

BY-LAW 2010-XXX
THE CORPORATION OF THE MUNICIPALITY OF GREY HIGHLANDS

BY-LAW NUMBER 2010 - XXX

BEING A BY-LAW TO GOVERN THE PROCEDURE OF COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF GREY HIGHLANDS AND ALL OF ITS COMMITTEES, THE CALLING OF MEETINGS AND THE CONDUCT OF ITS MEMBERS

WHEREAS Section 238 of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides that every Council shall adopt a procedure for governing the calling, place and proceedings of meetings;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF GREY HIGHLANDS HEREBY ENACTS AS FOLLOWS;

PART 1: SHORT TITLE

- 1.1 This By-law shall be known as “The Procedural By-law” for the Corporation of the Municipality of Grey Highlands.

PART 2: DEFINITIONS

- 2.1 **“Clerk”** shall mean the Clerk of the Corporation of the Municipality of Grey Highlands;
- 2.2 **“Closed Session”** shall mean a meeting or part of a meeting of Council, Council In Committee, a Committee or the Committee of the Whole, not open to the public in accordance with the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended;
- 2.3 **“Committee”** shall mean a Committee established by the Council;
- 2.4 **“Committee of the Whole”** shall mean all members of Council sitting as a Committee of the Whole to deal with business matters;
- 2.5 **“Council”** shall mean the Council of the Corporation of the Municipality of Grey Highlands;
- 2.6 **“Mayor”** shall mean the Head of Council and the Mayor of the Municipality of Grey Highlands;
- 2.7 **“Meeting”** shall mean any Regular, Special, Committee, Committee of the Whole or other meeting of Council and its Committees;
- 2.8 **“Member”** shall mean a Member of the Council and shall include the Mayor;
- 2.9 **“Motion”** shall mean a Resolution of Council or a Recommendation of a Committee that is under debate by Council or a Committee;
- 2.10 **“Quorum”** shall mean a majority of the whole number of Members required to constitute a Council;
- 2.11 **“Recorded Vote”** shall mean the recording of the name and vote of every member voting on any matter or question during a Council meeting;
- 2.12 **“Rules of Procedure”** shall mean the rules and regulations provided in this By-law.

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PART 3: GENERAL RULES

- 3.1 The Rules and Regulations contained in this By-law shall be observed in all proceedings of the Council and all Boards and Committees thereof and shall be the rules and regulations for the order and dispatch of business.
- 3.2 The rules contained in the By-law shall be observed with the necessary modifications, in every Committee.
- 3.3 Those proceedings of the Council, or the Committees thereof not specifically governed by the provisions of this By-law shall be regulated in accordance with Robert's Rules of Order.
- 3.4 Any part or parts of this By-law may be suspended by a vote with the consent of two-thirds majority of the Council present unless the part or parts is prescribed by statute or law.
- 3.5 In the absence of the Mayor from the Municipality, or if he/she is absent through illness or refuses to act, or if the Office is vacant, the Deputy Mayor for the purposes of this By-law shall act in the place and stead of the Mayor and shall have all the rights, powers and authority of the Mayor, while so acting.
- 3.6 No person shall be allowed to enter the area of Council during meetings without the leave of the Mayor, except members and employees of the Corporation.
- 3.7 All meetings of Council shall be open to the public, save and except those meetings or parts thereof that are dealing with a subject matter listed in the Municipal Act, that are permitted to be discussed in closed session. Before holding a meeting or part of a meeting that is to be closed to the public, Council shall, by resolution, state the fact that the meeting is closed and the general nature of the matter to be considered at the closed meeting.
- 3.8 Tape recorders, camcorders, and any other like means of audio or visual recording of proceedings at meetings of Council and Committees of Council shall be permitted.

PART 4: COUNCIL MEETINGS

- 4.1 **Location:** Meetings of Council shall be held at the Grey Highlands Municipal Office at 206 Toronto Street South, Unit 1, Markdale unless otherwise decided by Resolution of Council.
- 4.2 **Inaugural Meeting:** The first meeting of a newly elected Council, after a regular election, shall be held on the first Monday in December commencing at 10:00 a.m., unless otherwise provided by resolution of the Council.
- 4.3 **Regular Meetings:**
 - a) The second Monday of every month commencing at 4:00 p.m. and the fourth Monday of every month commencing at 10:00 a.m., unless otherwise provided by resolution of Council and unless it is a public or civic holiday.
 - b) Where such Monday shall be a public or civic holiday the Council shall meet at the same hour the Thursday or Friday before the holiday, which is not a public or civic holiday, unless otherwise provided by resolution of the council.

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- 4.4 **Special Meetings:** The Mayor may, at any time, call a Special Meeting of Council on forty eight (48) hours notice to the Members of Council, or, upon receipt of a petition of the majority of the Members of the Council, the Clerk shall summon a special meeting for the purpose and at the time mentioned in the petition.
- 4.5 **Postponement of Meetings:** Any regular meetings of the Council may be postponed to a day named in:
- a) A notice by the Mayor or the Deputy Mayor given through the Clerk's Office and two clear days in advance of the regular meeting; or
 - b) A resolution of Council passed by the majority of Members.
- 4.6 **Adjournment:** The Council shall adjourn no later than six o'clock p.m. (6:00 p.m.) when the meeting starts at 10:00 a.m. and shall adjourn no later than ten o'clock p.m. (10:00 p.m.) when the meeting starts at 4:00 p.m., if in session at that hour, unless otherwise determined by a resolution of Council passed by the majority of the members.
- 4.7 **Alter Time, Day or Place:** Council may, by Resolution, alter the time, day or place of any Council and/or Committee meeting.
- 4.8 **Public Meetings:** All Public Meetings of Council shall be set at 7:00 p.m. for meetings commencing at 4:00 p.m. and 5:00 p.m. for meetings commencing at 10:00 a.m. in the Council Chambers (with the exception of public meetings scheduled under the Planning Act). Preference will be given to scheduling public meetings for 7:00 p.m. **The public meetings will be Chaired by the Member of Council responsible for their respective Standing Committee through the Appointment By-law.**
- 4.9 **Duties of the Chairperson:** It shall be the duty of the Chairperson:
- (a) to open the meeting of Council/Committee by taking the Chair and calling the meeting to order;
 - (b) to announce the business in the order of which it is to be acted upon;
 - (c) to decline to put to vote motions which infringe the rules of procedure;
 - (d) to receive all messages and other communications and announce them;
 - (e) to authenticate, by his signature, when necessary, all by-laws, resolutions, minutes;
 - (f) to represent and support the Council, declaring its will, and implicitly obeying its decisions in all things;
 - (g) Any questions on which there is an equality of voters shall be deemed to be in the negative;
 - (h) to adjourn the meeting when the business is concluded;
 - (i) shall preserve order and decorum, decide questions of order (subject to an appeal to the Council by any member) and, without unnecessary comment, cite the rule or authority applicable to the case if called upon to do so;
 - (j) to adjourn the meeting without question put in the case of grave disorder arising in the Council Chamber for a time to be named by him.

BY-LAW 2010-XXX**PART 5: PUBLIC NOTICE OF MEETINGS/AGENDAS**

- 5.1 The published Agenda shall be considered as adequate notice of Regular Meetings of Council and its Committees, except for meetings held on a day or at a time other than as provided for by this By-law.
- 5.2 The Agenda for Regular Meetings shall be available to the Members not later than one and a half days (1.5) business days preceding the scheduled meeting.
- 5.3 Notice and Agendas of Special meetings called in accordance with Section 4.4 of this By-law shall be delivered to each Member, by email, telephone, personally, or left at, or mailed to his residence or place of business, at least forty-eight hours before the hour set for such meeting.
- 5.4 The only business to be dealt with at a special meeting is that which is listed in the Notice of the Meeting.
- 5.5 Notwithstanding any other provision of this By-law, an Emergency Meeting may be held without written Notice, to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk to notify the members about the Meeting as soon as possible and in the most expedient manner available.
- 5.6 No business except business dealing directly with the emergency or extraordinary situation shall be transacted at the Emergency Meeting.
- 5.7 Lack of receipt of a Notice or of the Agenda by the Members shall not affect the validity of the Meeting or any action taken thereat.
- 5.8 A complete copy of the published Agenda and Council Information Packages shall be posted on the Municipal Website for members of the news media and the public by four o'clock p.m. (4:00 p.m.) on the Friday preceding the scheduled meeting. An electronic or paper copy will be available for Press to view during the meeting.
- 5.9 The annual meeting schedule of Council and Council in Committee, as adopted by Council, shall be published on the Municipal Website.

PART 6: COMMUNICATIONS AND PETITIONS

- 6.1 Every communication, including a petition designed to be presented to Council shall be legibly written or printed and shall not contain any impertinent or improper matter or language and shall be signed by at least one person, giving his/her address and filed with the Clerk.
- 6.2 The deadline for receipt of communications or petitions by the Clerk for inclusion on the Agenda shall be three and a half (3.5) days prior to the Regular Meeting of Council.
- 6.3 Communications and petitions addressed to the Mayor and Council shall either be listed on the Agenda or included in a Council Information Package.
- 6.4 All Resolutions received from other municipalities shall be distributed, for information purposes, to the members of Council.

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- 6.5 Any member of Council may ask the Clerk to place any communication, petition or resolution that is included in the Council Information Package on the next Agenda of Council.
- 6.6 Communications or petitions containing obscene or defamatory language shall not be listed on the Agenda or directed to Council members.

PART 7: DEPUTATIONS

- 7.1 Any person desiring to present new information only verbally to Council or make a request of Council shall give notice to the Clerk by two and one half (2.5) days prior to the Regular Meeting of Council.
- 7.2 A written brief outlining the subject matter of the presentation shall be provided to the Clerk at the time of the request to appear and shall clearly state the nature of the business to be discussed, by two and one half (2.5) days prior to the meeting.
- 7.3 Deputations shall be limited in speaking to not more than fifteen (15) minutes in total per person, per group or per organization.
- 7.4 Notwithstanding Sections 7.1, 7.2 and 7.3, deputations appearing before Council at Public Meetings are not limited to time constraints or notification requirements.
- 7.5 Fifteen minutes will be set aside for unscheduled delegations at regular Council meetings as follows: one hour after meetings commencing at 10:00 a.m. (11:00 a.m.) and two and three quarter hours after meetings commencing at 4:00 p.m. (6:45 p.m.). The fifteen minutes allotted will be divided equally among the number of unscheduled delegations present.
- 7.6 Council may refuse to hear Deputations when, in the opinion of Council, the subject of the presentation is beyond the jurisdiction of the Municipality.
- 7.7 No person will be permitted to address Council relating to any litigation matters with respect to the Municipality.

PART 8: ACCESS TO MEETINGS

- 8.1 Except as provided in this Section, all meetings shall be open to the public.
- 8.2 The Mayor or presiding Officer may expel any person for improper conduct at a meeting.
- 8.3 A meeting or a part of a meeting may be closed to the public if the subject matter being considered is:
- a) The security of the properties of the municipality;
 - b) Personal matters about an identifiable individual including municipal or local board employees;
 - c) A proposed or pending acquisition or disposal of real property for municipal or local board purposes;
 - d) Employee negotiations or labour relations;
 - e) Litigation or potential litigation including matters before administrative tribunals, affecting the municipalities or local boards;
 - f) The receiving of advice that is subject to solicitor - client privilege, including communications necessary for that purpose;

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- g) A matter in respect of which the Council or Sub Committee has authorized a meeting to be closed under another Act;
 - h) The meeting is held for the purpose of educating or training the members (at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision making of the Council or Committee)
- 8.4 Before holding a Meeting or part of a Meeting that is to be closed to the public, Council shall state by Resolution:
- a) the fact of the holding of the Closed Meeting;
 - b) the general nature of the matter to be considered at the Closed Meeting;
 - c) that it is to be closed under that section.
- 8.5 A meeting shall not be closed to the public during the taking of a vote except where:
- a) Subsection 8.3 permits or requires a Meeting to be closed to the public; and
 - b) the vote is for a procedural matter or for giving directions or instructions to Officers, Employees or Agents of the Municipality, Local Board or Committee or persons retained by or under contract with the Municipality or Local Board.
- 8.6 All deliberations while in Closed Session shall remain confidential unless otherwise approved by Council in Open Session.

PART 9: ORDER OF PROCEEDINGS, AGENDAS & MINUTES

9.1 Agendas:

- 9.1.1 The Clerk or his/her designate shall prepare the Agenda for all Regular Council Meetings consisting of the following Order of Business:
- a) Personal Moment of Silence or Prayer
 - b) Declaration of Conflict or Pecuniary Interest
 - c) Adoption of Minutes
 - d) **Business Arising**
 - e) Announcements
 - f) Notice of Motion
 - g) Delegations (including unscheduled delegations)
 - h) Communications
 - i) Reports of Committees
 - j) Staff Reports
 - k) Reports of Council Members
 - l) By-laws
 - m) Other Business
 - n) Public Notice
 - o) Public Meeting
 - p) Meeting Dates
 - q) Closed Session
 - r) Adjournment
- 9.1.2 At each duly constituted Regular Meeting of Council, the Minutes of the preceding Regular Meeting, Public Meeting and any Special Meeting shall, unless otherwise decided by the Council, be submitted for adoption, and after they have been received by the majority of the members present, with any errors or omissions noted, shall be signed by the Mayor and Clerk.

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9.1.3 The business of each Meeting shall be taken up in the order in which it stands in the Agenda, unless otherwise decided by a majority vote of the members present.

9.1.4 A motion changing the order of business shall not be amendable or debatable.

9.2 Minutes:

9.2.1 Minutes of the Council or Committee, whether it is closed to the public or not, shall record:

- a) the date of the meeting;
- b) the record of the attendance of the members;
- c) the reading, if requested, correction and adoption of the minutes of prior meeting(s);
- d) all resolutions and decisions;
- e) all the other proceedings of the meeting without note or comment;
- f) a list of other business items discussed.

9.2.2 If the minutes have been delivered to the members, then the minutes will not be read. The Mayor after receiving any errors or omissions reported by members will declare the Council minutes adopted.

9.2.3 After the Minutes have been adopted they will be signed by the Mayor and by the Clerk

PART 10: COMMENCEMENT OF MEETINGS

10.1 A quorum shall be a majority of the members constituting the Council

10.2 As soon after the hour fixed for a Meeting as a Quorum is present, the Meeting shall be called to order by the Mayor.

10.3 If no quorum is present, thirty minutes after the time appointed for a meeting of the Council, the Clerk shall record the names of Members present and the meeting shall stand adjourned.

10.4 The Mayor, if present, shall preside at all meetings.

10.5 In the absence of the Mayor, the Deputy Mayor shall preside during the Meeting or until the arrival of the Mayor.

10.6 In the absence of the Mayor and the Deputy Mayor, the Clerk shall call the Meeting to order fifteen minutes after the hour appointed for the Meeting, and the members shall elect a Member to preside during the Meeting or until the arrival of the Mayor or the Deputy Mayor.

PART 11: ROLE OF THE MAYOR (as per Section 225 of the Municipal Act)

11.1 It is the role of the Mayor as the Head of Council:

- a) to Act as Chief Executive Officer of the Municipality;
- b) to preside over Council meetings so that its business can be carried out efficiently and effectively;
- c) to provide leadership to Council;
- d) to represent the Municipality at official functions;

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- e) to carry out the duties of the Head of Council under any Act;
- f) uphold and promote the purposes of the Municipality;
- g) promote public involvement in the Municipality's activities;
- h) act as the representative of the Municipality both within and outside the municipality and promote the Municipality locally, nationally and internationally; and
- i) participate in and foster activities that enhance the economic, social and environmental well-being of the Municipality and its residents .

PART 12: ROLE OF COUNCIL (as per Section 224 of the Municipal Act)

12.1 It is the role of Council:

- a) to represent the public and consider the well-being and interests of the Municipality;
- b) to develop and evaluate the policies and programs of the Municipality;
- c) to determine which services the Municipality provides;
- d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- 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 any Act

PART 13: RULES OF CONDUCT

13.1 No member shall:

- a) 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;
- b) Use offensive words or unparliamentary language in or against the Council or against any member;
- c) Speak on any subject other than the subject in debate;
- d) Disturb the Council by any disorderly conduct.

13.2 A Member shall not disobey the rules of the Council or a decision of the Mayor or of the Council on points of order or on the interpretation of the rules of procedure of the Council.

13.3 A Member shall not leave his/her seat or make any noise or disturbance while a vote is being taken or until the vote is declared.

13.4 A Member shall not interrupt a Member who is speaking, except to raise a point of order or a question of privilege.

13.5 In the event that a Member persists in a breach of the Rules of this By-law, after having been called to order by the Mayor, the Mayor shall put the question "Shall the Member be ordered to leave his/her seat for the duration of the Meeting?" and such question is not debatable.

13.6 If the Council decides the questions set out in Sections 13.5 of this By-law in the affirmative by a majority vote of the members present, the Mayor shall order the member to leave his/her seat for the duration of the Meeting.

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- 13.7 If the person guilty of improper conduct refuses to leave the meeting when requested to do so, the police will be contacted for assistance.
- 13.8 If the individual(s) re-enter the Council Chambers, the Municipal Building, or any other meeting location following the above steps being followed, the individual (s) will then be found to have breached the Municipal Procedural By-Law as well as having committed the offence of trespass, and the police will be contacted for assistance.
- 13.9 If the Member apologizes, the Mayor, with the approval of the Council, may permit the Member to resume his/her seat.
- 13.10 It shall be the duty of the Mayor to adjourn the meeting without the question being put, or to suspend or recess the sitting for a time to be named, if considered necessary because of grave disorder arising in the meeting.

PART 14: RULES OF DEBATE

- 14.1 The Mayor shall preside over the conduct of the Meeting including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the Meeting, subject to an appeal to the Council.
- 14.2 The Mayor may answer questions and comments in a general way without leaving the chair, but if he/she wishes to make a Motion or to speak on a Motion taking a definite position and endeavouring to persuade the Council to support that position, then he/she shall first leave the chair.
- 14.3 If the Mayor desires to leave the chair for the purpose of taking part in the debate or for any other reasons, the Deputy Mayor will sit in his/her place until he/she resumes the chair.
- 14.4 Before a Member may speak to any matter, he/she shall first be recognized by the Mayor.
- 14.5 When two or more members indicate simultaneously that they wish to speak, the Mayor shall name the Member who is to speak first.
- 14.6 When a Member is speaking to a Motion, he/she shall confine his/her remarks to the Motion and in speaking shall be limited to a maximum of five (5) minutes, unless otherwise decided by a majority vote of the members present.
- 14.7 A Member shall not speak more than twice to any Motion unless otherwise decided by a majority vote of the members present, except the Member who made a motion who shall be allowed to reply for a maximum of five (5) minutes.
- 14.8 When a Motion is under debate, a Member may ask a concisely worded question of another Member or a Staff member through the Mayor prior to the Motion being put to a vote by the Mayor.
- 14.9 A Member may require the Motion under debate to be read at any time during the debate, but not so as to interrupt a member who is speaking .

BY-LAW 2010-XXX**PART 15: QUESTIONS OF PRIVILEGE AND ORDER**

- 15.1 If a Member believes that his/her rights, privileges or integrity or those of the members collectively have been prejudicially affected, he/she shall ask leave of the Mayor to raise a question of privilege which shall take precedence over all other matters, but he/she shall not be permitted to enter into any argument or introduce any Motion related to the question of privilege.
- 15.2 When the Mayor considers that the integrity of the Municipal Chief Administrative Officer (CAO) or a Member of the Civic Administration has been impugned or questioned, the Mayor may permit the Municipal CAO or a Departmental Manager to make a statement to the Council.
- 15.3 When a Member desires to call attention to a violation of the Rules of Procedure, he/she shall ask leave of the Mayor to raise a point of order and after leave is granted, he/she shall state the point of order to the Mayor succinctly and the Mayor shall then decide upon the point of order and advise the members of his/her decision.
- 15.4 Unless a Member immediately appeals the Mayor's decision to the Council, the decision of the Mayor shall be final.
- 15.5 If the decision of the Mayor 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.
- 15.6 When the Mayor calls a Member to order, that Member shall cease speaking until the point of order is dealt with and that Member shall not speak again to the matter under discussion without the permission of the Mayor unless to appeal the ruling of the Mayor.

PART 16: MOTIONS

- 16.1 All motions shall be submitted in writing signed by the mover and seconder and filed with the Clerk.
- 16.2 Any member of Council may give notice of intent that he or she will introduce a Motion the next or a subsequent meeting of Council to introduce a new matter, initiate any measure to make any change in the Council's established policy. The giving of notice requires no seconder and is not at that time debatable.
- 16.3 Notices of Motions filed with the Clerk shall be directed to the next Regular Council Meeting unless otherwise noted.
- 16.4 Any Motion may be introduced without notice if the Council without debate, dispenses with notice on the affirmative vote of at least two thirds of the members present and voting.
- 16.5 Motions shall be seconded before being debated or put to a vote.
- 16.6 Every Member present at a meeting of the Council when a question is put shall vote thereon unless prohibited by statute;
- 16.7 Every member present who is required to vote on a question, but in fact does not vote therein, shall be deemed to be voting in the negative.

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- 16.8 When the Mayor calls for the vote on a question, each Member shall occupy his/her seat and shall remain in his/her place until the result of the vote has been declared by the Mayor;
- 16.9 Every Motion shall be deemed to be in the possession of the Council for debate after it is accepted by the Mayor, but may, with the permission of the Council, be withdrawn at the joint request of the Mover and Seconder at any time before the Motion is disposed of.
- 16.10 When a motion is under debate, no motion shall be received other than a motion:
- (a) to adjourn;
 - (b) to proceed beyond curfew outlined in this by-law;
 - (c) to table;
 - (d) to call the question (close the debate);
 - (e) to postpone to a certain time (defer);
 - (f) to refer (to Committee);
 - (g) to amend.
- 16.11 A Motion to adjourn shall:
- a) not be amended;
 - b) not be debated;
 - c) not include qualifications or additional statements; and
 - d) always be in order except when a Member is speaking or the members are voting or when made in Committee of the Whole.
- 16.12 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.
- 16.13 The Council shall always adjourn when there is no business before them or at 6:00 p.m. for meetings commencing at 10:00 a.m. or at 10:00 p.m. for meetings commencing at 4:00 p.m., if in session at that hour, unless otherwise decided before that hour by a majority vote of the members present at the Meeting to go beyond that hour.
- 16.14 A Motion to proceed beyond curfew shall:
- a) not be amended;
 - b) not be debated; and
 - c) shall always be in order, except when a Member is speaking or the members are voting.
- 16.15 A Motion to table shall:
- a) not be amended
 - b) not be debated;
 - c) apply to the main Motion and any amendments thereto under debate at a time when the Motion to table was made;
 - d) not include qualifications or additional statements.
- 16.16 If a Motion to table is decided in the affirmative by a majority vote of the members present, then the main motion and any amendments thereto shall be removed for the Council's consideration until such time as a notice of motion to lift the matter from the table is filed with the Clerk. A Motion to take from the table is not debatable or amendable.

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16.17 A Motion to call the question (close the debate) shall:

- a) not be amended;
- b) not be debated;
- c) apply to the Motion or amendment under debate at the time when the Motion to put the question is made;
- d) not be received in any Committee;
- e) be moved using the words "That the question now be called."

16.18 If a Motion to call the question is decided in the affirmative by a majority vote of the members present, then the preceding Motion or amendment shall be voted on immediately without further debate or comment.

16.19 A Motion to refer a matter under consideration to a Committee or the Administration or elsewhere shall:

- a) be open to debate;
- b) be amendable; and
- c) preclude amendment or debate of the preceding Motion, unless the Motion to refer is resolved in the negative, in which case the preceding Motion shall be open to debate and amendment.

16.20 A Motion to amend shall:

- a) be open to debate;
- b) not propose a direct negative to the main Motion;
- c) be relevant to the main Motion; and
- d) not be further amended more than once.

16.21 A Motion to postpone to a certain time (defer) shall:

- a) be open to debate;
- b) be amendable; and
- c) preclude amendment or debate of the preceding motion, unless the motion to postpone to a certain time is resolved in the negative, in which case the preceding motion shall be open to debate and amendment.

16.22 When the Council amends a proposed zoning or re-zoning By-law after holding of a Public Meeting as required by The Planning Act, the Council shall immediately vote on the question of whether or not any further notice is to be given in respect of the proposed By-law, as amended.

16.23 The question of whether or not any further notice is to be given shall be amendable and debatable.

16.24 The proposed zoning or re-zoning by-law as amended, shall not be introduced and enacted until the question of whether or not any further notice is to be given has been resolved.

PART 17: VOTING PROCEDURES

17.1 A motion to amend an amendment to a Motion shall be voted on first.

17.2 Voting on the main Motion and amending Motions shall be conducted in the following order:

- a) a Motion to amend a Motion to amend the main Motion ;
- b) a Motion (as amended or not) to amend the main Motion ;
- c) the main Motion (as amended or not)

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- 17.3 When the Motion under consideration contains two distinct propositions, upon the request of any Member, the Mayor or Chair shall divide the question and the vote upon each proposal shall be taken separately .
- 17.4 A Motion shall be put to a vote by the Mayor immediately after all members desiring to speak on the Motion have spoken in accordance with Section 14.7 of this By-Law.
- 17.5 After a Motion is put to a vote by the Mayor or Chair, no Member shall speak on that Motion, with the exception of the Mayor or Chair who may speak following a recorded vote or upon breaking a tie, after the result of the vote is announced by the Mayor or Chair. No other motion shall be made until after the result of the vote is announced.
- 17.6 Every Member of Council present at a Council Meeting when a question is put shall vote thereon, except where he/she is disqualified to vote by reason of a pecuniary interest or is absent from the Council Chamber when the question is put.
- 17.7 Every Member of Council who is not disqualified from voting by reasons of a declared pecuniary interest shall be deemed to be voting against the Motion if he/she declines or abstains from voting.
- 17.8 All votes shall be by show of hands, except when a Recorded Vote is requested . The manner of determining the decision of the Council on a Motion shall not be by secret ballot or by any other method of secret voting .
- 17.9 The Mayor shall announce the result of every vote . Upon the taking of any vote, if all of the members present when the vote is taken vote unanimously, the Mayor may direct the Clerk to record the vote accordingly .
- 17.10 If a Member disagrees with the number of votes for and against a Motion as announced by the Mayor, he/she may object immediately to the Mayor's declaration and, with the consent of the Council, the vote shall be re-taken .
- 17.11 When there is a tie vote on any Motion, it shall be deemed to have been decided in the negative.
- 17.12 When called for by any Member or when required by law, a Recorded Vote shall be taken and the results declared by the Clerk.
- 17.13 A Member may call for a Recorded Vote immediately prior to or immediately after the taking of the vote.
- 17.14 When a Recorded Vote is taken, the names of those who voted for and those who voted against the Motion shall be entered in the Minutes.
- 17.15 In any vote required of the Whole Council, the number of members constituting the Council shall be determined by excluding:
- a) the number of members who are present at the Meeting but who are excluded by voting by reasons of The Municipal Conflict of Interest Act;
 - b) the number of seats that are vacant on the Council by reasons of Section 259 of The Municipal Act.

PART 18: RECONSIDERATION

- 18.1 A Motion to reconsider a decided matter shall only be introduced by a Member who voted with the majority on the original Motion . Before accepting

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a Motion to reconsider, the Mayor may ask the Member to confirm that he/she voted with the majority on the issue in question.

- 18.2 A Motion to reconsider a decided matter shall require the approval of at least two-thirds of the Whole Council .
- 18.3 No Motion for reconsideration of any decided matter shall be permitted more than once during a period of twelve months following the date on which the question was decided.
- 18.4 If a Motion to reconsider is decided in the affirmative at a Meeting, then consideration of the original matter shall become the next order of business.
- 18.5 No debate on a Motion to reconsider a decided matter shall be permitted, however, the Mover of a Motion to reconsider may provide or may make a brief and concise statement outlining the reasons for proposing such reconsideration.

PART 19: ENACTMENT OF BY-LAWS

- 19.1 Every by-law shall have three readings previous to it being passed.
- 19.2 Unless otherwise provided by law, every By-Law may receive all three readings at the same Meeting.
- 19.3 Every by-law shall be introduced by motion specifying the title of the by-law and its purpose.
- 19.4 Every by-law when introduced shall be in typewritten form and shall comply with the provision of any relevant Act.
- 19.5 The first and second reading of a by-law shall be decided without amendment or debate.
- 19.6 If the Council determines that the By-law is to be considered in Committee of the Whole, it shall be so considered previous to the third reading thereof.
- 19.7 The Clerk shall endorse on all by-laws enacted by Council the date of the several readings thereof.
- 19.8 All amendments made in Committee of the Whole shall be reported by the Chairperson to the Council which shall receive the same forthwith and after the report has been received, a by-law shall be open to debate and amendment before it is ordered for the third reading.
- 19.9 When a by-law is reported without amendment it shall be forthwith ordered to be read the third time at such time as may be appointed by the Council.
- 19.10 Every by-law which has been enacted by the Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Mayor and the Clerk and shall be deposited by the Clerk in the Clerks Office for safekeeping.

PART 20: CLOSED SESSION

- 20.1 Whenever a majority of the members present decide that the Council should resolve into a Closed Session, the Mayor as Chair shall maintain order during the Meeting and shall report the proceedings thereof to the Council.

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- 20.2 All "Closed Session" items of Council shall be discussed in Meetings of the Committee of the Whole.
- 20.3 The rules governing the procedure of the Council and the conduct of its members shall be observed in the Closed Session with necessary modifications except that;
- a) motions do not require a Secunder;
 - b) the number of times of speaking on any question shall not be limited;
 - c) no Recorded Vote shall be permitted;
 - d) a Motion to put the question shall not be permitted;
 - e) a Motion to adjourn shall not be permitted, except when meeting apart from Regular Meetings.
- 20.4 Any actions of the Closed Session Meeting shall be reported by the Mayor as soon as the Regular Council Meeting reconvenes into Open Session.
- 20.5 Closed session minutes and background reports shall be circulated to the members during the appropriate meeting on pink coloured paper. The minutes and reports shall be collected prior to returning to open session.
- 20.6 Closed session minutes are taken by the Clerk or Recording Secretary. In the event the Clerk or Recording Secretary is excused from the closed session portion of the meeting, the CAO will document the proceedings.
- 20.7 All closed session minutes and background reports shall be held by the Clerk or CAO in a secure location. Once closed session minutes and background reports have been transferred to the Clerk or CAO, the electronic record shall be destroyed.
- 20.8 In the event that Councillors wish to view the contents of confidential background reports they may do so by requesting access from the Clerk or CAO.

PART 21: COMMITTEE OF THE WHOLE**21.1 Composition:**

All members of the Council shall constitute and fully participate in business meetings termed Committee of the Whole at which all substantive matters of concern of the municipality requiring a policy decision shall be considered for recommendation to the Council.

21.2 Chair:

The Chair of the Committee of the Whole shall be on a rotating basis including the Deputy Mayor and Councillors commencing alphabetically the first meeting in January. The Chair may appoint another Member of the Committee to act as Chair while he is speaking to a question or while he is temporarily absent from the Meeting.

21.3 Regular Meetings:

Meetings of Committee of the Whole shall be held at the hour of 10:00 a.m. the first and third Monday of every month, unless otherwise provided by resolution of the Council/Committee. If such day shall be a public or civic holiday the Council/Committee shall meet at the same hour the Friday before the holiday, which is not a public or civic holiday, unless otherwise provided by resolution of the Council/Committee. Its minutes shall be recorded in report form to be presented to Council at its next following meeting for approval.

BY-LAW 2010-XXX**21.4 Order of Business/Agendas:**

The Clerk or his/her designate shall prepare the Agenda for all Regular Committee of the Whole Meetings consisting of the following Order of Business: * The order of Sections f) through m) may be altered without notice

- a) Disclosures of Pecuniary Interest
- b) Other Boards and Committee Minutes
- c) Business Arising**
- d) Announcements
- e) Notice of Motion
- f) Delegations
- g) Administration
- h) Finance
- i) Planning
- j) Public Works & Waste Management
- k) Public Utilities
- l) Parks, Recreation and Culture
- m) Protection
- n) Economic Development
- o) Communications
- p) Meeting Dates
- q) Other Business
- r) Closed Session
- s) Adjournment

21.5 Minutes:

Committee of the Whole, whether it is closed to the public or not, shall record all of the recommendations, decisions and other proceedings of the meeting without note or comment.

The Minutes of the Committee of the Whole meetings shall be circulated to the next subsequent Council meeting for Council's approval .

21.6 Rules of Procedure:

Council Rules of Procedure as set out in this By-Law shall apply in Committee of the Whole, except that :

Motions

- a) Motions need not be presented in writing, but may be presented either in writing or verbally.
- b) After a motion has been read or stated by the Mover, or by the Chair, it shall be deemed to be in possession of the Council In Committee, but may be withdrawn by the Mover at any time before a final vote is taken and a decision is made .
- c) No Notice of Motion shall be required to introduce new matters by motion at any meeting of the Committee In Council, but new matters shall only be so introduced with the approval of the majority of the members present, expressed by a show of hands .
- d) When a motion is under debate, no other motion shall be received except for the following purposes and according to the following order of priority :
 - i) The previous question.
 - ii) To postpone to a definite date.
 - iii) To refer to any member or group of members of the Council In Committee, or to staff, for any purpose .

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- iv) To amend.
* not debatable

21.7 Delegations:

- a) Any person desiring to present new information only verbally or make a request of the Committee of the Whole shall give notice to the Clerk two and a half (2.5) days prior to the Committee of the Whole Meeting.
- b) A written brief outlining the subject matter of the presentation shall be provided to the Clerk at the time of the request to appear and shall clearly state the nature of the business to be discussed, two and a half (2.5) days prior to the meeting.
- c) Deputations shall be limited in speaking to not more than fifteen (15) minutes in total per person, per group or per organization .
- d) Committee of the Whole may refuse to hear Delegations when, in the opinion of Council, the subject of the presentation is beyond the jurisdiction of the Municipality.

PART 22: COMMITTEES

22.1 Procedure:

Except as otherwise provided in this Part, a committee will conform to the rules governing protocol and procedure of this By-law.

22.2 Establishment Appointment:

Council establishes various Boards and Committees to help support their work. Generally, Boards and Committees are ongoing or a task force. Some are discretionary and others are mandatory as required by legislation. The process for the establishment, review and recruitment shall be in accordance with the Policy for Boards & Committees of Council (XX-XXX). The names of members required to serve on the Committees, Boards, Commissions or other bodies to which Council is required or empowered to appoint persons, will be determined by Council in an inaugural, regular or special meeting.

22.3 Mayor Ex-Officio:

The Mayor is an ex-officio of every Committee. Where a committee is established by reference to a particular number of members without specifically providing for the membership of the Mayor, such number is automatically increased by one, being the Mayor, as provided under this Section.

The Mayor may vote and otherwise participate without any restriction in the business of the committee on the same basis as any other committee member.

22.4 Terms of Reference:

Subject to the provision of any General or Special Act, the Council, in establishing any committee, will set forth terms of reference and such other provisions as the Council deems proper.

Council may consider any matter without referring it to a Committee or may refer it to one or more committees or refer it to the Committee of the Whole Council and may withdraw a matter from a committee whether or not the committee has entered into consideration.

22.5 Quorum:

A quorum is as defined under Section 10.1. The Mayor is a member to be included in determining the quorum.

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22.6 Committee Chair:

Annually, each committee at its first meeting will appoint a Committee Chair and Committee Vice-Chair from among its members . Each committee will have the authority to alter the time of its meetings and to hold special meetings so that where possible it will not conflict with meetings of Council.

22.7 Minutes:

The Minutes of all Committees, including draft minutes, shall be forwarded to Council in a timely manner, to be received as information .

PART 23: DISCLOSURES OF PECUNIARY INTEREST

23.1 If a Member has any pecuniary interest, direct or indirect, in any matter in which the Council is concerned and if he/she is present at a Meeting at which the matter is the subject of consideration, he/she shall disclose his/her interest and the general nature thereof and shall not take part in the consideration or the discussion of the matter nor vote on any Motion in regard to the matter. If a Member is not present and has any pecuniary interest, he/she shall disclose his/her interest at the next meeting in attendance .

23.2 Notwithstanding the quorum requirements of this By-law, when a majority of the members has disclosed an interest in accordance with Section 23.1 of this By-Law and the Municipal Conflict of Interest Act, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two.

PART 24: CONFIRMING BY-LAW

24.1 The proceedings at every Regular and Special Meeting shall be confirmed by By-Law on a quarterly basis so that every decision of the Council at that Meeting and every Resolution passed thereat 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.

PART 25: REPEAL

25.1 The Municipality of Grey Highlands By-Law No . 2007-85 and any amendments thereto are hereby repealed in their entirety.

PART 26: ENACTMENT

26.1 The effective date of this By-law shall be the date of final passage thereof .

Read a first and second time this _____ day of _____ , 2010.

Read a third time and finally passed this _____ day of _____ , 2010.

The Corporation of the
Municipality of Grey Highlands

Brian Mullin - Mayor

Debbie Robertson - Municipal Clerk