only in accordance with the Municipal Act, 2001 (as amended). The Clerk in conjunction with the Mayor and the Senior Management Team will place the "In Camera" session, at the end of the meeting. The only matters to be considered "In Camera" are as follows:
  - (1) The security of the property of the municipality or local board.
  - (2) Personal matters about an identifiable individual, including municipal or local board employees.
  - (3) Proposed or pending acquisition of land for municipal or local board purposes.
  - (4) labour relations or employee negotiations.
  - (5) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
  - (6) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
  - (7) A matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act.
  - (8) A matter in respect of the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act, if the council is designated as the "Head" for the purpose of that Act.
  - (9) Information explicitly supplied in confidence to the municipality the federal government, a province, or territory or a Crown agency of any of them.
  - (10) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality, 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.
  - (11) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on, or to be carried, by on or behalf of the municipality.

- (12) An ongoing investigation respecting the municipality, a local board or municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13(1), or the investigator referred to in subsection 239.2(1) of the Municipal Act.
  - ii) A meeting may be closed to the public if both of the following conditions are satisfied:
    - (1) The meeting is held for the purpose of educating or training the members.
    - (2) At the meeting, no member discusses or otherwise deals with any matter that materially advances the business or decision-making of the Council or Committee.
  - iii) Prior to moving “In Camera” for one of the reasons listed in Section 4 e) Council shall pass a motion in public session stating:
    - (1) The fact of the holding of the closed meeting;
    - (2) The general nature of the matter to be considered; and
    - (3) The relevant legislative authority
  - iv) A meeting may be closed to the public during the taking of a vote if Section 4 e) permits it, or requires that the meeting be closed to the public; and the vote is for a procedural matter or for giving direction or instructions to officers, employees, or agents of the municipality or local board or persons retained by or under a contract with, the municipality or local board.
  - v) All resolutions, resulting from “In Camera” discussions shall be adopted in either a closed or an open session.
  - vi) The rules of Council as outlined in the procedural by-law shall apply during closed meetings of Council.
- f) Adjournment Hour/All Meetings
- i) All regular meetings shall stand adjourned when the Council has completed all business as listed on the Order of Business or automatically adjourn at the hour of 9:00 p.m.
- g) Quorum/Call to Order
- i) As soon as there is a quorum after the time set for the start of the meeting, the Mayor shall take the chair and call the meeting to order.
  - ii) A majority of Members (more than half the total of the Council) is necessary to constitute a quorum of the Council.
  - iii) In the event that a quorum is not present within 30 minutes after the designated start time of the meeting, the Clerk shall record the names of the members present and the meeting shall stand adjourned.
  - iv) In the case where a quorum is present, and the Mayor has not attended within fifteen minutes after the time appointed, the Clerk shall call the members to order, and the Deputy Mayor shall assume the Chair during the meeting or until the arrival of the Mayor.
  - v) In the event the Deputy Mayor is not present then the members shall nominate and elect a Chair among the members present who shall preside during the meeting or until the arrival of the Mayor.
  - vi) Members of Council are encouraged to notify the Clerk when the Member is aware that he/she will be absent from any meeting of Council.
  - vii) If a quorum ceases to be present during the course of a meeting, proceedings must stop, and the Chair must adjourn the meeting to a later date.
  - viii) In the absence of the Mayor, either if a vacancy occurs or the Mayor is otherwise unavailable to perform mayoral duties, it is understood that the Deputy Mayor will assume Mayoral responsibilities, including signing authority, chairing meetings and other duties normally done by the Head of Council.

## 5) ORDER OF BUSINESS

- a) The Clerk shall prepare for the use of the members at the Regular Meetings of the Council an “Order of Business” (also known as the Council Agenda) in the following form and order:
  1. Call to Order
  2. Declarations of Pecuniary Interest
  3. Accept the Agenda (Additions/ Deletions)
  4. Adoption of Previous Minutes
  4. Delegations
  5. Staff Reports
  6. Unfinished Business
  7. Consent Agenda

8. New Business
9. Notice of Motion
10. Question Period
11. Closed Session Business
12. Confirming By-law
13. Adjourn

- b) The Clerk shall prepare for the use of the members at a regular Committee of the Whole meeting an agenda under the following headings:
1. Call to Order
  2. Declaration of Pecuniary Interest
  3. Delegations
  4. Staff Reports
  5. Unfinished Business
  6. Other Business
  7. Matters arising from Standing Committees
  8. Notice of Motion
  9. Adjournment
- c) The Clerk may, under the direction of the Mayor, prepare a supplementary Order of Business in order to deal with urgent matters only. Individual Council members should notify the Mayor of a proposed addition at least 24 hours in advance of the meeting. If notice cannot be provided, Councillors or the CAO/Clerk may raise additions to the agenda at the beginning of the meeting to be added and approved by Council resolution as amendments to the agenda.
- d) The Council Agenda (Order of Business) will be established through the agenda review process, consisting of the CAO / Clerk and department heads for the purpose of determining capacity for consideration at any given meeting.
- e) The introduction of the Notice of Motion is governed by the following procedure:
- i) The notice must be signed by the mover and the seconder of the motion, and must state the date of the meeting to which it is directed
  - ii) The motion must be accompanied by information supporting the motion, a statement of the purpose of the motion, and the advantages and disadvantages of passing the motion,
  - iii) Only the member making the motion may make introductory remarks.
- f) Unfinished business
- i) The items listed in the order of the topics set out in the agenda of previous meetings, which have not been disposed of by Council and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of by Council, unless removed from the agenda by leave of Council.
- g) Consent Agenda
- i) The consent agenda will include the following items:
    - a. Receipt of minutes.
    - b. Communications addressed to Council.
    - c. Information reports which require no direction from Council.
    - d. Items as directed by the CAO or Clerk.
  - ii) Questions of clarification may be asked by members about any consent item during the adoption of the consent agenda without requiring a separate vote;
  - iii) Items on the Consent Agenda or the balance of the items shall be adopted in one motion.

## 6) RECORD OF MEETINGS

- a) The Clerk records the minutes of meeting of the Committee of the Whole and Council without note or comment. The minutes record:
- a. The date, time and location of the meeting;
  - b. The name of the Chair and a record of attendance at the meeting;
  - c. The name and nature of presenters and delegations;
  - d. All resolutions, decision and other proceedings of the meeting
  - e. Disclosure(s) of pecuniary interest, and
  - f. The late arrivals and early departures of members

- b) Minutes of committees are submitted to Committee of Whole for receipt.
- c) The receipt of committee minutes by Council does not constitute endorsement by the Township of any recommendations or actions contained in the minutes.
- d) A Committee of the Whole report is submitted to the next regular Council meeting for consideration of the recommendations to Council.
- e) Minutes of each meeting of Council are presented to the subsequent regular meeting of Council for approval. The approved minutes for the official record of the meeting.
- f) After the Council meeting minutes have been approved by Council, they shall be signed by the Mayor and Clerk.
- g) Approved minutes of Council will be posted on the Township's website as they become available.

## **7) BY-LAWS**

- a) By-laws are considered by Council and approved by Motion.
- b) Every by-law adopted by Council is done so under the seal of the Township and signed by the Clerk and Mayor.
- c) All by-laws shall be given first, second and third readings in a single Motion, unless the member wishes to discuss the contents of the by-law, at which time the subject by-law shall be removed from the motion and dealt with separately.
- d) Every Council meeting shall be confirmed by by-law so that every decision of Council at that Council Meeting and every resolution of the meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
- e) All by-laws, including the confirmatory by-law, shall be voted on prior to adjournment.

## **8) DECLARATIONS OF PECUNIARY INTEREST**

- a) It is the responsibility of each Member to identify and disclose any pecuniary interest (as defined by the Municipal Conflict of Interest Act) in any item or matter before the Council or any Committee of Council.
- b) Where a Member, either on his own behalf or while acting, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council or standing Committee at which the matter is the subject of consideration, the member shall:
  - i) Prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof.
  - ii) Not take part in the discussion of or vote on any question in respect of the matter.
  - iii) Not attempt in any way whether before, during, or after the meeting to influence the voting on any such question
  - iv) Submit to the Clerk a written statement not later than 72 hours after declaring the pecuniary interest on the prescribed Declaration of Interest Form.
- c) The written statements shall be posted on the municipal website and form the Municipal Conflict of Interest Act Registry.
- d) Where a meeting is not open to the public, in addition to complying with the requirements, the Member shall forthwith leave the meeting for the part of the meeting during which the matter is under consideration.
- e) Where the interest of a Member has not been disclosed by reason of absence from the particular meeting, the Member shall disclose the interest and otherwise comply at the first meeting of Council or Committee, as the case may be, attended by the Member after the particular meeting.
- f) The Clerk shall record the particulars of any disclosure of pecuniary interest made by members of Council or Committees, as the case may be, and any such record shall appear in the minutes of that particular meeting of Council or of Committee, as the case may be.

## **9) DELEGATIONS**

- a) Any person who wishes to appear before Council shall make application to the Clerk by 4:00 p.m. (EST) on the Wednesday preceding the Council meeting in order to be placed on the Agenda. A written brief is encouraged and, if submitted to the Clerk by 4:00 p.m. on the Wednesday preceding the Council meeting shall be copied and distributed as "Delegation" submissions to Council members.

- b) Where the subject matter of the delegation falls outside of the scope and responsibility of the Council, the Clerk reserves the right to notify the person(s) that the presentation should be properly referred to the most appropriate board, commission, agency or Provincial or Federal government ministry for consideration.
- c) A maximum of 3 delegations shall be scheduled to take place during a regular Council meeting. A maximum five (5) minutes shall be allotted for each delegation to present his/her position of support or opposition to the relevant item on the Order of Business. The Chair may waive the time limit at his/her discretion. Where there are numerous delegates taking the same position on a matter, they are encouraged to select a spokesperson to present their views. Delegations are encouraged not to repeat information presented by an earlier delegation.
- d) Where there is no accompanying staff report to the delegation, the matter may be referred to a future Committee of the Whole or Council meeting and reported requested for that meeting.

#### **10) RULES OF DEBATE IN COUNCIL**

- a) No Member shall speak to a question or motion until the Member has been recognized by the Mayor or Chair.
- b) When a Member is speaking, no other Member shall interrupt that member except to raise a point of order.
- c) Prior to the taking of a vote, a Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member who is speaking.

#### **11) POINTS OF ORDER**

- a) A Member may interrupt the person who has the floor to raise a Point of Order when such Member feels that there has been:
  - a. A deviation or departure from this Procedural by-law; or
  - b. A deviation from the matter under consideration and the current discussion is not within the scope of the proposed Motion.
- b) Upon hearing such Point of Order, the Chair decides and states his/her ruling on the matter
- c) Upon hearing the Point of Order ruling, a Member only addresses the Chair for the purpose of appealing the Chair's decision to the Council or a Committee.
- d) If no Member appeals, the decision of the Chair is final.

#### **12) POINT OF PERSONAL PRIVILEGE**

- a) A member may rise at any time on a Point of Personal Privilege where such Member feels that the health, safety, rights, or integrity of his/her own person, the Council, a Committee Member, Staff or anyone present at the Meeting has been called into question by another member or by anyone present at the meeting.
- b) Upon hearing such Point of Privilege, the Chair decides and states his/her ruling on the matter.
- c) Where the Chair rules that a breach of privilege has taken place, he/she demands that the offending Member or individual apologize and, failing such apology, requires said Member or individual to vacate the Meeting room for the duration of the meeting.

#### **13) MOTIONS**

- a) A "Main Motion" is a motion to consider any subject that is brought before Council for its consideration. Main motions yield to Privileged and/or Secondary motions.
- b) A "Secondary Motion" is a motion which affects the disposition of a Main Motion. Secondary Motions take precedence over Main Motions and must be decided before the Main Motion can be acted upon. Examples include motions to refer, amend, and defer to a day certain.
- c) A "Privileged Motion", due to its importance, takes precedence over all other questions and is not debatable. Examples include motions to adjourn and questions relating to the rights and privileges of Council and its Members.
- d) Order of Consideration
  - i) When a motion is under consideration, no motion shall be received except a procedural motion or motion to amend.



- e) Procedural motions shall be considered immediately upon receipt and are subject to debate as follows:
  - i) To adjourn
  - ii) To refer
  - iii) To defer to a day certain
- f) Motion to refer
  - i) The purpose of a Motion to Refer is to refer a question to a Standing Committee, Committee of the Whole, Special Committee, or CAO. A motion to refer:
    - a) Need not be in writing;
    - b) Shall receive disposition of Council before the vote of the main motion;
    - c) Shall state the committee or appointed official to which the matter shall be referred;
    - d) Shall preclude all amendments of the main question until it is decided.
- g) Motion to defer
  - i) The purpose of the Motion to Defer is to have a matter postponed or deferred to a definite date.
- h) Motion to Amend
  - i) The purpose of a Motion to Amend is to add or insert certain words or phrases, to strike out certain words or phrases, or to amend certain words or phrases. A motion to amend.
    - a) Shall be relevant and not contrary to the principle of the motion or report under consideration.
    - b) May propose a separate and distinct disposition of a motion provided that such altered disposition continues to relate to the main issue and subject matter of the motion.
    - c) Shall be voted on before the main motion.
- i) Amendments shall be voted on in reverse order to their introduction. The amendment to the amendment must be disposed of before the amendment and the amendment must be voted on before the main motion.
- j) Recorded vote
  - i) When a Member requests a recorded vote, all Members who are present at the Meeting shall vote when called by the Clerk unless he/she has disclosed a pecuniary interest. The name of each Member who voted and the manner in which he/she voted, shall be noted in the minutes. If a Member at a Meeting of Council, where a motion is put to a vote and a recorded vote is taken, does not vote, he/she shall be deemed to have voted in the negative unless the Member's reason for abstaining is due to disclosure of pecuniary interest in which case his/her abstention shall not be deemed to be either a negative or an affirmative vote. The Clerk shall announce the results.

#### **14) VOTING PROCEDURES**

- a) Every Member present at a meeting of the Council or Committee when a question is put shall vote unless prohibited by statute, in which case, the Clerk shall record the name of the Member and the reason that he or she is prohibited from voting and if a member is absent, the Clerk shall also record his/her absence during the vote. All members present at the time of the vote must vote unless otherwise disqualified, regardless of whether they were present for the debate.
- b) When a vote is taken and a tie results, it is deemed to be lost.
- c) If any Member at a meeting of the Council or Committee does not vote when a question is put, and a recorded vote is taken, he or she shall be deemed to have voted in the negative except where the Member has abstained from the vote as a result of declaring an interest in the matter or question before the Council.
- d) When a recorded vote is requested by a Member, the Clerk shall record the name and vote of every Member on the question under consideration.
- e) Reconsideration of a matter
  - i) Council cannot reconsider a matter until six (6) months have passed from the date of the matter's original disposition by Council, except upon a vote in the affirmative of two-thirds majority of the Members present.
  - ii) Decisions which contractually bind the Township shall not be reconsidered.
  - iii) A Motion to reconsider shall be introduced by way of a Notice of Motion and considered either at the next Council Meeting or at a Special Meeting called to reconsider the Motion unless the Council, without debate, dispenses with the requirement for a Notice of Motion on a two-thirds vote.

- iv) A Motion to reconsider is debatable, which debate will be restricted to the rationale for reconsidering the matter, and no debate of the main Motion shall be allowed until the Motion for reconsideration is carried.
- v) Once the reconsideration Motion has carried, the matter is reopened in its entirety unless the reconsideration Motion specifies otherwise.
- vi) If the matter is reopened, all previous decision of the Council remain in force until the Council decides otherwise.

## **15) RECORDING, BROADCASTING, AND LIVE STREAMING MEETINGS**

- a) All meetings with a quorum of members may be audio and/or visually recorded, broadcast and/or live streamed publicly by the Township, with the exception of meetings closed to the public provided for in the Closed Session section of this Procedural by-law.
- b) The approved minutes of a Meeting will form the official record of the meeting. Any audio, video, or other record of the Meeting shall not be considered an official record.

## **16) ROLE OF THE COUNCIL**

- a) Council is responsible for establishing policies within the authority of enabling legislation for the purpose of guiding the administration of municipal government in the Township of North Glengarry.
- b) Subject to legislative restrictions, develop regulations to be adopted in by-laws and resolutions for the overall benefit of the community.
- c) Appoint statutory officers and senior officials to ensure that an appropriate management system is in place to administer the Township within the adopted policies of Council.
- d) Collectively oversees the administrative functions as carried out by appointed officials within delegated authority and the policies adopted by Council.
- e) To be prepared to attend regular and special meetings of Council and committees to which a Member has been appointed by Council to participate in the development and adoption of policies and directions for the Township of North Glengarry.
- f) To act as liaison between the citizens they represent and the municipality, to ensure that the intention of the established policies and regulations are applied in a manner that is conducive to the citizens and community as a whole.
- g) To oversee the financial affairs and delivery of municipal services through the adoption of policies and budget control guidelines and to ensure that appropriate audit procedures and monitoring programs are in effect.
- h) Council Members shall be guided by the Corporate Code of Conduct.
- i) To carry out the responsibilities of the role of Council as described in the Municipal Act, 2001.
- j) Carefully consider and make decisions about meeting business, including seeking information and advice from staff prior to and during a meeting.
- k) Vote on motions put to a vote, unless the Municipal Conflict of Interest Act prohibits it.
- l) Respect the rules of procedure in this Procedural by-law.
- m) Listen attentively, participate in a meeting and not interrupt, unless to raise a point of order or point of personal privilege.
- n) Remain silent in their seats while Council or Committee votes and until the Chair announces the result of the vote.
- o) Refrain from using indecent, offensive or insulting language or speak disrespectfully of any individual.
- p) Respect and follow the decisions of Council or a Committee.
- q) Not disclose any of the content of a meeting that was closed to the public or provide confidential documents or materials to unauthorized individuals.
- r) Comply with the Chair's rulings and Council's decisions.

## **17) ROLE OF THE MAYOR**

- a) In addition to the responsibilities of Council as outlined in Part 16 of this by-law, the Mayor is responsible to act as the Head of Council, providing leadership to Council.
- b) The Mayor shall act as Council's representative when dealing with other levels of government, their agencies, the private sector and the media.

- c) The Mayor shall coordinate political representation on behalf of the Township when required at meetings, receptions, functions and community activities, and to direct administrative functions to the attention of the CAO.
- d) The Mayor shall preside at Council meetings and conduct the meetings consistent with the provisions of this by-law.
- e) The Mayor shall be the official spokesperson on matters discussed in closed meetings of Council until such time as those matters have been ratified at an open Council meeting.
- f) The Mayor shall be guided by the Corporate Code of Conduct.
- g) In the absence of the Mayor and during said absence, the Deputy Mayor shall assume the roles described above.

#### **18) DUTIES OF THE CHAIR**

- a) Carry out the roles and responsibilities of his/her role as described in the Municipal Act, 2001.
- b) Chair the meeting in an objective manner in accordance with this Procedural by-law;
- c) Enforce the Rules of Procedure in this Procedural By-law;
- d) Announce the business before Council or a Committee and the order in which it is to be considered;
- e) Rule on whether a motion is in order;
- f) Ensure that all members who wish to speak on a Motion have spoken;
- g) Ensure clarity, where required, by reading or requesting the Clerk or other appropriate person to read motions before voting;
- h) Put all motions to vote and announce the results;
- i) Call all members to order;
- j) Adjourn the meeting when the business of the meeting has concluded;
- k) Sign all by-laws, resolutions and minutes when required;
- l) Recess the meeting for a specified time 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;
- m) Recess the meeting for a brief, specified time, to consult the Clerk, the CAO, or other staff person if necessary.

#### **19) ROLE OF THE CAO**

- a) The CAO is responsible to Township Council for the efficient management of the administration of the Corporation's various departments.
- b) All presentations, written reports and recommendations of department heads to Council shall be co-ordinated through the CAO.
- c) The CAO and all Township staff shall be guided by the Corporate Code of Conduct.

#### **20) ROLE OF THE DEPARTMENT HEADS**

- a) Shall act in accordance with any statutory duties.
- b) Shall be responsible to and subject to direction and control by the CAO.
- c) Shall be guided by the Corporate Code of Conduct.

#### **21) ROLE OF THE CLERK**

- a) The Clerk shall be responsible for preparing and distributing the agenda for all meetings of Council and Committees in accordance with the provisions of this by-law.
- b) The Clerk shall make a copy of the Regular Agenda available to the Department Heads, the public and the media following distribution of the regular agenda to members of Council.
- c) The Clerk may prepare the agenda in electronic format.
- d) The Clerk shall ensure that administrative processes relative to the agenda preparation and distribution are comprehensive, efficient and cost-effective.
- e) The Clerk or his/her designate shall attend all meetings of Council and Committees of Council.
- f) The Clerk shall record without note or comment all resolutions, decisions and proceedings of Council and Committees of Council.
- g) The Clerk shall forward a copy of all decisions, resolutions and directions of Council to the appropriate members of administration, public, agencies, boards, committees and governments.

- h) The Clerk shall make minor clerical, typographical or grammatical corrections in form to any by-law, motion, resolution and/or minutes as may be required for the purpose of ensuring correct and complete implementation of the actions of Council.
- i) The Clerk shall present by-laws directly to Council for
  - i) the appointment of staff for municipal law enforcement and Provincial Offences administration
  - ii) consolidation of by-laws for housekeeping amendments
  - iii) minor amendments resulting from changes to Provincial enabling legislation
- j) The Clerk shall maintain the originals of all by-laws and minutes of the proceedings of Council.
- k) The Clerk shall present an annual meeting calendar in December for consideration by Council.
- l) The Clerk shall be guided by the Corporate Code of Conduct.

## **22) MEMBERS OF THE PUBLIC**

- a) The Chair may expel or exclude any person who disrupts a meeting and may request security and/or police assistance in doing so.
- b) Attendees will submit any materials for Council or committee through the Clerk.
- c) Attendees are responsible for:
  - a. Maintaining order and not heckling, or engaging in conversations, displaying placards or props, or any behaviour that may be considered disruptive
  - b. Speaking respectfully at all times.

## **23) COMMITTEES**

- a) Committees may be appointed by Council from time to time to consider specific matters or to serve in an advisory capacity. Those committees can be for a specified time (i.e. ad hoc nature) or the Standing Committees outlined below.
- b) The following applies to all committees:
  - i) All committees are governed by this procedural bylaw, the Municipal Act and Roberts Rules of Order.
  - ii) Committees shall appoint a chair from among its members for the term of Council.
  - iii) Unless authorized by by-law, no committee or member of a committee shall incur any expense or liability in the name of the Corporation.
  - iv) The CAO/Clerk is a non-voting resource to all committees and may delegate staff to act as resources to any committee at his/her discretion.
  - v) Working Groups of Standing Committees may be formed from time to time to research or complete specific task.
  - vi) The Clerk, Deputy Clerk, Secretary to the Committee or designate shall prepare and distribute to all Members of the Committee an agenda setting forth the business to be considered at regular Committee meetings. The items of business to be included on the agenda shall be developed under the direction of the CAO, Clerk and/or Committee Chair.
  - vii) The following headings shall be used in preparing the agenda for regular Committee meetings:
    - 1. Call to order
    - 2. Disclosure of Pecuniary Interest and General Nature Thereof
    - 3. Adoption of the Minutes
    - 4. Presentations
    - 5. Business
    - 6. Information Items
    - 7. Adjournment
- c) Arts, Culture and Heritage Advisory Committee:
  - i) An Arts, Culture and Heritage Advisory Committee is hereby established and shall be composed of 2 members of Council and a minimum of 5 lay persons appointed by Council resolution for the term of Council.
  - ii) The terms of reference for the Arts, Culture and Heritage Advisory Committee are as follows:
    - (1) To promote and support arts, culture and heritage as central elements in the well-being of North Glengarry
    - (2) To assist the municipal administration in the development of recommendations concerning Council policy;
    - (3) To assist municipal administration, when requested, to develop administrative policies;
    - (4) To review and vet application to the community grant program

- (5) To act as a Municipal Heritage Committee and advise and assist Council on all matters relating to Parts IV and V of the Ontario Heritage Act, R.S.O. 1990, CHAPTER O.18;
  - (6) Foster cross-cultural cooperation by liaising with community groups and stakeholders
  - (7) Advocating on behalf of arts, culture and heritage in the community.
  - (8) To review and vet application to the Community Improvement Plan and forward recommendations to Council.
- d) Community Development Committee
- i) A Community Development Committee is hereby established and shall be composed of 3 members of Council and a minimum of 4 lay persons appointed by Council resolution for the term of Council.
  - ii) The terms of reference for the Community Development Committee are as follows:
    - (1) To examine community issues that arise in North Glengarry and provide recommendations to Council.
- e) Rural Committee
- i) A Rural Committee is hereby established and shall be composed of 3 members of Council and a minimum of 4 lay persons appointed by Council resolution for the term of Council.
  - ii) The terms of reference for the Community Development Committee are as follows:
    - (1) To examine rural issues that arise in North Glengarry and provide recommendations to Council.

**READ** a first, second, third time and enacted in Open council this 12th day of December, 2022

\_\_\_\_\_  
Clerk/Deputy Clerk

\_\_\_\_\_  
Mayor

I hereby certify this to be a true copy of By-law 45-2022, and that such by-law is in full force and effect.

\_\_\_\_\_  
Date Certified

\_\_\_\_\_  
Clerk/Deputy Clerk