

THE CORPORATION OF THE UNITED TOWNSHIPS OF HEAD, CLARA & MARIA

BY-LAW NUMBER 2008-10

BEING a by-law to establish rules governing the proceedings of Council, the calling of meetings and the conduct of members.

SHORT TITLE - This By-law may be cited as the "Procedure By-law."

WHEREAS Section 238 of the *Municipal Act 2001 S.O. 2001, c. 25* as amended provides that every municipality and local board shall pass a procedure by-law for governing the calling, place, notice and proceedings of meetings;

AND WHEREAS it is desirable that there be rules governing the conduct, order and procedure of Council and its local boards and committees;

NOW THEREFORE the Council of the Corporation of the United Townships of Head, Clara & Maria enacts as follows:

1.0 DEFINITIONS

- 1.1. "The Act" shall mean the *Municipal Act S. O. 2001, c. 25* as amended.
- 1.2. "Clerk" shall mean the statutory position of Clerk of The Corporation of the United Townships of Head, Clara & Maria.
- 1.3. "Committee" shall mean any advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also members of one or more councils or local boards. All committees with less than a majority of members of council shall be referred to herein as "advisory committees" and such advisory committees shall not be bound by section 239 of the Municipal Act, 2001, as amended. Council encourages all advisory committees to comply with the closed meeting rules in section 239.
- 1.4. "Committee of the Whole" shall mean the meeting at committee of all members of Council;
- 1.5. "Council" shall mean the members of the Council of The Corporation of the United Townships of Head, Clara & Maria acting as one body.
- 1.6. "Emergency" shall mean a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise."
- 1.7. "Head of Council" shall mean the Reeve of The Corporation of the United Townships of Head, Clara & Maria.
- 1.8. "Majority" means more than 50% of members present at a meeting.
- 1.9. "Meeting" means any regular, special or other meeting of a council, of a local board or of a committee of either of them;
- 1.10. "Member of Council" means any municipal Councillor including the Head of Council.
- 1.11. "Quorum" means the majority of the members present to conduct business.
- 1.12. "Gender-specific" terms shall include both sexes and include corporations.
- 1.13. Words in the "singular" include the "plural" and words in the plural include the singular.

2.0 APPLICATION OF THE BY-LAW

- 2.1. The rules and regulations contained in this By-Law shall be observed in all proceedings of Council and shall be the rules and regulations for the order and dispatch of business of Council, of a local board (including the Library Board) or of a committee of either of them.
- 2.2. Subject to the requirements of the Municipal Act and other legislation, the rules and regulations contained herein may be suspended with a vote of $\frac{3}{4}$ of members present.
- 2.3. Titles that are specific to Council and staff will have corresponding meanings in respect to the Library Board or other local boards and committees and its members and employees. For example, where the term Clerk is used the Library Board secretary will have the same duties, Head of Council is similar to Library Board Chair, Members of Council and Board Members have similar meaning etc.

3.0 COUNCIL MEETINGS & NOTICE

- 3.1. Meetings of Council shall be held in the Chambers adopted and used by the Council from time to time for such purpose.
- 3.2. Regular meetings of Council shall be held on the first and third Friday of each month at 2:00 p.m. unless Council, by resolution, directs otherwise, in which case notice shall be given in accordance with the Municipal Notice By-law as to the new date, time and place.
- 3.3. Notice of regular and special meetings shall be posted by the Clerk in accordance with the Municipal Notice By-law.
- 3.4. When the day for a regular meeting of Council is 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 or at an alternate date and time as set in advance by Council resolution.
- 3.5. Subject to the Notice and Accountability & Transparency Policies of the Municipality, twenty-four (24) hours notice of all special meetings of Council shall be given to the members through the Clerk's office. The only business to be dealt with at a special meeting shall be that which is listed in the notice of the meeting. Special meetings shall be either open or closed to the public as section 239 of the *Municipal Act, 2001* and any other act dictates.
- 3.6. Notwithstanding Section 3.5, the Head of Council may, in the event of an emergency, call an emergency meeting of Council without giving the mandatory twenty-four (24) hours notice, provided that the Clerk has diligently tried to advise all members of Council immediately on being advised by the Head of Council of the intention to hold such an emergency meeting. The only business to be dealt with at an emergency meeting of Council shall be respecting that emergency.
- 3.7. Every Member of Council, the Clerk and other municipal employee as requested to attend, shall attend each meeting of Council or shall notify the Clerk in advance, of their inability to attend.

4.0 CALLING OF MEETING TO ORDER AND QUORUM

- 4.1. As soon after the hour fixed for the holding of the Council as a quorum is present, the Head of Council shall take the chair and call the meeting to order.
- 4.2. If no quorum is present one quarter (1/4) hour after the time appointed for the Meeting of Council, the Clerk shall record the names of the members present and the meeting shall stand adjourned until a new meeting date is set by the majority of Council.

5.0 ABSENCE OF HEAD OF COUNCIL

- 5.1. If the Head of Council does not attend within fifteen (15) minutes after the time appointed for a meeting of the Council, the Clerk shall call the members to order and an acting Head of Council shall be appointed from among the members present and he shall preside until the arrival of the Head of Council, and while so presiding the acting Head of Council shall have all the powers and duties of the Head of Council.
- 5.2. If a member arrives late for a Council meeting, any prior discussion shall not be reviewed without the unanimous consent of all members present.

6.0 CURFEW

- 6.1. Subject to article 6.3, no item of business may be dealt with at a Council meeting after 10:00 p.m. unless unanimous consent is given by the members of Council to extend the closure time beyond 10:00 p.m.
- 6.2. Any meeting that continues for four (4) consecutive hours and has not reached its conclusion will be adjourned for a recess of not less than one half (½) hour.
- 6.3. No meeting shall continue for more than seven and one half (7½) hours in total, including the half (½) hour recess.

7.0 THE CONDUCT OF PROCEEDINGS AT A COUNCIL MEETING

- 7.1. It shall be the duty of the Head of Council or other Presiding Officer;
- to open the meeting of Council by taking the chair and calling the meeting to order;
 - to put to vote all questions which are duly moved and seconded, or necessarily arise in the course of proceedings and to announce the results;
 - to vote on all questions;
 - to decline to put to vote motions which infringe upon the rules of procedure;
 - to attempt to bring under control the members, within the rules of order, when engaged in debate;
 - to enforce or have enforced on all occasions the observance of order and decorum among the members;
 - to advise any member that they are persisting in breach of the rules of order of Council, and may be ordered to vacate the Council Chambers;
 - to authenticate, by his signature when necessary, all by-laws, resolutions and minutes of the Council;
 - to rule on a point of order or usage;
 - to adjourn the meeting;

8.0 AGENDA

- 8.1. The Clerk shall have prepared and printed for the use of the members at all regular meetings of Council, an agenda using the following headings:
- Call to Order & Moment of Silence;
 - Roll Call;
 - Disclosure of Pecuniary Interest and General Nature thereof;
 - Addendum (New Business);
 - Adoption of Minutes of Previous Meetings including Committees;
 - Deputations;
 - Correspondence and Petitions;
 - Staff Reports;
 - Financial Reports;
 - By-Laws;
 - Unfinished Business;
 - In Camera or Closed Sessions (as required);
 - Question and Answer period (Council to ask of Staff);
 - Adjournment.
- 8.2. The agenda in 8.1 shall be used, subject to necessary changes, for special and emergency meetings as determined by the Clerk.
- 8.3. Subject to the Municipal Notice Policy, any member of Council, at any time prior to the publication of the agenda, may suggest an item for inclusion.
- 8.4. The business of the Council shall in all cases, be taken up in the order in which it stands on the agenda unless otherwise decided by the majority of Council present.
- 8.5. An item of business not listed on the Council agenda shall not be introduced at a Council meeting without the approval of the majority of Council and must comply with the Notice Policy of the municipality.
- 8.6. When it appears that any matter may be more conveniently considered by Committee, Council may, on motion, refer the matter to the appropriate Committee and await its recommendations.

9.0 CONFLICT OF INTEREST

- 9.1. Any declaration of pecuniary interest and general notice thereof shall be recorded in the minutes of the meeting. It is the responsibility of the member to ensure that it has been duly noted in the minutes.

10.0 ADDENDUM (New Business)

- 10.1. Addendums are described as being any business arising from the regular course of operations, brought forth by any member of Council, or staff. These items shall be presented on the agenda distributed to each member prior to the Council Meeting, or deferred to the next scheduled meeting unless a unanimous decision of Council agrees to address the business at the current meeting.

11.0 MINUTES of PREVIOUS MEETINGS

- 11.1. Minutes shall record:
 - the place, date and time of meeting;
 - the names of the Presiding Officer or officers and record of the attendance of all members and guests;
 - the reading, correction, if necessary, and adoption of the minutes of prior meetings;
 - all other proceedings of the meeting without note or comment; and
 - may include items requiring additional attention, brief descriptions of discussions, information before Council, approaches explored and directions to staff to ensure that a record of same exists.
- 11.2. It shall be the duty of the Clerk to ensure that the minutes of the last regular meeting, and all special and committee meetings held more than five (5) business days prior to a regular meeting, together with the agenda and related materials are mailed or delivered to each member not less than forty-eight (48) hours before the hour appointed for the holding of such regular meeting.
- 11.3. Reports and minutes from Committees shall include information and action items and deal solely with matters previously delegated to them or that fall within their jurisdiction.
- 11.4. All reports/minutes from committees shall be information reports only and all decisions will be ultimately made by Council.
- 11.5. All reports/minutes from committees, aside from those administrative in nature, shall be adopted by Council to ratify committee recommendations.

12.0 DEPUTATIONS

- 12.1. Persons requesting to present information verbally on matters of fact, give a presentation to or make a request of Council shall give verbal/written notice to the Clerk at least five (5) business days prior to the next regular meeting of the Council. Any information received later than that date may be withheld to the next regular meeting of Council.
- 12.2. Written documentation of the contents of the deputation shall be provided to the Clerk in order to allow staff time to prepare a report to Council.
- 12.3. Notwithstanding Section 12.1, delegations not listed with the Clerk prior to the meeting may be heard upon unanimous consent of Council however; any decision shall be deferred on the matter in question until a staff report can be prepared for further consideration by Council or Committee.
- 12.4. Persons wishing to present information verbally on matters of fact or to make a request of Council shall be limited in speaking to not more than ten (10) minutes.
- 12.5. Notwithstanding Section 12.4, delegations consisting of more than five (5) persons shall be limited to two (2) speakers, each restricted to speaking not more than ten (10) minutes.
- 12.6. Modifications to these limits shall be at the discretion of the majority of members of Council.
- 12.7. Any matter put before Council by a delegate shall be referred to staff for a report prior to a decision being made by Council.
- 12.8. Except as required by law, any person appearing before Council who has previously appeared before the same board or before the same committee on the same subject matter shall be limited to providing only new information in their second and subsequent appearances and are further limited by our reconsideration clause 22.6.

13.0 CORRESPONDENCE

- 13.1. All correspondence addressed to Council will be forwarded through the correspondence package delivered to all members at least forty-eight (48) hours prior to the next regular meeting of Council.

- 13.2. In order for inclusion, all information will need to be received in the Clerk's office five (5) business days preceding the commencement of the next regular meeting of the Council or Committee.
- 13.3. Any information/correspondence received after that date, will be deferred to the next regular meeting of Council unless in the opinion of the Clerk, time is of the essence. In this instance, the Clerk will attempt to deliver the information to Council members electronically prior to the meeting. In the event that the information was electronically circulated, a hard copy of the material will be provided to each Council/Committee member prior to the meeting in Council Chambers.

14.0 PETITIONS

- 14.1. Any petition designed to be presented to Council, shall be legibly written or printed and shall not contain any obscene or improper content or language and shall be signed by at least two (2) ratepayers or residents and filed with the Clerk.
- 14.2. Every petition shall be delivered to the Clerk not later than five (5) business days preceding the commencement of the next regular meeting of Council to be included on that meeting's agenda.

15.0 STAFF REPORTS

- 15.1. Reports from administration are for information purposes only and deal only with the administrative duties and activities of the employee.
- 15.2. If a decision of the assembly is required, the matter may properly be placed under addendums or in another appropriate place on the agenda.
- 15.3. Any questions, comments, and answers may not go into discussion or debate but, again are for information only and need to be placed in another more appropriate place on the agenda if they require attention by the assembly.
- 15.4. Reports from Municipal employees shall deal solely with matters previously delegated to them, that fall within their jurisdiction are routine in nature or for information purposes only.

16.0 READING OF BY-LAWS

- 16.1. Reports of all proposed/draft by-laws will be provided to each member of Council to provide background information and to explain the necessity for the by-law.
- 16.2. Every By-Law shall be introduced by a motion for first and second reading which shall be duly moved and seconded, specifying the title and number of the by-law. This motion shall be carried without debate.
- 16.3. Every By-Law (when introduced) shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with provisions of any Act and shall be complete including the number and date thereof.
- 16.4. Every by-law shall be introduced and shall have three readings prior to its being passed as follows:
 - The third reading of a by-law shall permit amendment and debate. At this reading the by-law may be referred by resolution to a committee of Council for further review or clarification, or deferred to a later meeting of Council, or tabled, or approved or defeated.
 - The third reading will normally be delayed until the next regular meeting following that in which the by-law was introduced, where it will be accompanied by a motion to pass the by-law.
 - By-laws however, may receive all three readings at one Council meeting.
- 16.5. The Clerk shall set out on all By-Laws enacted by Council the date of the several readings thereof.
- 16.6. Every By-Law enacted by the Council shall be sealed with the seal of the Corporation and signed by the Clerk and the Presiding Officer and shall be retained by the Clerk for safe keeping.

17.0 UNFINISHED BUSINESS

- 17.1. Unfinished business deals with business not finalized from previous meetings and includes:
- Actions taken away from a previous meeting by any individual;
 - Business postponed or deferred to a future meeting; or
 - Business not completed or reached at a previous meeting.
- 17.2. Business postponed to a subsequent meeting is listed on the agenda in the order it was postponed, the oldest items listed first.
- 17.3. Business interrupted by adjournment or not reached is listed on the agenda in the order in which it would have been dealt with at the previous meeting.

18.0 CLOSED SESSIONS

- 18.1. All meetings of Council shall be open to the public except for those specifically allowed by the *Municipal Act, R.S.O. 2001*, as amended or any other act.

19.0 QUESTION AND ANSWER SESSION

- 19.1. All meetings shall include a questions and answer period to allow Council members to ask questions of staff for clarification or to request information or inclusion of a topic on a subsequent agenda. It is not the intent of this session to open the floor to questions from visitors.

20.0 ADJOURNMENT

- 20.1. A member who wishes to adjourn a meeting may move the motion to adjourn when no other business is being deliberated or any other motion is open.
- 20.2. The Presiding Officer takes a vote on the motion to adjourn without debate.
- 20.3. When a motion to adjourn has been decided in the negative, no further motion to adjourn shall be made until after some subsequent proceeding has taken place.

21.0 MOTIONS

- 21.1. A main motion shall be presented in writing, and shall be stated by the Presiding Officer prior to debate. Additional information on types of motions and their uses can be found in Appendix "A" to this by-law.
- 21.2. Any motion may be introduced without notice, however; should a motion exist prior to the circulation of the correspondence package, a copy of the motion shall be included in the package for consideration by the Council members. A decision should not be made until staff have had time to conduct research and provide a report to Council.
- 21.3. At a meeting, the motion must be formally introduced by a member of Council, in writing, by having that member submit the motion to Council, or "move" it.
- 21.4. A motion must be formally seconded before the Presiding Officer can present the issue for deliberation to Council or before a motion may be recorded in the minutes.
- 21.5. A main motion stated by the Presiding Officer may introduce a subject for the first time or may reintroduce the subject from a previous meeting.
- 21.6. A previously considered matter may not be reconsidered by Council more than two times in a calendar year. Decisions which contractually bind the Township shall not be reconsidered. The motion to reconsider may only be moved by a member on the prevailing side of the previous decision.
- 21.7. A motion in respect of a matter which is beyond the jurisdiction of the council, or "ultra vires", shall not be in order.
- 21.8. Although not conclusive, the following matters and motions with respect to them may be introduced verbally:
- point of order;
 - point of privilege;
 - recess;
 - to close debate;

- motion to withdraw;
 - motion to put the main motion to a vote.
- 21.9. The following motions shall be in writing and signed:
- to introduce new business;
 - to refer (the business to a committee);
 - to defer;
 - to divide;
 - to amend (a motion currently before Council);
 - to amend a previous decision;
 - to rescind a previous decision;
 - to reconsider a vote;
 - to postpone indefinitely;
 - to postpone temporarily;
 - to postpone the decision to a certain time;
 - to limit or extend debate;
 - to suspend the Rules of Procedure;
 - fix the time for a continued meeting;
 - motion to adjourn.

22.0 VOTING ON MOTIONS

- 22.1. Immediately preceding the taking of the vote, the Presiding Officer shall state the question in the form introduced or “as read” if the motion was provided to Council via hard copy in the Councillor package.
- 22.2. After a question is finally put by the Presiding Officer, no member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
- 22.3. The manner of determining the decision of Council on a motion shall be at the discretion of the Presiding Officer and may be by voice or show of hands.
- 22.4. When a member present requests a recorded vote, all members present at the Council meeting, including the Presiding Officer, must vote in alphabetical order, unless otherwise prohibited by statute. The presiding officer shall vote last. The names of those who voted for and others who voted against shall be noted in the minutes. The Clerk shall conduct the vote and announce the results.
- 22.5. A request for a recorded vote can be made immediately prior to or immediately following the taking of the vote.
- 22.6. Every member present at a meeting of Council when a question is put shall have one vote thereon unless prohibited by statute.
- 22.7. No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.
- 22.8. Any question on which there is a tie vote shall be deemed to be lost.
- 22.9. Any abstention from voting by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed a negative vote.
- 22.10. A failure to vote when a recorded vote has been requested by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed a negative vote.
- 22.11. A separate vote shall be taken upon each proposal contained in a motion divided by resolution of Council.

23.0 WITHDRAWAL OF MOTION

- 23.1. After a motion has been moved and seconded, and placed under the direction of the Presiding Officer, it shall be considered to be in the possession of the Council but may be withdrawn by a request to withdraw made by the mover of the motion and the support of a majority of Council.
- 23.2. A request to withdraw a motion may be made without the consent of the seconder of the motion.

- 23.3. A request to withdraw a motion shall be in order any time during debate.

24.0 RECESS

- 24.1. A motion to recess when other business is before the meeting shall specify the length of time of the recess.
- 24.2. A motion to recess when other business is before the meeting shall not be debatable and shall only be amendable with respect to the length of the recess.
- 24.3. A motion to recess when other business is before the meeting shall not have a motion to reconsider applied to it.

25.0 RULES OF DEBATE

- 25.1. Debate may not begin until the Presiding Officer has stated the motion.
- 25.2. Permission to speak and hence to debate, is required from the Presiding Officer.
- 25.3. Debate must be germane to the issue or subject under debate, must be courteous and respectful, and no one may impugn the motives of another.
- 25.4. Members who have declared a pecuniary interest shall not participate in or influence the debate.
- 25.5. When two or more members begin to speak at the same time, the Presiding Officer shall designate the member who has the floor.
- 25.6. When the Presiding Officer calls for the vote on a question, each member shall occupy his seat and shall remain in his place until the result of the vote has been declared by the Presiding Officer, and during such time, no member shall speak to any other member or make any noise or disturbance.
- 25.7. When a member is speaking, no other member shall interrupt him except on a point of order, and during such time, no other member shall speak to any other member or make any noise or disturbance.
- 25.8. The Presiding Officer or a member may interrupt a speaker on a point of order if the member believes the speaker is violating a rule of debate.
- 25.9. Any member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a member while speaking.
- 25.10. No member shall speak more than once to the same question without the leave of Council, except that a reply shall be allowed to be made only by a member of the Council who has presented the motion to the Council.
- 25.11. No member, without leave of the Council, shall speak to the same question, or in reply, for longer than ten (10) minutes.
- 25.12. When a member has been recognized as the next speaker, then immediately before speaking to the matter, such member may ask a question of the Presiding Officer or an official of the Municipality on the matter under discussion, but only for obtaining information, following which the member shall speak.

26.0 POINTS OF ORDER AND PRIVILEGE

- 26.1. The Presiding Officer shall preserve order and decide questions of order.
- 26.2. All points of order of procedure not provided for in these Rules shall be decided in accordance with the current edition of Meeting Procedures, by James Lochrie or other such current source of parliamentary procedure as adopted by Council.
- 26.3. The Head of Council shall submit the ruling on a point of order without debate.
- 26.4. When a member rises to a point of order, he shall ask leave of the Presiding Officer to raise a point of order and after leave is granted he shall state the point of order to the Presiding Officer, wait for the Presiding Officer to state, and decide the point of order.

- 26.5. Where a member considers that his integrity or the integrity of the Council as a whole has been impugned, he may as a matter of personal privilege draw the attention of the Council to the matter.

27.0 APPEAL PROCESS

- 27.1. Thereafter, the member shall only address the Chair for the purpose of appealing the Presiding Officer's decision to the Council.
- 27.2. If no member appeals, the decision of the Presiding Officer shall be final.
- 27.3. If the decision of the Presiding Officer is appealed to the Council, then the question "Shall the ruling of the Chair be sustained?" shall be put immediately without debate and its result shall be final.

28.0 CONDUCT OF MEMBERS OF COUNCIL

- 28.1. No member shall speak 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 or the Legislative Assembly of the Province of Ontario.
- 28.2. No member at a meeting shall:
- use offensive words or un-parliamentary language in or against the Council or against any member;
 - speak on any subject other than the subject in debate;
 - criticize any decision of the Council except for the purpose of moving that the question be reconsidered;
 - disobey the rules of the Council or decision of the Presiding Officer or of the Council on questions of order or practice or upon the interpretation of the rules of the Council;
 - and in case a member persists in any such disobedience after having been called to order by the Presiding Officer, the Presiding Officer may submit the following question, no amendment, adjournment or debate being allowed, "that such member be ordered to leave his seat for the duration of the meeting of the Council." If that member subsequently apologizes to Council he may, by majority vote of Council, be permitted to retake his seat.
- 28.3. No person except members and Officers of the Council shall be allowed to come to the Council table during the sittings of the Council without permission of the Presiding Officer to do so.
- 28.4. When the chair is putting the question, no member shall leave the table or make a disturbance.

29.0 COMMITTEE OF THE WHOLE

- 29.1. Committee of the Whole shall offer an opportunity to discuss and debate, in a more informal meeting forum, all subject matter within the jurisdiction of Council.
- 29.2. All subjects shall be introduced by motion, duly moved and seconded and as recommendations to Council.
- 29.3. All directives from Committee of the Whole, unless administrative in nature, shall be considered recommendations for formal ratification by full Council.
- 29.4. Recommendations and complete minutes from the regular Committee of the Whole meeting shall appear on the next appropriate Council Agenda for decision and ratification as Minutes or Reports of Committees.
- 29.5. Committee of the Whole shall include all members of Council and a quorum shall consist of 50% of the members. The Clerk shall act as Committee of the Whole secretary and other staff shall attend as directed by Council or the Clerk.
- 29.6. Committee of the Whole shall meet on a regular basis on the 2nd Friday of each month in Council Chambers at the Township Office commencing at 14:00 h. unless, Council by resolution directs otherwise, in which case notice, in accordance with the Municipal Notice By-law, shall be posted.

- 29.7. The Head of Council shall act as Presiding Officer.
- 29.8. The Presiding Officer shall maintain order in the Committee and report the proceedings to Council.
- 29.9. The rules governing the procedure of the Council and the conduct of members in the Council shall be observed in Committee of the Whole and all other committee meetings.

30.0 OTHER COMMITTEES

- 30.1. Insofar as possible, the procedures of the committees shall be the same as those set out for Council, unless otherwise prescribed by statute or law; it being understood that Committees act in an advisory capacity only and that unless decision making authority has been delegated by Council, motions presented and resolutions passed at the Committee level shall be deemed proposals and recommendations respectively.
- 30.2. The purpose, composition, jurisdiction, term and support staff assigned to any committee shall be as stipulated in the by-law or resolution establishing that Committee.
- 30.3. Standing, Advisory and Ad-hoc Committees wholly within the sphere of jurisdiction of Council may be established, revised, disbanded and replaced, as Council deems necessary.
- 30.4. The Council may, by By-Law or resolution, appoint any of its members or non Council members to standing, special or ad-hoc committees of Council.
- 30.5. Immediately after committee members are appointed, each committee shall meet briefly to appoint a chairperson from among themselves, unless otherwise specifically stipulated herein.
- 30.6. The Head of Council will be deemed to be an ex officio member on all committees where not otherwise prohibited by any Act and shall have full voting privileges when in attendance at any meeting thereof but shall not have the privilege of raising new business or adding any matter to a previously completed meeting Agenda. The Head of Council, in this capacity, does not count towards the determination of a quorum.
- 30.7. Should one be created, the main purpose of a Standing Committee is to oversee the operations of one or more municipal departments as well as to make recommendations to Council on policy matters referred to them. All provisions of this by-law shall apply to Standing Committees of Council.

31.0 SPECIAL/AD HOC COMMITTEES

- 31.1. Special/ad hoc committees shall be constituted for the purpose, and members named, as expressed by resolution of Council. The Head of Council shall be an ex-officio member and in this capacity will not be included in determining a quorum.
- 31.2. If no time limit is set for dissolution, a special/ad hoc Committee shall be dissolved upon the acceptance of its final report by Council and at the end of the term of Council.
- 31.3. Meetings shall be called as designated by Council, or at the call of the committee chairperson.
- 31.4. Committees appointed to report upon any subject referred to them by the Council shall report their findings and their opinion thereof in writing in the form of minutes and resolutions passed in duly conducted meetings of committee. No minutes shall be received by Council unless signed by the secretary and chair of the committee.

32.0 AMENDMENT

- 32.1. No amendment or repeal of this By-Law or any part thereof shall be considered at any meeting of the Council unless notice of proposed amendment or repeal has been given at a previous regular meeting of the Council. The waiving of this notice by the Council is prohibited in the *Municipal Act*.

33.0 SEVERABILITY

33.1. The provisions of this by-law are severable. If any provisions, section or word is held to be invalid or illegal, such invalidity or illegality shall not affect or impair any of the remaining provisions, sections or words.

34.0 EFFECTIVE DATE

34.1. **THAT** where any by-law passed prior to this by-law conflicts with this by-law, the terms of this by-law shall prevail.

34.2. **THAT** this by-law comes into force upon passing;

34.3. **THAT** by-law No. 2002-08 and any other by-laws governing the proceedings of council are hereby repealed.

READ a 1st and 2nd time this 18th day of April 2008.

READ a 3rd time short and passed this 18th day of April 2008.

TAMMY SONNENBURG, REEVE

MELINDA REITH, CLERK

APPENDIX “A” to PROCEDURE BY-LAW 2008-10

MAIN MOTIONS, SUBSIDIARY MOTIONS AND PRIVILEGED MOTIONS

MAIN MOTIONS

A main motion is a substantive proposal made by a member. It is the lowest ranked motion and may only be made when no other business is pending. Substantive means that the motions content is related to the business of the organization. For example, a motion or a resolution that proposes the adoption of a policy by the organization would be substantive.

Types of main motions:

- (a) to introduce a new issue or item of business;
- (b) to amend a previous decision;
- (c) to rescind a previous decision; and
- (d) to reconsider a vote.

SUBSIDIARY MOTIONS

A subsidiary motion is one that modifies the main motion or in some way assists in disposing of the main motion. The subsidiary motions in order of rank, lowest to highest, are:

- (a) to postpone indefinitely;
- (b) to amend (a main motion that is currently before Council);
- (c) to refer (the business) to committee;
- (d) to postpone the decision to a certain (specific) time;
- (e) to limit or extend debate;
- (f) to close debate; and
- (g) to postpone temporarily.

PRIVILEGED MOTIONS

Privileged motions are those that must be dealt with immediately even if business is pending. The privileged motions in order of rank, lowest to highest are:

- (a) to raise a question of privilege – individual;
- (b) to raise a question of privilege – affecting the assembly;
- (c) to recess;
- (d) to adjourn; and
- (e) to fix the time for a continued meeting.

Privileged motions take precedence over the pending business – main motions, subsidiary motions, and in some instance incidental motions. Privileged motions do not directly apply to the pending business but are concerned with individual members, the assembly, or the convenience of the members.

Impugning the motives of another member, speaking in derogatory terms to another member, or misquoting a member, qualify as questions of privilege affecting an individual. A question of privilege in these circumstances may be raised; if the member is speaking at the time, the member may be interrupted. Any member, whether affected by the remarks or not, may raise the question of privilege.

Questions of privilege affecting the assembly include situations that may affect the safety and well-being of the assembly or organization. If the meeting place is unsafe or unhealthy, a member may raise a question of privilege affecting the assembly. The well-being of the organization may be put at risk through a resignation of an officer, an attack on the organization’s integrity, or the compromise of confidential information. In these circumstances, the matter may be important enough to interrupt proceedings and deal with immediately.

INCIDENTAL MOTIONS

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An incidental motion deals mainly with procedural aspects of the pending business or of the meeting generally. Although the motions are termed incidental they are very important to the integrity and efficiency of the meeting. They allow members to bring to the attention of the assembly when a rule is broken, allows the Presiding Officer to make ruling, and allow the assembly to overrule the Presiding Officer. They also allow motions to be divided, withdrawn and revoked when necessary.

Incidental motions include:

- (a) Point of order;
- (b) Appeal a decision of the Presiding Officer;
- (c) Suspend the rules;
- (d) Request to be excused from a duty;
- (e) Request for information;
- (f) Consider by paragraph;
- (g) Request to withdraw a motion;
- (h) Division of a question;
- (i) Doubt the vote; and
- (j) Physical methods of voting.