

**THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS**

**BY-LAW NO. 2X-xx**

**BEING A BY-LAW TO ESTABLISH RULES GOVERNING THE ORDER AND  
PROCEEDINGS OF COUNCIL AND COMMITTEES OF  
THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS  
(PROCEDURAL BY-LAW)**

**WHEREAS** Section 238 (2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

**AND WHEREAS** Section 238 (2.1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires that the procedure by-law shall provide for public notice of meetings;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

DRAFT

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## 1. DEFINITIONS

For the purpose of this By-Law:

- (a) "**Acting Chair**" - shall mean the Member who is temporarily appointed to serve in the Chair's place.
- (b) "**Agenda**" - shall mean the written Order of Business.
- (c) "**Attendee**" - shall mean a person, other than a Member or Staff, who is present at a meeting.
- (d) "**By-Law**" - shall mean a local law that has been enacted by Council in order to exercise a power provided in an Act.
- (e) "**Chair (Presiding Officer)**" - shall mean the Member who presides at a Council or Committee Meeting.
- (f) "**Chief Administrative Officer**" - shall mean the Chief Administrative Officer (CAO) or designate duly appointed by the Council as prescribed in Section 229 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.
- (g) "**Clerk**" - shall mean the person or designate duly appointed by the Council as prescribed in Section 228 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.
- (h) "**Close Debate (Call the Question)**" - shall mean a motion requiring that debate be closed and the vote on the motion be taken immediately.
- (i) "**Closed Session (In-Camera)**" - shall mean a meeting or part of a meeting closed to the public as prescribed in Section 239 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.
- (j) "**Code of Conduct**" - shall mean the Code of Conduct for Members of Council and Local Boards as prescribed in Section 223.2 (1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.
- (k) "**Committee**" - shall mean any Committee established by Council, including but not limited to, any Committee of the Whole, Special Purpose (Ad Hoc) Committee, etc.
- (l) "**Committee of the Whole Meeting (COW)**" - means a Standing Committee Meeting of Council in which the entire Council becomes a committee for the purpose of conducting business and providing recommendations to Council.
- (m) "**Committee Recommendation**" – shall mean a resolution passed by a Committee of the Whole during a meeting which is subject to approval by Council at the next Council meeting.
- (n) "**Community Events**" - shall be deemed any event that requests the presence of the Mayor. These may include but are not limited to opening ceremonies, fund raisers/charity events, community celebrations and local fairs.
- (o) "**Confidential Item**" - shall include the following:
  - a. any matter marked "confidential" by Staff;

- b. any matter or item of a confidential nature which has not been lawfully published, disclosed or provided to the public by the Municipality, or introduced, received or made available to the public at a Public Meeting or Information Session/Centre;
  - c. a record of any matter in respect of which a meeting or part of a meeting may or shall be closed to the public pursuant to the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or under this By-Law;
  - d. any matter which could form the subject matter of an exemption from disclosure or a prohibition against disclosure, pursuant to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56;
  - e. any matter which the Municipality is prohibited from disclosing pursuant to any contract, legislation or other lawful authority; and
  - f. any communication with the Municipality's solicitors.
- (p) "**Confirming By-Law**" - shall mean a By-Law passed prior to adjournment of every Council Meeting to confirm by By-Law the resolutions and actions of Council taken at that meeting.
- (q) "**Consent Reports**" – may include any Committee of the Whole reports that are deemed to be of an administrative nature and/or being received as information and/or do not require action or direction.
- (r) "**Correspondence**" - shall include, but is not limited to, letters, memos, notices, emails, faxes, petitions, brochures, newspaper/magazine articles, etc.
- (s) "**Council**" - shall mean the Council of the Municipality of Mississippi Mills comprised of an elected Mayor, Deputy Mayor and Councillors from the three wards.
- (t) "**Council Meeting(s)**" - includes Regular, Special and Emergency Meetings of the Council of the Municipality.
- (u) "**Councillor**" - shall mean a person elected or lawfully appointed to the Council of the Municipality of Mississippi Mills.
- (v) "**Debate**" - shall mean discussion on the merits of the question/motion and whether the proposed action should or should not be taken.
- (w) "**Delegation**" - shall mean a person or group of persons who are not Members of Council or municipal Staff who have requested and are permitted to address Council or Committee, individually or on behalf of a group, with respect to the requested topic which was approved and listed on the Agenda for that Meeting in accordance with the provisions of this By-Law.
- (x) "**Department Head**" - shall mean the person or designate in charge of a municipal department and/or service area.
- (y) "**Emergency**" - shall mean a matter which if not dealt with may have serious ramifications, including but not limited, to the inability to address or influence the matter at a later date.

- (z) **"Hybrid Meeting"** – shall mean meetings that span both in-person (in a physical space like a Council Chamber or board room) and remote participation (conducted via video conference software).
- (aa) **"Local Board"** - shall mean a municipal service board, transportation commission, public library board, board of health, police services board, planning board or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities joint boards), excluding a school board and a conservation authority.
- (bb) **"Main Motion"** - shall mean a Motion whose introduction brings business before the Meeting.
- (cc) **"Mayor"** – shall mean the Member of Council elected by general vote as the Mayor and is the Head of Council, and who normally presides at all Council Meetings.
- (dd) **"Majority Vote"**- shall mean a vote where over half of the Members present, and eligible to vote, vote in the same manner.
- (ee) **"Meeting"** - means any regular, special or other Meeting of a Council, of a Local Board or of a Committee of either of them, where, a Quorum of Members is present; and Members discuss or otherwise deal with any matter in a way that materially advances or is intended to advance the business or decision-making of the Council, Local Board or Committee; and also includes a series of phone calls and electronic threads.
- (ff) **"Meeting Schedule"** - shall be deemed the Council/Committee Calendar containing the dates of Council and Committee of the Whole Meeting dates, including other reserved dates confirmed each year by resolution of Council.
- (gg) **"Member"** - shall mean a Member of Council or a Member of a Committee or Local Board.
- (hh) **"Minutes"** - shall mean a record of the proceedings of a meeting and shall be made by the Clerk without note or comment.
- (ii) **"Motion"** - shall mean a recommendation made to Council for consideration.
- (jj) **"Municipality"** - shall mean the Corporation of the Municipality of Mississippi Mills.
- (kk) **"Notice"** - shall mean an announcement by the Clerk under this by-law or the Public Notice Policy.
- (ll) **"Order of Business"** - shall mean the sequence of business under consideration at a Meeting.
- (mm) **"Pecuniary Interest"** - shall mean a direct or indirect pecuniary (monetary) interest within the meaning of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended.
- (nn) **"Point of Order"** - shall mean any alleged breach of the rules or irregularity in the proceedings of a meeting.

- (oo) "**Point of Privilege**" - shall mean a statement by a Member calling attention to a matter where the integrity of an individual (personal) or the entire Council or Committee is perceived to be in question.
- (pp) "**Presentation**" - shall mean a ceremonial presentation to or from the Municipality of Mississippi Mills.
- (qq) "**Proceedings**" - shall mean the business conducted at a Meeting.
- (rr) "**Professional Development Event**" - shall mean any conference, convention, seminar, training session and workshop.
- (ss) "**Public Information Session/Centre**" - shall be held for the purpose of presenting proposals and issues, educating and informing and/or receiving input.
- (tt) "**Public Meeting (Statutory)**" - shall be deemed a meeting held for the purpose required under an Act or Regulation.
- (uu) "**Quorum**" - shall mean the number of Members required to be present in the Meeting room, in order that business may be conducted. A quorum shall mean a majority of the Members.
- (vv) "**Recess**" - shall mean a break from a Meeting.
- (ww) "**Recorded Vote**" - shall mean documenting in the Minutes of a Council Meeting the name of each Member and the Members' vote on a matter or question, in favour, opposed or absent.
- (xx) "**Resolution**" - shall mean a Motion that has been passed by Council.
- (yy) "**Special Meeting**" - shall be deemed a Council or Committee of the Whole Meeting which is in addition to the published Meeting Schedule approved annually by Council.
- (zz) "**Special Purpose (Ad Hoc) Committee**" means a Committee established by Council for the purpose of dealing with a special project with a clear mandate and a start and finish date.
- (aaa) "**Standing Committee**" - shall be deemed a Committee of Council constituted to perform a continuing function and which has a continuous existence. For the purpose of this by-law the Committee of the Whole is deemed to be a Standing Committee.
- (bbb) "**Statement**" - shall mean prepared remarks that a Member reads aloud at a Meeting.
- (ccc) "**Striking Committee**" - shall be deemed a Committee of all members of Council for the purpose of preparing recommendations for appointments to various Committees, Local Boards and external organizations, and other duties as approved by Council. The Mayor shall be Chair of the Striking Committee.
- (ddd) "**Summer Recess**" - shall be deemed to be the month of July each year where no Council or Committee meetings are held unless a Special or Emergency Meeting is called by the Mayor or a petition of Council is received.

(eee) "**Three-Quarters Vote**" - shall mean a vote where at least three-quarters of the Members present, and eligible to vote, vote in the same manner.

(fff) "**Time Sensitive**" – shall mean a matter in which delaying a decision could negatively impact the Municipality and means information that is only relevant or applicable for a specific period.

## **2. INTERPRETATION**

- 2.1.** The rules and regulations contained in this By-Law shall be observed in all Proceedings of Council to which they apply and shall be the rules and regulations for the order and dispatch of business at Meetings of Council and its Committees.
- 2.2.** Subject to the requirements of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, the rules and regulations contained herein may be suspended by Resolution for a single occasion by a vote of at least three-quarters of the Members present and voting, unless otherwise provided by law.
- 2.3.** Committees may not pass a Motion to suspend the rules of this By-Law.
- 2.4.** Subject to the right of appeal by a Member, the Chair shall be responsible to interpret the rules of procedure under this By-Law with the advice and assistance of the Clerk.
- 2.5.** The Clerk or the Clerks' designate shall be secretary of Council and Committees of Council and shall be in attendance at all Meetings.
- 2.6.** Where procedural matters of Council or Committees of Council are not provided for in this by-law and are not governed by the *Municipal Act, 2001*, the *Municipal Conflict of Interest Act*, Robert's Rules of Order shall apply.

## **3. ROLE OF THE MAYOR**

### **3.1. The Mayor shall:**

- 3.1.1.** act as chief executive officer of the Municipality;
- 3.1.2.** preside over Council Meetings;
- 3.1.3.** provide leadership to Council;
- 3.1.4.** provide information and recommendations to Council with respect to the role of Council;
- 3.1.5.** represent the Municipality at Community Events and official functions;
- 3.1.6.** direct administrative matters to the attention of the CAO;
- 3.1.7.** carry out the duties of the Head of Council under applicable By-Laws or Acts.

### **3.2. As chief executive officer, the Mayor shall:**

- 3.2.1.** uphold and promote the purposes of the Municipality;
- 3.2.2.** promote public involvement in the Municipality's activities;
- 3.2.3.** act as the representative of the Municipality both within and outside the Municipality, and promote the Municipality locally, nationally and internationally;
- 3.2.4.** participate in and foster activities that enhance the economic, social and



environmental well-being of the Municipality and its residents.

### **3.3. The Mayor shall:**

**3.3.1.** sit on the Council of the County of Lanark as a County Councillor.

## **4. ROLE OF THE DEPUTY MAYOR**

### **4.1. The Deputy Mayor shall:**

**4.1.1.** fulfill his/her normal duties as a member of Council;

**4.1.2.** assist the Mayor in carrying out the Mayoral responsibilities of the Municipality;

**4.1.3.** in the absence of the Mayor, shall act as the Head of Council and assume certain duties of the Mayor;

**4.1.4.** sit on the Council of the County of Lanark as a County Councillor.

## **5. ROLE OF COUNCIL MEMBERS**

### **5.1. Council Members shall:**

**5.1.1.** represent the public and consider the well-being and interests of the Municipality;

**5.1.2.** develop and evaluate the policies and programs of the Municipality;

**5.1.3.** determine which services the Municipality provides;

**5.1.4.** ensure that administrative policies, practices and procedures are in place to implement the decisions of Council;

**5.1.5.** ensure the accountability and transparency of the operations of the Municipality;

**5.1.6.** maintain the financial integrity of the Municipality;

**5.1.7.** carry out the duties of Council under applicable By-Laws or any Act;

**5.1.8.** come prepared to every Meeting by having read all the material supplied, including Agendas and reports, in order to facilitate discussion;

**5.1.9.** respect and adhere to policies set by Council.

## **6. ROLE OF THE CHAIR**

### **6.1. A Chair shall:**

**6.1.1.** preside over Council or Committee Meetings;

**6.1.2.** provide order and decorum;

**6.1.3.** be the political liaison with other Council and Committee Members;

**6.1.4.** review and understand the Agenda with the Clerk;

**6.1.5.** provide Council or the Committee direction when required regarding Meeting conduct and procedures;

**6.1.6.** represent Council initiatives and decisions to the public, where appropriate;

**6.1.7.** consult with the CAO on matters of operational concerns and complaints;

**6.1.8.** not have the authority to direct Department Heads or Staff;

**6.1.9.** work with the Mayor and CAO to take the lead role, where possible, on provincial

delegations, in particular at the Association of Municipalities of Ontario (AMO) and the Rural Ontario Municipal Association (ROMA).

## **7. VACANCY ON COUNCIL**

- 7.1.** If a vacancy occurs during the term of the current Council, such vacancy shall be filled in accordance with the Municipal Act, 2001, as amended.
- 7.2.** The Appointment Procedure to Fill Vacancy on Council shall be conducted in accordance with Schedule "X"

## **8. RULES OF CONDUCT FOR MEMBERS, STAFF AND ATTENDEES**

### **8.1. Chair at Meetings**

- 8.1.1.** The Mayor shall chair Council Meetings unless by reason of absence, due to illness or otherwise, unable or refuses to do so.
- 8.1.2.** In the absence of the Chair for Council, or when the Chair steps down, the Deputy Mayor shall be the Acting Chair. In the absence of the Deputy Mayor, Council shall appoint an Acting Chair for that meeting or portion thereof.
- 8.1.3.** The Chair of each Committee of the Whole (Development & Infrastructure, Public Safety & Community and Corporate Services) shall be appointed for a one (1) year term by the Striking Committee at the first meeting of the new term and thereafter first meeting in December.
- 8.1.4.** One Member of every Working Group and other Committee shall be a Council Member, who will also serve as Chair.
- 8.1.5.** In the absence of a Working Group or other Committee Chair or when the Chair steps down, the Working Group or other Committee shall appoint an Acting Chair for that Meeting or portion thereof.
- 8.1.6.** It shall be the duty of the Chair of a Meeting to:
- a) open the Meeting by calling the Meeting to order;
  - b) ensure that a Quorum is established and is maintained throughout the course of the Meeting;
  - c) announce the business in the order in which it is to be considered;
  - d) direct discussion in such a manner that all questions and comments shall be presented through the Chair;
  - e) receive and submit, in the proper manner, all Motions presented by the Members;
  - f) put to vote all Motions which are moved, and seconded when necessary, or all motions that arise in the course of the Proceedings, and to announce the result of each vote;
  - g) decline to put to vote Motions that infringe upon the rules under this By-Law or the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;
  - h) ensure the Members, Staff and Attendees, conform to the rules of order under this By-Law;
  - i) maintain an appearance of impartiality on all matters;

- j) undertake all matters required to ensure the Meeting proceeds in an orderly and efficient manner;
- k) expel any person for improper conduct at a Meeting;
- l) authenticate by signature, when necessary, all applicable by-laws and resolutions;
- m) adjourn the Meeting when the business is concluded, or at the designated time.

**8.1.7.** The Chair shall vote on all Motions.

**8.1.8.** The Chair may answer questions and comment in a general way, but if the Chair wishes to participate in debate, make a Motion, speak to a Motion under consideration or leave the chair for any other reason, the Chair shall first delegate the duties of the Chair to a Member of Council or Member of the Committee in accordance with the provisions of this By-Law, until the Member resumes the position of the Chair.

**8.1.9.** The Chair shall not resume the position of the Chair until the Chair has finished debating the issue, Motion, etc., at which time the Acting Chair shall relinquish the position of the Chair.

## **8.2. Questions**

**8.2.1.** All Members, Staff and Delegations shall address their questions and comments through the Chair.

**8.2.2.** A Member or Delegation, while asking questions through the Chair, shall at no time put into question the personal or professional integrity of a Staff member of the Municipality.

## **8.3. Speaking at Meetings**

**8.3.1.** When two or more Members wish to speak, the Chair shall name the Member who is to speak first.

**8.3.2.** When a Member is recognized by the Chair, the Member shall confine his/her remarks to the Motion under consideration.

**8.3.3.** When a Motion is under debate, a Member may ask a question through the Chair of another Member, CAO, Department Head or other employee of the Municipality.

**8.3.4.** Any Member may require the Motion under debate to be read at any time during the debate, but in doing so shall not interrupt a Member while speaking.

## **8.4. Statements**

**8.4.1.** Members are permitted to make Statements as part of the debate once a Motion has been moved and seconded, however Statements from Members are prohibited at any other time.

**8.4.2.** If a Member wishes to have their Statement included as part of the Minutes they must submit it to the Clerk.

## **8.5. Materials**

**8.5.1.** All materials shall be distributed through and by the Clerk.

## **8.6. Rules of Order**

### **8.6.1. No person shall:**

- a) disturb a meeting by any disruptive or distracting conduct, including private conversations among Members, Staff or Attendees at a meeting;
- b) use profane or offensive words or insulting expressions;
- c) disobey the rules of procedure;
- d) rise from their seat or make any noise or disturbance while a vote is being taken;
- e) speak until they have been recognized by the Chair;
- f) speak on any matter other than the matter under debate display signs, place cards, applaud, heckle or engage in telephone or other conversation or any behaviour which may be considered disruptive.

**8.6.2.** An Attendee shall not participate in a Meeting, unless listed on the Agenda as a Delegation or Presentation and shall be subject to the rules and procedures of this By-Law.

**8.6.3.** A Member shall not interrupt a Member who is speaking, except to raise a Point of Order or a Point of Privilege.

**8.6.4.** A Member shall not permanently leave the Meeting without advising the Chair or the Clerk.

**8.6.5.** In the event that a Member or Attendee persists in a breach of Subsection 8.6.1 above, after having been called to order by the Chair, the Chair shall without debate call the question "Shall the Member or Attendee be ordered to leave their seat for the duration of the Meeting?", and this question shall not be debatable.

**8.6.6.** If Council or a Committee decides the question set out in Subsection

**8.6.7.** above in the affirmative by a majority vote of the Members present, the Chair shall order the Member or Attendee to leave their seat, and the Meeting room, for the duration of the Meeting.

**8.6.8.** If the Member or Attendee apologizes, the Chair, with the approval of Council or the Committee, may permit them to resume their seat.

**8.6.9.** If a Member or Attendee does not leave their seat after being ordered to do so by the Chair in accordance with Subsection 8.6.6 above, and if the Member or Attendee does not apologize in accordance with Subsection 8.6.7 above, then the Chair shall for a second time without debate call the question "Shall the Member or Attendee be ordered to leave their seat for the duration of the Meeting?", and this question shall not be debatable.

**8.6.10.** If Council decides the question set out in Subsection 8.6.8 above in the affirmative by a majority vote of the Members present, the Chair shall again ask the Member or Attendee to leave their seat for the duration of the Meeting and if the person still refuses to leave, the Chair shall direct the Clerk to seek the appropriate assistance from the Lanark County Ontario Provincial Police (OPP) to have the Member removed from the Council Chambers.

**8.6.11.** No Member, Staff or Attendee shall use cell phones and electronic devices not required for conducting a Meeting. The device shall be either turned off or otherwise set so as not to emit any audible sound during a Meeting.

- 8.6.12. No Member, Staff or Attendee shall use cell phones and electronic devices not required for conducting a Meeting. The device shall be either turned off or otherwise set so as not to emit any audible sound during a Meeting.
- 8.6.13. During a Council or Committee meeting, Councillor laptops (or equivalent) shall be used exclusively for Municipal business.
- 8.6.14. Concealed recording devices shall not be permitted.
- 8.6.15. Videotaping and/or audio recording by Attendees may be permitted at Council and/or Committee of the Whole meetings that are open to the public provided that it is not disruptive to the proceedings and does not interfere with municipal computer and audio-visual systems. If Attendees wish to record a Meeting, they shall notify the Clerk in advance of the Meeting. If the Clerk has been notified that a recording will occur, the Clerk shall notify the Chair who shall make the following announcement at the start of the Meeting, "Please be advised that this Meeting may be recorded".

## **9. COUNCIL AND COMMITTEE MEETINGS**

### **9.1. Inaugural Meeting**

- 9.1.1. The Inaugural Meeting shall be conducted in accordance with Schedule "A".

### **9.2. Council Meetings**

- 9.2.1. Council Meetings shall generally be held in the Council Chambers at the Municipal Office, 3131 Old Perth Road, Almonte, on the first and second Tuesday of each month commencing at 6:00 p.m., as outlined in the Meeting Schedule.

### **9.3. Committee of the Whole**

- 9.3.1. Council shall conduct its business using a Committee of the Whole System. The Committee of the Whole meetings shall be separated into the following three (3) areas of service delivery:

#### **9.3.1.1. Development & Infrastructure Services**

Development & Infrastructure Services shall be responsible for:

- a) Planning;
- b) Building Permits and Inspections;
- c) Public Works (including Utilities);
- d) Environment (including Climate Change).

#### **9.3.1.2. Public Safety & Community Services**

Public Safety & Community Services shall be responsible for:

- a) Public Safety;
- b) Community Services.

#### **9.3.1.3. Corporate Services**

Corporate Services shall be responsible for:

- a) CAO (including Economic Development);
- b) Clerk (including Corporate Communications);
- c) Finance;
- d) Human Resources;
- e) Information Technology;

f) Outside agencies reporting to Council.

**9.3.2.** Committee of the Whole meetings shall generally be held in the Council Chambers at the Municipal Office, 3131 Old Perth Road, Almonte, as outlined in the Council and Committee Calendar, as follows:

First Tuesday

Council at 6:00 p.m.

Development & Infrastructure Services – immediately following Council

Third Tuesday

Council at 6:00 p.m.

Public Safety & Community Services – immediately following Council

Corporate Services – immediately following Public & Community Services

**9.3.3.** The authority of the Committee of the Whole is limited to the making of recommendations to Council. No decision to take any action or do anything other than matters administrative in nature shall be recognized as emanating from the Committee of the Whole, and all affirmative Committee of the Whole recommendations shall be referred to the next regularly scheduled Council Meeting, generally held two weeks later.

#### **9.4. Special Meetings**

**9.4.1.** The Mayor at any time may call a Special Meeting of Council that is in addition to the published Meeting Schedule approved annually by Council.

**9.4.2.** The Mayor and/or Committee of the Whole Chair at any time may call a Special Meeting of the Committee of the Whole that is in addition to the published Meeting Schedule approved annually by Council.

**9.4.3.** Notwithstanding 9.4.1 and 9.4.2, a special Council or Committee of the Whole meeting may be called by a majority vote of Council or Committee of the Whole.

**9.4.4.** The only business to be dealt with at a Special Meeting shall be that stated on the Agenda of the Meeting (Municipal Act, 2001, Section 240, as amended).

**9.4.5.** A minimum of forty-eight (48) hours' notice of all Special Meetings shall be given to Members of Council and the public by posting the notice of the Meeting on the website and distributed via the newsfeed feature on the website.

#### **9.5. Emergency Meetings**

**9.5.1.** The Mayor at any time may, in the event of an Emergency, call an Emergency Meeting of Council without giving forty-eight (48) hours' notice of the Meeting, provided that the Clerk has diligently attempted to advise all Members immediately upon being advised of the intention of the Mayor to hold an Emergency Meeting.

**9.5.2.** The only business to be dealt with at an Emergency Meeting of Council shall be with respect to that Emergency.

**9.5.3.** In the case of an Emergency Meeting, Council may hold its Meeting(s) and keep its public office at any convenient location within the Municipality.

**9.5.4.** Notice of all Emergency Meetings of Council shall be given to the Members and the public by posting the Meeting on the website and distributed via the newsfeed

feature on the website. Notice may be given after the Meeting.

## **9.6. Striking Committee**

**9.6.1.** The Striking Committee shall meet immediately following the Inaugural Meeting to recommend appointments as follows:

- a) the Chair for each Committee of the Whole (Development & Infrastructure, Public Safety & Community Services and Corporate Services) will be a one (1) year term, determined by an expression of interest;
- b) various Committees established by Council, if any; and
- c) Local Boards and external organizations on which the Council desires or is required to have representation.

**9.6.2.** In deliberating, the Striking Committee shall consider the expressed preferences of individual Council Members as well as balancing other considerations such as geographic area, elected/citizen representation, etc.

**9.6.3.** Members shall be appointed to the various Committees, Local Boards and external organizations by resolution, unless a by-law is required by an Act or Regulation.

## **9.7. Special Purpose Committees and Other Committees**

**9.7.1.** Special Purpose Committee and other Committee Meetings shall generally be held in the Council Chambers at the Municipal Office, 3131 Old Perth Road, Almonte.

**9.7.2.** Special Purpose Committee and other Committee Meetings shall generally be scheduled during regular office hours, Monday to Friday from 8:00 a.m. to 4:30 p.m. and shall be no longer than two (2) hours in length.

**9.7.3.** Every Special Purpose Committee and other Committee shall have a Terms of Reference approved by Council. The Terms of Reference shall contain a mandate and purpose, Committee structure, number of Meetings, number of Members required for Quorum, reporting process, Staff and support services, budget (if applicable) and completion date.

**9.7.4.** The authority of any Special Purpose Committee or other Committee is limited to making recommendations to the Committee of the Whole. No decision to take any action other than matters administrative in nature shall be recognized as emanating from any Special Purpose Committee or other Committee.

**9.7.5.** Minutes of Special Purpose Committee and other Committees shall be included in the Committee of the Whole Agenda as information. Any action items requiring Council approval will be presented in the form of a Motion to the Committee of the Whole for recommendation.

**9.7.6.** A Special Purpose or other Committee shall be deemed to be dissolved at the completion of its mandate based on the Terms of Reference or by a resolution of Council.

**9.7.7.** Special Purpose Committee and other Committees shall adjourn no later than sixty (60) minutes prior to all Council and Committee of the Whole Meetings.

**9.7.8.** Public Members of all Special Purpose Committee and other Committee shall be appointed by Council.

## **9.8. Boards, Commissions and External Organizations**

**9.8.1.** Council shall appoint Members to sit on various Local Boards, Commissions and External Organizations for the term of Council at the first regularly scheduled Council Meeting following the Inaugural Meeting, unless otherwise provided by an Act or Regulation.

**9.8.2.** Minutes of Local Boards, Commissions and External Organizations shall be included in the Committee of the Whole agenda as information.

**9.8.3.** The Library Board shall adopt and follow their own Procedural By-Law.

### **9.9. Closed Session ("In Camera")**

**9.9.1.** Except as provided in Section of 239 of the Municipal Act, all Meetings of Council, Committee of the Whole and its Committees shall be open to the public.

**9.9.2.** No person shall be excluded from a Meeting except for:

- a) improper conduct determined by the Mayor/Chair or;
- b) where a Meeting or portion of a Meeting is closed to all persons other than the Members of that body and those identified to remain in the room.

**9.9.3.** The Clerk and/or Deputy Clerk shall remain in the room for all Closed Sessions.

**9.9.4.** In accordance with Schedule "B" a Meeting or part of a Meeting may be closed to the public.

**9.9.5.** Should it become necessary to address more than one Closed Session matter on one Agenda, each closed matter shall be addressed in a separate Closed Session.

**9.9.6.** Council shall move into Closed Session by using the prescribed resolution form in Schedule "B".

**9.9.7.** A Meeting shall not be closed to the public during the taking of a vote except where:

**9.9.8.** the vote is for a procedural matter or giving directions or instructions to officers, employees or agents of the Municipality or persons retained by or under contract with the Municipality. Motions shall be stated ..... "THAT (Staff, Solicitor, etc.) are directed as follows:....."

**9.9.9.** Confidential discussion during a Closed Session shall be limited to the issue declared.

**9.9.10.** No Member, Staff or other person present during a Closed Session shall in any way, notify, distribute or make available to any person or other body, by any means, any reports or items, or disclose the nature or content of any documents or of discussions regarding any matters that are confidential or that have been obtained or considered in a closed session without approval of such release by Council.

**9.9.11.** No Member, Staff or other person present, other than the Clerk or Deputy Clerk, shall take notes during Closed Session.

**9.9.12.** Upon returning to open session, the Chair shall rise and report the following:

- a) a statement resulting from the Closed Session;
- b) declarations of pecuniary interest during the Closed Session.

**9.9.13.** The Clerk shall be responsible to secure and maintain a confidential record of all original documentation distributed or presented, relating to Closed Sessions.



- 9.9.14. A separate set of Closed Session Minutes shall be kept for each Closed Session.
- 9.9.15. Copies of any confidential documents, including Minutes, circulated during the Meeting shall be returned to the Clerk at the end of the Closed Session and destroyed.
- 9.9.16. Minutes of Closed Sessions shall be circulated by the Clerk at the next Closed Council Meeting for adoption. The adoption of the Minutes is a procedural matter and does not affect the validity or affect the resolutions recorded in the Minutes.
- 9.9.17. The Minutes and Closed Session materials shall be kept in a secure and confidential location under the control of the Clerk and shall only be open to those in attendance at the Meeting, to others approved by the Council or as legislated.
- 9.9.18. Where practical, Closed Sessions shall be scheduled at the end of the Meeting.
- 9.9.19. All Members and Staff have a personal obligation to the Municipality to treat identified documents in confidence and not to use them in any manner or to the detriment of the Municipality.
- 9.9.20. The obligation to keep information confidential shall continue after the Member ceases to be a Member of Council or a Committee or Staff ceases to be employed by the Municipality.
- 9.9.21. Closed Session Minutes shall be prepared and shall be signed by the Mayor or Chair; and either by the Clerk or Deputy Clerk.
- 9.9.22. Closed Sessions shall be audio recorded and retained as per the Municipality's Record Retention Schedule and secured by the Clerk. The recordings shall not be considered the official record of the meeting.
- 9.9.23. Should the Municipality receive a report from the Municipality's Closed Meeting investigator reporting his or her opinion, and the reasons for it, that a Meeting or part of a Meeting that was the subject-matter of an investigation appears to have been closed to the public contrary to Section 239 of the Municipal Act, 2001, as amended, or to this by-law, the Municipality shall pass a resolution stating how it intends to address the report.

## **9.10. Public Information Sessions/Centers**

- 9.10.1. Public Information Sessions/Centers may be scheduled from time to time as warranted.
- 9.10.2. A Public Information Sessions/Centers shall be called by the Clerk once a resolution to do so has been adopted by Council or upon receiving a petition from a majority of Council Members. The petition shall clearly state the purpose, date and time of the meeting.

## **9.11. Public Meetings (Statutory)**

- 9.11.1. Public Meetings shall be scheduled as prescribed for the purpose of meeting the requirements of an Act, Regulation or By-Law.
- 9.11.2. A Public Meeting shall be called by the Clerk as required under the Public Notice Policy or as required under an Act or Regulation. The notice shall clearly state the purpose, date, time and location of the meeting, and the person who will act as Chair of the session.
- 9.11.3. The Clerk shall prepare an Agenda for the Meeting and keep a record of the

proceedings.

## **9.12. Electronic Participation in Meetings**

- 9.12.1.** Any member of Council may participate in any open or closed Council, Special, Emergency or Committee meeting electronically and be counted for the purpose of establishing quorum subject to the Clerk receiving a written request at least two (2) working days in advance of the scheduled meeting from the Member. In consultation with the Chair, it will be determined whether the request will be granted.
- 9.12.2.** A member who joins a meeting via electronic participation partway through the meeting shall advise the Chair and Clerk of their attendance at the meeting.
- 9.12.3.** A member who is participating electronically in a meeting who, for any reason, will no longer be attending the meeting prior to adjournment, shall advise the Chair and Clerk of their absence from the meeting.
- 9.12.4.** In accordance with Section 4.5 and pursuant to the Municipal Conflict of Interest Act, R.S.O. 1990, c M.50, as amended, member who have declared a pecuniary interest regarding a matter being discussed, are participating electronically, shall disconnect and leave the electronic meeting and not participate in any way with respect to the matter in question.
- 9.12.5.** Delegations may participate in an electronic meeting via videoconferencing software and/or other technology methods deemed appropriate by the Clerk's Department, and in accordance with the rules set out in Section XX.

## **9.13. Notice of Meetings**

- 9.13.1.** The Clerk shall give notice of each Meeting to the Members, Department Heads, media and the public.
- 9.13.2.** The Meeting Agenda shall constitute notice, except for Public Meetings (Statutory).
- 9.13.3.** Notice for Public Meetings shall be as prescribed by an Act, Regulation or By-Law.
- 9.13.4.** Council and Committee Agendas shall be made available by 4:00 p.m. on the Thursday prior to the Meeting.
- 9.13.5.** Committee and Local Board Agendas shall be made available a week prior to the Meeting.
- 9.13.6.** Agendas shall be posted on the Municipality's website and distributed via the newsfeed feature on the website.
- 9.13.7.** Refer to Subsections 9.4 and 9.5 for Special and Emergency Meetings.
- 9.13.8.** Council and Committee of the Whole Meetings may be cancelled in consultation with the Mayor, Chief Administrative Officer and Clerk if insufficient business will be before Council or the Committee of the Whole. Notice of cancellation should be provided as soon as possible.
- 9.13.9.** For Council and Committee of the Whole Meetings, if it appears that inclement weather, or like occurrence, or an Emergency situation may prevent the Members from attending a Meeting, the Mayor or Chair may direct the Clerk to postpone that Meeting by contacting as many Members as can be reached. Generally, Meetings will be postponed up to three (3) hours on the day of a Meeting and shall be

posted on the website.

#### **9.14. Meeting Schedule**

- 9.14.1. The Meeting Schedule will outline the dates of Regular Council and Committee of the Whole Meetings and Professional Development Events.
- 9.14.2. Regular Council Meetings are held **twice** a month except during the month that has been declared the "Summer Recess".
- 9.14.3. Committee of the Whole Meetings are held **twice** a month except during the month that has been declared the "Summer Recess".
- 9.14.4. Special and Emergency Meetings may be called during the month that has been declared the "Summer Recess".
- 9.14.5. Any Council or Committee of the Whole Meeting that is not on the Meeting Schedule shall be deemed to be a "Special" Council or "Special" Committee of the Whole Meeting.
- 9.14.6. A rescheduled meeting shall not be considered a "Special" Council or "Special" Committee of the Whole Meeting.
- 9.14.7. A proposed Meeting Schedule will be presented by the Clerk to Council for approval by December of each year, for the subsequent year.

#### **9.15. Election Year**

- 9.15.1. In the year of a municipal election, after the election an orientation shall be held for all Members of Council to provide an overview of the expectations of elected office (ex. processes of Council, procedure by-law, code of conduct, policies and procedures, payroll and a general overview of the Municipality's role and function).
- 9.15.2. Once training/education has been provided during Council orientation or otherwise, Members shall sign off that they have taken the training/education.
- 9.15.3. The orientation shall be conducted by the Chief Administrative Officer, the Clerk and Department Heads.

### **10. ORDER OF BUSINESS AND GENERAL RULES**

#### **10.1. Format of Agenda**

##### **10.1.1. Council Agenda**

- 10.1.1.1. The Clerk shall have prepared for the use of the Members at all Meetings, an Agenda as follows:
  - A. Call to Order
  - B. O' Canada
  - C. Moment of Silent Meditation
  - D. Annual Dedication to Indigenous Peoples' (January)
  - E. Attendance
  - F. Approval of Agenda
  - G. Disclosure of Pecuniary Interest and the General Nature Thereof
  - H. Approval of Minutes

- I. Presentations
- J. Committee of the Whole Report(s)
- K. By-Laws
- L. Announcements and Invitations
- M. Closed Session(s)
- N. Confirmation By-Law
- O. Adjournment

#### **10.1.2. Committee of the Whole Agenda**

**10.1.2.1.** The Clerk shall have prepared for the use of the Members at all Meetings, an Agenda as follows:

- A. Call to Order
- B. Attendance
- C. Disclosure of Pecuniary Interest and the General Nature Thereof
- D. Approval of Agenda
- E. Approval of Minutes
- F. Public Meetings
- G. Delegations (10 minutes)
- H. Questions of the Delegation from Committee of Whole
- I. Staff Reports
- J. Correspondence
- K. Committee, Board and External Organization Updates
- L. Other/ New Business
- M. Adjournment

#### **10.1.3. "Special" and "Emergency" Meeting Agendas**

**10.1.3.1.** The Clerk shall have prepared for the use of the Members at Special and Emergency Meetings, an Agenda as follows:

- A. Call to Order
- B. Attendance
- C. Disclosure of Pecuniary Interest and the General Nature Thereof
- D. "Business"
- E. Adjournment

#### **10.1.4. Special Purpose Committees and Other Committee Meeting Agendas**

**10.1.4.1.** The Clerk or designate shall have prepared for the use of the Members at Special Purpose Committees and other Committee meetings, an agenda as follows:

- A. Call to Order

- B. Attendance
- C. Approval of Agenda
- D. Disclosure of Pecuniary Interest and the General Nature Thereof
- E. Approval of Minutes
- F. Delegations (10 minutes)
- G. Questions of the Delegations from Committee Members
- H. "Business"
- I. New/Other Business
- J. Next Meeting Date
- K. Deferred Items
- L. Adjournment

## **10.2. General**

- 10.2.1.** The business of each Meeting shall be taken up in the order in which it stands on the Agenda unless, by a majority vote, the Members decide otherwise.
- 10.2.2.** The Clerk shall determine the appropriate Meeting at which items of business shall be considered in accordance with this By-Law.
- 10.2.3.** Where further information or reports are necessary for Council or Committees to review an item of business, the Clerk or CAO may postpone the placement of an item on the Agenda.
- 10.2.4.** Where employees of the Municipality have been directed by Council to carry out a specific action and it is determined subsequently that the action cannot be carried out in accordance with Council's directions, the CAO will notify Council as soon as possible of these findings and further direction shall be requested of Council.
- 10.2.5.** The CAO shall attend Council and Committee of the Whole Meeting (both open and closed session) as required.
- 10.2.6.** Department Heads shall attend Council and Committee of the Whole Meetings as required.

## **10.3. Call to Order**

- 10.3.1.** Upon being called to order, all Members, Staff and Attendees shall immediately take their seats

## **10.4. O' Canada**

- 10.4.1.** Council shall sing O' Canada prior to the proceeding with the business before a Council Meeting.

## **10.5. Moment of Silent Meditation**

- 10.5.1.** Following the singing of O' Canada, Members shall remain standing for a moment of silent reflection or meditation.
- 10.5.2.** The Mayor may dedicate the moment of meditation to an individual, event or organization as appropriate.

## **10.6. Annual Dedication to Indigenous Peoples'**

**10.6.1.** At a meeting in the month of January, Council shall acknowledge and dedicate the land on which Council gathers as the traditional territory of the Algonquin Anishinaabe.

## **10.7. Attendance**

**10.7.1.** Attendance shall be recorded at all Council, Committee of the Whole and other Committee Meetings.

## **10.8. Approval of Agenda**

**10.8.1.** After the Agenda has been posted, additions, excluding delegations, shall only be made to the Agenda at the Meeting by a vote of at least Three-Quarters of the Members present and voting.

**10.8.2.** Additions to the Agenda shall only be made during the Amendments/Approval of Agenda portion of the Meeting.

## **10.9. Disclosure of Pecuniary Interest and the General Nature Thereof**

**10.9.1.** A Member shall declare a direct or indirect pecuniary interest in accordance with the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, as amended.

**10.9.2.** A Member shall declare a conflict of interest in accordance with the Code of Conduct for Council and Local Boards.

**10.9.3.** A Member shall declare a direct or indirect pecuniary interest or a conflict of interest by using the form in Schedule "C" prior to any consideration of a matter where the Member has a pecuniary interest or conflict of interest and shall file it with the Clerk.

**10.9.4.** The Clerk shall maintain a registry in which a copy of the following shall be made publicly available on the Municipal website:

- a) Date of declaration;
- b) Member declaration pertains to;
- c) Specific agenda item and topic; and
- d) Reason for declaration.

**10.9.5.** Where a Member has a pecuniary interest or conflict of interest, the Member shall not take part in the discussion of, or vote on any question in respect of the matter and shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

**10.9.6.** If the declared pecuniary interest or conflict of interest is with respect to an item on a Closed Session Agenda, in addition to complying with the requirements of this subsection, the Member shall forthwith leave the Closed Session, or that part of the Closed Session during which the matter is under consideration. The Chair in their Rise and Report shall state the declaration of pecuniary interest or conflict of interest disclosed during the Closed Session.

**10.9.7.** Where the interest of a Member has not been disclosed as required by Section 10.9.1 or 10.9.2 above, by reason of the Member's absence from the Meeting, the Member shall disclose the interest at the first subsequent Meeting thereafter.

**10.9.8.** A Member shall not ask another Member, Staff, or the Municipality's Solicitors whether that Member should declare a pecuniary interest or conflict of interest.

**10.9.9.** Notwithstanding section 10.9.9 a Member, Staff, or the Municipality's Solicitor shall not offer an opinion to any Member with regards to a potential pecuniary interest or conflict of interest.

**10.9.10.** A Member that requires advice and opinions regarding a pecuniary interest or conflict of interest shall follow the process outlined in the Code of Conduct for Council and Local Boards.

#### **10.10. Approval of Minutes**

**10.10.1.** The Clerk shall present the minutes, without note or comment, of any previous Open and Closed Council or Committee of the Whole Meetings.

**10.10.2.** Council minutes once approved shall be signed by the Mayor and Clerk.

**10.10.3.** Committee of the Whole minutes once approved shall be signed by the Chair and Clerk.

#### **10.11. Ceremonial Presentations**

**10.11.1.** Presentations shall be assigned to a Council Agenda and only assigned to a Committee of the Whole Agenda if time sensitive.

**10.11.2.** Presentation of the long service awards shall occur at a meeting in the month of June.

**10.11.3.** Presentation of retirement certificates of appreciation shall occur at the first Council meeting following the Employee's retirement date.

**10.11.4.** Ceremonial presentations will be scheduled by the Clerk in consultation with the Mayor at the earliest Council Meeting following the request.

**10.11.5.** Council may recess if required for the purpose of photographs.

#### **10.12. Delegations**

**10.12.1.** Persons who wish to appear as Delegations must submit a written request to the Clerk outlining the purpose of their Delegation to appear before the Committee of the Whole, at least ten (10) days in advance of the Meeting.

**10.12.2.** The Clerk shall assign Delegations to a Committee of the Whole Agenda and only assign to a Council Agenda if time sensitive.

**10.12.3.** Delegations with time sensitive issues or in regard to items on the Agenda that have not submitted a request within the specified time may be heard by the Committee of the Whole as an addition to the Agenda by a Three-Quarters Vote.

**10.12.4.** Delegations will either be received for information or a motion shall be passed requesting that a Staff report be provided at a subsequent Meeting that outlines both the financial and staffing resources required, if applicable.

**10.12.5.** Delegations are to be limited to ten (10) minutes followed by a question period for Members.

**10.12.6.** The number of Delegations per Agenda shall be limited to three (3).

**10.12.7.** The role of Delegations is to provide information and not enter into debate with Members or Staff.

**10.12.8.** Written and electronic reports are preferred seven (7) days in advance of the Meeting so that they can be included with the Agenda and form part of the official record.

- 10.12.9. Delegations may only speak at a Meeting with respect to the requested topic which was approved and listed on the Agenda for that particular Meeting.
- 10.12.10. Delegations who have previously appeared on the same subject matter, shall be limited to providing new information only in their subsequent appearances.
- 10.12.11. Delegations consisting of more than one person shall be limited to two speakers, being limited to no more than five (5) minutes each. The second speaker shall not repeat information provided by the previous speaker from that Delegation and will be confined by the Chair to presenting new and/or additional information.
- 10.12.12. Questions directed to Staff by any delegate shall be received through the Chair.
- 10.12.13. Delegations requesting to appear at a Meeting may be declined if they have failed to follow established by-laws, policy, procedure or protocol or as prescribed in an applicable governing statute or regulation.
- 10.12.14. Delegations requesting to appear at a Meeting regarding operational matters may be declined in order that the matter be referred to be resolved by staff.
- 10.12.15. Delegations shall be declined if they are in regard to any matter that would generally be dealt with in Closed Session or are a Confidential Item as defined in this by-law.
- 10.12.16. Prior to Delegations speaking at a Meeting, the Chair shall read a brief overview of the rules and expectations for hearing Delegations.

## **10.13. Reports**

### **10.13.1. Committee Reports to Council**

- 10.13.1.1. Every Committee of the Whole and the Striking Committee shall report to Council.
- 10.13.1.2. The Committee Chair will offer a report for approval which shall contain an "A" section for information and a "B" section requiring action by Council.
- 10.13.1.3. The "A" section of reports will be read only when the Chair of the Committee is directed by Council, by unanimous consent, to do so.
- 10.13.1.4. Recommended motions for information only may be included in Section "A" of the Report.
- 10.13.1.5. The "B" section of reports will be read by the Chair of the Committee in its entirety unless otherwise requested or directed by Council, by majority consent, not to do so.
- 10.13.1.6. Prior to the adoption of a Committee report, any Member may request that an item be separated for consideration, or to be voted on separately.
- 10.13.1.7. When a request to separate an item from the report is accepted by the Chair, a motion to consider the separated item as recommended by the Council, will be the next order of business prior to the adoption of the remaining report.

### **10.13.2. Staff Reports to Committee of the Whole**

- 10.13.2.1. The standard staff report format has been adopted as set out in Schedule "D".



**10.13.2.2.** Staff shall not read the report at the Meeting, unless requested to do so by the Chair, but only speak to the recommendations.

**10.13.2.3.** Reports are due to the Chief Administrative Officer for approval by noon on the Tuesday, the week prior to the Meeting.

**10.13.2.4.** If the report deadlines are not met, the report will be placed on the subsequent Agenda.

### **10.13.3. Confidential Reports\**

**10.13.3.1.** Staff reports that are "confidential" will be copied onto yellow paper and marked "**CONFIDENTIAL**" in the upper right-hand corner. (See Sub-Section 9.9 Closed Session).

### **10.14. Correspondence**

**10.14.1.** Correspondence that is addressed to Council or that relates to municipal matters will be circulated by way of the Councillor Communication Package (CCP).

**10.14.2.** The Councillor Communication Package shall be circulated in a timely manner and shall be listed on the next Committee of the Whole Agenda for information. At that time any Member of Council may bring forward any correspondence item in the Package for discussion and/or action.

**10.14.3.** Correspondence that is not legible or that contains any defamatory allegations, or impertinent or improper matter, shall not be circulated to Council. Every correspondence shall be signed by at least one person giving their name and mailing address.

**10.14.4.** Correspondence delivered by electronic mail shall contain the electronic mail address of the sender as well as a name and mailing address and have attached to it only those documents which are in a printable format.

**10.14.5.** Correspondence delivered by facsimile transmission shall contain the facsimile number as well as the name and mailing address of the sender.

**10.14.6.** The Clerk shall ensure that any material relating to any matter, for which a Meeting may resolve into "closed session" is circulated as confidential material pending Council's approval of release to the public.

### **10.15. New/Other Business**

**10.15.1.** New Business shall not be considered unless it is of an Emergency, time sensitive, congratulatory or proposed motions for which Notice of Motion has been given.

**10.15.2.** Other Business shall not be considered unless it is of an urgent nature or time sensitive and should otherwise be referred to the next Meeting of the Committee or the appropriate Committee.

**10.15.3.** New/Other Business may be heard by a Three-Quarters Vote.

**10.15.4.** The request to hear New/Other Business shall not be debatable.

### **10.16. Unfinished Business**

**10.16.1.** Items on an Agenda which have not been dealt with shall be repeated on each subsequent Agenda until resolved or removed from the Agenda by resolution.

### **10.17. Closed Session(s)**

10.17.1. All Closed Session(s) shall adhere to the provisions contained within this by-law (Section 9.9).

## 11.COMMENCEMENT AND ADJOURNMENT OF MEETINGS

### 11.1. Quorum

- 11.1.1. If no quorum is present fifteen (15) minutes after the time appointed for a Meeting of Council or Committee, the Clerk shall record the names of the Members present and the Meeting shall stand adjourned until the date of the next Meeting; regular, special or emergency.
- 11.1.2. When Quorum is lost as a result of declarations of pecuniary interest by one or more Members, the remaining Members shall be deemed to constitute Quorum, provided the number of Members is not fewer than two.
- 11.1.3. The Chair shall call the Meeting to order as soon after the hour fixed for the holding of the Meeting that a Quorum is present.
- 11.1.4. If the Chair is not available at the time appointed for a Meeting of Council, the Deputy Mayor will conduct the Meeting until the arrival of the Mayor.
- 11.1.5. If the Chair is not available at the time appointed for a Meeting of Committee, the Committee shall appoint an Acting Chair to conduct the meeting until the arrival of the Committee Chair.
- 11.1.6. Members shall notify the Clerk when intending to be absent from a Council, Committee, Special or Emergency Meeting for the purpose of ensuring a Quorum.
- 11.1.7. When a Quorum is lost, the Meeting shall stand recessed, and no further action shall be taken. If a quorum is regained within ten (10) minutes the Meeting shall proceed. However, if Quorum is not regained within ten (10) minutes, the Meeting shall stand adjourned.

### 11.2. Recess

- 11.2.1. At a Council Meeting, a Motion to recess shall be brought forward and shall set a time (ex. recess for 5 minutes) or state "until called to order by the Chair".
- 11.2.2. At a Committee Meeting, the Committee may recess by majority consent and shall set a time (ex. recess for 5 minutes) or state "until called to order by the Chair".

### 11.3. Adjournment

- 11.3.1. All Meetings shall adjourn no later than 10:00 p.m., unless a Motion to proceed beyond 10:00 p.m. is approved.
- 11.3.2. Notwithstanding Subsection 11.3.1 above, no Meetings shall proceed beyond the hour of 10:30 p.m.
- 11.3.3. There shall be no updates, questions, or discussions once a Meeting has been adjourned.

## 12.MOTIONS

### 12.1. Motion Process

**(Refer to the Motion Table in Schedule "x")**

- 12.1.1. For Council and Committee of the Whole Meetings, a Motion shall be formally moved and seconded before the Chair can put the question or a Motion can be recorded in the Minutes.

- 12.1.2. For Special Purpose Committees and other Committee Meetings, a Motion shall only need to be formally moved before the Chair can put the question or a Motion can be recorded in the Minutes.
- 12.1.3. A Motion for a Council Meeting shall be reduced to writing and shall contain the signatures of the mover and seconder.
- 12.1.4. A Motion for a Committee Meeting shall not need to be reduced to writing.
- 12.1.5. Every Member present is entitled to vote on every Motion, unless the Member has declared a pecuniary interest or conflict of interest.
- 12.1.6. Every Member present shall be deemed to vote against the Motion if they decline or abstain from voting, unless disqualified from voting by reason of a declared pecuniary or conflict of interest.
- 12.1.7. The Chair shall vote on all Motions.
- 12.1.8. After a Motion has been duly moved, seconded, and read, it shall immediately be open to debate. The mover shall have the opportunity to make the introductory and closing remarks thereon.
- 12.1.9. No Member shall speak more than twice until every Member has had an opportunity to speak towards the Motion.
- 12.1.10. Any Member may request that any Motion under debate be repeated by the Clerk or Chair for the benefit of clarification but not so far as to interrupt a Member while speaking.
- 12.1.11. A Motion on which the voting results in a tie shall be considered lost.
- 12.1.12. When the Motion under consideration contains distinct recommendations, a Member may request that the vote be taken separately on each proposal. (See the motion to "Divide" in the Motion Table)
- 12.1.13. The Chair shall call the vote immediately after all Members desiring to speak to the Motion have spoken.
- 12.1.14. Upon the Chair calling for a vote, no further speakers shall be permitted.
- 12.1.15. The manner of determining the vote on a Motion shall be by show of hands.
- 12.1.16. No vote shall be taken at any Meeting by any method of secret voting, except where permitted or required by law.
- 12.1.17. The Chair shall announce the result of every vote.
- 12.1.18. If a Member disagrees with the announcement of the result of any vote, the Member may object immediately to the announcement and require that a recorded vote be called.

## **12.2. Reconsideration of a Motion**

### **12.2.1. General Provisions**

- 12.2.1.1. Reconsideration of a Motion shall only be permitted at Council Meetings.
- 12.2.1.2. A motion to reconsider a previous decision of Council may be introduced by any Member.
- 12.2.1.3. A Motion to reconsider may be seconded by any Member.
- 12.2.1.4. No original Motion shall be reconsidered more than once, during a two-year

period.

**12.2.1.5.** No Motion to reconsider shall be presented more than once.

**12.2.1.6.** A Motion to reconsider shall not be in order if Council is made aware the question or by-law has been implemented, resulting in legally binding commitments as of the date the Motion to reconsider is moved

### **12.2.2. Notice of Intention**

**12.2.2.1.** A notice of the intention to reconsider a Motion shall be placed on the next Council Agenda. At the next Meeting after Notice is given a Motion to reconsider may be brought forward.

### **12.2.3. Motion to Reconsider**

**12.2.3.1.** When a Motion for reconsideration is introduced, no discussion of the original Motion shall be allowed unless the Motion for reconsideration is approved by at least Three-Quarters of the Members present and voting.

**12.2.3.2.** A Motion to reconsider shall not be amended but may be debated.

**12.2.3.3.** Debate on a Motion for reconsideration shall be confined to reasons for or against reconsideration or to such matters as new information which has come forward, an error in documentation presented or incorrect statements made during the original debate.

**12.2.3.4.** A Motion to reconsider shall include the date of when the original Motion is to be reconsidered. The original motion may be reconsidered as the next order of business.

**12.2.3.5.** Should a Motion to reconsider be defeated, the original motion shall not be debated or voted upon until eligible under this By-Law.

**12.2.3.6.** Original Motion

**12.2.3.7.** The original Motion being considered shall be stated in the exact manner in which it was first presented and voted on.

**12.2.3.8.** The debate on the original Motion being considered as a result of an affirmative Motion of reconsideration shall proceed as though it had never previously been voted on.

### **12.3. Recorded Votes**

**12.3.1.** Recorded votes shall only be permitted at Council Meetings.

**12.3.2.** A recorded vote shall be taken when called for by any Member or when required by law.

### **12.4. Notice of Motion**

**12.4.1.** At a regular meeting a Member shall give notice of intention to introduce a motion at a subsequent meeting of Council to initiate any measure within the jurisdiction of Council.

**12.4.2.** Notice may be given in writing or verbally, if the notice of motion is given verbally, it shall not be considered until the subsequent regular meeting.

**12.4.3.** In order for a notice of motion to be considered at a regular meeting, it shall be submitted in writing to the Clerk at a minimum of seven (7) days prior to the Council meeting.

- 12.4.4.** A Notice of Motion shall be discussed with the appropriate Department Head or CAO prior to introducing it.
- 12.4.5.** A motion for which notice has been given shall be added under Other/New Business on the agenda.
- 12.4.6.** If a motion is introduced and not brought forward in the next two (2) subsequent meetings of a Regular Council Meeting, the motion expires.
- 12.4.7.** No delegations shall be permitted to speak on a Notice of Motion.
- 12.4.8.** A Member may call for a recorded vote prior or immediately after the taking of the vote.
- 12.4.9.** All Members, including the Mayor, shall be required to vote when a recorded vote is called for, except when absent or disqualified by a declared pecuniary or conflict of interest.
- 12.4.10.** When a recorded vote is permitted and required, the Chair will pose the question and the Clerk will call upon each Member, beginning with the requester of the recorded vote and moving, in alphabetical order from that Member through the list with the Mayor or Chair voting last, at which time the Clerk shall record the Members vote. The Clerk will also record the number of Members absent and/or abstained.
- 12.4.11.** On a recorded vote, failure to vote 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.
- 12.4.12.** When a recorded vote is taken, the names of those who voted for and those who voted against the Motion and those absent shall be entered in the Council minutes.
- 12.4.13.** The Clerk shall tabulate and announce the results of the vote.

## **12.5. Point of Privilege**

- 12.5.1.** A Member may raise a point of privilege directing attention to a matter that affects the rights of the Member or Members.
- 12.5.2.** A point of privilege shall take precedence over any other matter except during verification of a vote.
- 12.5.3.** A Member shall state the point of privilege to the Chair at the time of occurrence.
- 12.5.4.** A Member shall not be permitted to enter into any argument or introduce any Motion not related to the point of privilege.
- 12.5.5.** The Chair shall decide upon the point of privilege and advise the Members of the decision.
- 12.5.6.** Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.
- 12.5.7.** If the decision of the Chair is appealed, the question to be answered is "Shall the ruling of the Chair be upheld?" a vote shall be called without debate, and its results shall be final.
- 12.5.8.** When the matter has been determined to be a point of privilege, the Member shall be afforded an opportunity to propose a Motion in relation to that point of privilege.

**12.5.9.** When the integrity of the CAO or other employee of the Corporation has been questioned, the CAO shall be permitted to make a statement to the Members.

## **12.6. Point of Order**

**12.6.1.** A Member may raise a point of order to a perceived violation of the rules of procedure, except during verification of a vote.

**12.6.2.** A Member shall state the point of order to the Chair at the time of the occurrence and shall quote the appropriate section of this By-Law.

**12.6.3.** The Chair shall decide upon the point of order and advise the Members of the decision.

**12.6.4.** Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.

**12.6.5.** If the decision of the Chair is appealed, the question to be answered is "Shall the ruling of the Chair be upheld?" a vote shall be called without debate, and its results shall be final.

## **13. BY-LAWS**

### **13.1. By-Law Approval Process**

**13.1.1.** Every By-Law shall be listed on the Agenda by an identifying number, followed by a brief description of the intent of the By-Law.

**13.1.2.** No By-Law, except a By-Law to confirm the proceedings of Council, shall be presented to Council unless the subject matter thereof has been considered by Committee of the Whole.

**13.1.3.** Notwithstanding Subsection 12.1.2 above, new By-Laws of an urgent nature, requiring an immediate decision may be considered.

**13.1.4.** Every by-law shall be adopted in a single motion having been given three readings simultaneously.

**13.1.5.** After third reading, every by-law may be debated, subject to amendment, and may be deferred or referred to a committee or Staff for further consideration before being voted on.

**13.1.6.** Upon a Three-Quarters Vote of the Members present and voting, third reading of any by-law may be postponed until the next Meeting.

**13.1.7.** Every By-Law passed by Council shall be signed by the Mayor, or the Deputy Mayor in the absence of the Mayor, and the Clerk, sealed with the seal of the Corporation, show the date of all readings, be bound in a volume for the year in which it was passed and shall be recorded in the electronic by-law index.

**13.1.8.** The Clerk shall be authorized to make minor corrections to any by-law resulting from technical, or typographical errors prior to the by-law being signed.

### **13.2. By-Law versus Resolution**

**13.2.1.** A resolution is a less permanent decision and shall express the decision of a Council in respect of a temporary or distinct matter. A resolution shall be passed to give direction to Staff. A resolution shall not prescribe a permanent rule of local government. A resolution expresses the will of the governing body on a special occasion which is not likely to recur. A resolution shall not replace a by-law

required by law.

**13.2.2.** A by-law shall be used, but not limited to, implement policy, memorandums of understanding, agreements and permanent rules. Whether an authorizing by-law is required depends on the subject matter of the item of business transacted by a municipal corporation and whether it is being transacted under the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended or any other Act.

### **13.3. Confirming By-Law**

**13.3.1.** The proceedings at every regular and special Meeting of Council shall be confirmed by by-law, so that every decision, unless required by an Act, Regulation or By-Law, of 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.

### **14.AMENDMENT OF PROCEDURAL BY-LAW**

**14.1.1.** No amendment or repeal of this by-law or any part thereof shall be considered at any Meeting of Council unless:

**14.1.2.** Notice of intention of proposed amendment or repeal has been given at a previous regular Meeting of Council; and one notice in a local paper, a minimum of ten (10) days prior to passing the by-law is given.

**14.1.3.** The waiving of this notice by Council is prohibited.

**14.1.4.** The Clerk shall be responsible for reviewing this by-law at least once every term of Council.

### **15.ULTRA VIRES**

**15.1.1.** Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

### **16.BY-LAWS TO BE REPEALED**

**16.1.1. THAT**, By-Law No. 19-127 be repealed.

**16.1.2.** All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

### **17.EFFECTIVE DATE**

This By-Law shall come into effect on **DATE**

**BY-LAW** read, passed, signed and sealed in open Council this **XX** day of **Month, Year**.

\_\_\_\_\_  
XXX, Mayor

\_\_\_\_\_  
XXX, Clerk

## SCHEDULE "A"

### Inaugural Meeting

	<b>Agenda Item:</b>	<b>Rules:</b>	<b>Conducted By:</b>
i	Call to Order	The first meeting of Council in the year of a Municipal Election shall be on the first Tuesday of the new term at 6:00 p.m. or at such hour as may be fixed by by-law.  The Clerk shall notify all Members at least one (1) week in advance of the meeting as to time and date.	Clerk
ii	O' Canada		Clerk
iii	Attendance	The Clerk shall ensure that a majority of the members are present.	Clerk
iv	Declaration of Office and Oath of Allegiance for All Members of Council	Conducted as per Section 232 (1), the <i>Municipal Act, 2001</i> , S.O. 2001, c. 25, as amended.	Clerk
v	Mayor Assumes the Chair	The Clerk introduces the newly elected Mayor and the Mayor takes the Chair.	Clerk
vi	Devotional Service	Selected by staff in an election year.	Reverend
vii	Councillor Remarks	Each Councillor, in the following order, may give opening remarks in alphabetical order:  Almonte Ward Pakenham Ward Ramsay Ward	Mayor
viii	Deputy Mayor's Inaugural Remarks		Mayor
ix	Mayor's Inaugural Remarks		Mayor
x	Confirmatory By-Law		Mayor
xi	Adjournment	Verbal Motion	Mayor



**SCHEDULE "B"**

**In-Camera Motion Form**



Mississippi  
Mills

**CLOSED MEETING MOTION  
COUNCIL**

**Date:** \_\_\_\_\_

**Topic:** \_\_\_\_\_

**Motion #:** \_\_\_\_\_

**Moved By:** \_\_\_\_\_ **Seconded By:** \_\_\_\_\_

**"THAT** Council move "in camera" at \_\_\_\_\_ to address a matter pertaining to:

the security of the property of the municipality or local board; 2001, c.25, s 239 (2a)

personal matters about an identifiable individual, including municipal or local board employees; 2001, c.25, s 239 (2b)

a proposed or pending acquisition or disposition of land by the municipality or local board; 2001, c.25, s 239 (2c)

labour relations or employee negotiations; 2001, c.25, s 239 (2d)

litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; 2001, c.25, s 239 (2e)

advice that is subject to solicitor-client privilege, including communications necessary for that purpose; 2001, c.25, s 239 (2f)

a matter in respect of which a council, board, committee, or other body may hold a closed meeting under another Act; 2001, c.25, s 239 (2g)

information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them; 2001, c.25, s 239 (2h)

a trade secret or scientific, technical, commercial, financial, or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; 2001, c.25, s 239 (2i)

a trade secret or scientific, technical, commercial, or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; 2001, c.25, s 239 (2j)

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a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c.25, s 239 (2k)

---

a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; 2001, c.25, s 239 (3a)

---

an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1). 2014, c. 13, Sched. 9, s. 22. 2001, c.25, s 239 (3b)

---

regarding \_\_\_\_\_

---

**AND THAT,** \_\_\_\_\_  
remain in the room.”

\_\_\_\_\_  
Mayor

SCHEDULE "C"

**DECLARATION OF PECUNIARY INTEREST OR CONFLICT OF INTEREST FORM**



Mississippi  
Mills

**DECLARATION OF INTEREST  
MUNICIPAL CONFLICT OF INTEREST ACT**

Date: \_\_\_\_\_

Name of Member: \_\_\_\_\_

Committee:

Council

Committee of the  
Whole

Other: \_\_\_\_\_

I \_\_\_\_\_ declare a  
potential ( deemed/  direct/  indirect) pecuniary interest on item

\_\_\_\_\_

for the following reason:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Member

**Please note:** In accordance with Section 6.1 (1) and (2) of the Municipal Conflict of Interest Act this document will form part of a registry that will be maintained by the Clerk. This Registry shall be made available for public inspection.

For an "indirect pecuniary interest" see Section 2 of the Municipal Conflict of Interest Act.

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

(M.C.I.A. 1990, c.M. 50, s.5)  
(Code of Conduct for Council and Local Boards)

### **Indirect pecuniary interest**

**2** For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

(a) the member or his or her nominee,

(i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,

(ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or

(iii) is a member of a body,

that has a pecuniary interest in the matter; or

(b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. R.S.O. 1990, c. M.50, s. 2.

### **Interest of certain persons deemed that of member**

**3** For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3); 2021, c. 4, Sched. 11, s. 23 (4).

**SCHEDULE "D"**

Staff Report Format

<p><b>COMMITTEE NAME</b> Date of Meeting</p> <p>Report# <i>(this number will be assigned by the Clerk)</i> Author's Name, Title</p> <p>TITLE OF REPORT</p>
--

**STAFF RECOMMENDATION(S)**

"THAT,

**BACKGROUND**

**DISCUSSION**

**OPTIONS**

**STRATEGIC PLAN LINK**

**FINANCIAL CONSIDERATIONS**

**SUMMARY**

**ATTACHMENTS**

Prepared and Submitted By:

Name,  
Title

Approved for Submission By:

Name,  
Chief Administrative Officer

## **SCHEDULE "E"**

### **APPOINTMENT PROCEDURE TO FILL VACANCY ON COUNCIL**

#### **1.0 General**

- 1.1 The Clerk, or designate, shall be responsible for interpreting and, where appropriate, facilitating the appointment application process. The Clerk has the authority to make minor technical amendments to this procedure as may be required from time to time.
- 1.2 Any individual filling the vacancy must be an Eligible Elector under the *Municipal Elections Act*.

#### **2.0 Appointment Procedure**

##### **2.1 Notice**

- 2.1.1 The Clerk will post a Council Vacancy notice on the Municipal website and in the local newspaper(s) for two (2) consecutive weeks after the vacancy is declared. The notice will outline the application process.

##### **2.2 Application**

- 2.2.1 Any individual wishing to be considered for appointment to fill the Council vacancy will complete and sign the Council Vacancy Application form and a Declaration of Qualification form approved by the Clerk, and will submit the forms to the Clerk in person by the date and time established by the Clerk.
- 2.2.2 Any individual wishing to be considered for appointment to fill the Council vacancy will be required to provide identification to prove his or her identity and qualifying address to the satisfaction of the Clerk.
- 2.2.3 Candidate(s) may submit a personal statement of qualification for consideration of Council. Personal statements will be typewritten in a 12 point (or greater) font on letter size (8 ½" x 11") paper, shall not exceed one (1) page in length, and will include the candidate(s) name and address. Statements that do not meet these requirements shall not be included in any Council meeting agenda, or provided to Council by the Clerk. The Clerk will advise candidate(s) of the deadline for submission of a personal statement.
- 2.2.4 It is the candidate(s) sole responsibility to meet any deadline or otherwise comply with any requirement of this procedure.
- 2.2.5 The Clerk will create a list of all candidates.

#### **3.0 Council Meeting**

##### **3.1 Interviews**

- 3.1.1 A vote to fill a vacancy on Council by appointment will occur at an open Council meeting.
- 3.1.2 Notwithstanding the requirements of the Procedural By-law, the agenda for the meeting shall be set by the Clerk to allow for the orderly proceeding of selecting a candidate.
- 3.1.3 At the meeting, the Chair will make a short statement for the purpose of the meeting and the general order of proceedings to be followed.

**3.1.4** The Clerk will provide to the Chair a list of the names of qualified applicants and the Chair will call for a motion from Council in the following form:

“That the following individuals, who have signified in writing that they are legally qualified to hold office and consented to accept the office if they are appointed to fill the Council vacancy, be considered for appointment to fill such vacancy.”

**3.1.5** Each of the candidates will be asked the five (5) questions approved by Council. The questions will be asked by the CAO for consistency purposes. The order of speaking will be determined by lot. The Clerk will place the names of all candidates in a container and randomly draw the names.

**3.1.6** Fifteen (15) minutes will be allotted for each interview to ensure a fair, effective and efficient process. The Clerk will stand after twelve (12) minutes to indicate that there are three (3) minutes left and again at fifteen (15) minutes if the interview is still in progress.

**3.1.7** Upon hearing all candidate submissions, Council will adjourn and a decision on who to appoint will be made at the next Council meeting.

## **3.2 Selection**

**3.2.1** At the next Council meeting, Council will proceed to vote, by way of a public ballot vote, in rounds of voting as follows:

**3.2.1.1** Each of the pieces of paper to be used as either ballots or to be used by the Clerk to draw names will be equal in size and type.

**3.2.1.2** Only the Clerk or designate may handle the papers, ballots and container referenced in this procedure, save and except the members being permitted to mark their ballots.

**3.2.1.3** Ballots will be provided to members of Council on which to indicate their choice of candidate(s) in writing; and all ballots shall be of identical size, paper quality and colour and shall be pre-printed with the member's name and a place to be signed by the member.

**3.2.1.4** The first round of voting will be to short list the candidates. In the case of four (4) or more candidates, members will select the top three (3) candidates of their preference; in the case of three (3) or less candidates, members will select the top two (2) candidates of their preference.

**3.2.1.5** The first-round ballots will contain the name of each candidate, in alphabetical order by surname and have a box immediately preceding the surname in which the member of Council may mark an “X” beside the name of the candidates of their preference as provided in 16(d).

**3.2.1.6** The top three (3) candidates, or top two (2) as the case may be, who receive greatest number of votes cast will continue to the next round of voting. If the candidates receiving the greatest number of votes cast results in a tie, all candidates receiving the greatest number of votes cast will continue to the next round of voting. All other candidates will be removed from further consideration.

**3.2.1.7** Any round one ballot marked with more than the prescribed “X” as provided in 16(d), or any subsequent round ballot that is not legibly printed, or any ballot that does not contain the authentication signature of the member of Council shall be considered a spoiled ballot and shall not be included in the

tally

- 3.2.1.8** All subsequent ballots shall be in the form described in (c) above but will not contain any candidate names in a pre-printed format.
- 3.2.1.9** The Clerk will ask members of Council to vote by clearly printing the name of their preferred candidate on the ballot, signing the ballot for authentication purposes, folding the ballot and returning it directly to the Clerk or designate.
- 3.2.1.10** The Clerk will read aloud the member's name and selected candidate and announce the tallies of all votes.
- 3.2.1.11** If the candidate receiving the greatest number of votes cast does not receive more than one-half the votes of all voting members of Council, all candidates who did not receive any votes or the candidate who received the fewest number of votes shall be excluded from consideration.
- 3.2.1.12** The process shall be repeated until the candidate receiving the greatest number of votes has also received more than one-half of the votes of the voting members of Council.
- 3.2.1.13** In the event the votes cast are equal for all candidates:
  - a) If there are three candidates remaining, the Clerk shall by lot select one such candidate to be excluded from subsequent voting;
  - b) If only two candidates remain, the tie shall be broken and vacancy shall be filled by the candidate selected by lot, as conducted by the Clerk, wherein the first name drawn shall be declared the successful candidate.
- 3.2.1.14** Upon conclusion of the voting, the Clerk will declare to be elected the candidate receiving the votes of more than one-half of the number of voting Members, or as provided in 3.2.13 (ii);
- 3.2.1.15** A by-law confirming the appointment shall be enacted by Council to appoint the successful candidate to the office for the remainder of the term and the Clerk will administer the Oath of Office to the successful candidate.
- 3.2.1.16** The minutes of the Council meeting shall include a full disclosure of all voting results.



**SCHEDULE "F"**

**Motions**

<b>Motion Ranking</b>	<b>Moved &amp; Seconded</b>	<b>Debatable</b>	<b>Disposition Priority</b>	<b>If Affirmative</b>	<b>If Negative</b>	<b>Amendable</b>	<b>Conditions</b>
<b>Adjourn</b>	<b>YES</b>	<b>NO</b>	shall be resolved prior to any other motion being moved	Council shall immediately rise and no further proceedings shall take place all unfinished business on the agenda shall be included on the agenda of the next meeting	the meeting shall resume at the point immediately prior to the point at which the motion to adjourn was moved a subsequent motion to adjourn at the same meeting may not be introduced prior to further business being conducted	<b>NO</b>	shall not include qualifications or additional statements shall always be in order except when a Member is speaking or the Members are voting
<b>Extend Curfew</b>	<b>YES</b>	<b>NO</b>	shall be resolved prior to any other motion being moved	no meetings shall proceed beyond the hour of 10:00 p.m.	the Chair shall immediately declare the meeting adjourned	<b>NO</b>	shall always be in order except when a Member is speaking or the Members are voting shall require a three- quarters vote of the Members present

<b>Recess</b>	<b>YES EXCEPT AT COMMITTEE</b>	<b>NO</b>	shall be resolved prior to any other motion being moved	the meeting shall recess	the meeting shall not recess	<b>TIME ONLY</b>	shall be in order if no question is pending
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<b>Motion Ranking</b>	<b>Moved &amp; Seconded</b>	<b>Debatable</b>	<b>Disposition Priority</b>	<b>If Affirmative</b>	<b>If Negative</b>	<b>Amendable</b>	<b>Conditions</b>
<b>Withdraw</b>	<b>YES</b> Mover & Secunder of the main motion	<b>NO</b>	shall receive disposition prior to any other motion being presented	the motion is withdraw	vote on the main motion	<b>NO</b>	majority vote shall be in order if decision has not been made
<b>Close Debate (Call the Question)</b>	<b>YES</b>	<b>NO</b>	shall apply to the motion or amendment under debate	Council shall immediately vote on the question without further debate or comment	debate shall continue	<b>NO</b>	shall not be permitted in any committee shall require a three-quarters vote of the Members present
<b>Defer (Postpone/ Table)</b>	<b>YES</b>	<b>YES DATE AND TIME ONLY</b>	shall be resolved prior to the main motion shall be resolved prior to the preceding motion	no further debate until motion returns to the agenda	vote on the main motion	<b>YES DATE AND TIME ONLY</b>	shall not include qualifications or additional statements shall preclude amendment, but not debate, to the preceding motion until the motion to defer to a certain date and/or time is resolved
<b>Refer (Commit)</b>	<b>YES</b>	<b>YES</b>	shall preclude any amendment or debate to any previous motion unless resolved in the negative	there shall be no further debate	vote on the main motion	<b>YES</b>	shall state the committee, employee or solicitor of the Municipality to which the matter shall be referred

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
<b>Amend Main Motion (Primary Amendment)</b>	<b>YES</b>	<b>YES</b>	shall receive disposition prior to the main motion	Council shall vote on the main motion as amended	vote on the main motion or secondary amendment may be proposed	<b>YES</b>	<p>shall not propose a negative to the main motion</p> <p>shall not propose two distinct proposals of amendment to the main motion</p> <p>shall not change the intent of the main motion</p> <p>shall have only one motion to amend the main motion at one time</p>
<b>"Friendly" Amendment</b>	<b>YES</b>	<b>YES</b>	shall receive disposition prior to the main motion	Council shall vote on the main motion as amended	vote on the main motion or secondary "friendly" amendment may be proposed	<b>NO</b>	<p>shall not propose a direct negative to the main motion</p> <p>shall not propose two distinct proposals of amendment to the main motion</p> <p>shall not change the intent of the main motion</p> <p>shall have only one motion to amend the main motion at one time voted on formally unless adopted by unanimous minutes</p>

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
<b>Amend Amendment (Secondary Amendment)</b>	<b>YES</b>	<b>YES</b>	shall receive disposition prior to the primary amending motion	Council shall vote on the primary amending motion as amended	vote on the primary amending motion propose a secondary amendment	<b>NO</b>	<p>shall not propose a direct negative to the primary amending motion</p> <p>shall not propose two distinct proposals of amendment to the primary amending motion</p> <p>shall not change the intent of the primary amending motion</p> <p>shall have only one motion to amend the primary amending motion at one time</p> <p>an amendment of the third degree is not permitted</p>

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
<b>Defer Indefinitely (Postpone/ Table Indefinitely)</b>	<b>YES</b>	<b>YES</b>	shall be resolved prior to the main motion shall be resolved prior to any preceding motion	the preceding motion and any amendments thereto shall be removed from Council's consideration indefinitely the motion to defer indefinitely may be reconsidered	disposition of the main motion cannot put forward another motion to defer indefinitely regarding the main motion	<b>NO</b>	shall not include qualifications or additional statements shall preclude amendment, but not debate, to the preceding motion until the motion to defer indefinitely is resolved
<b>Divide</b>	<b>YES</b>	<b>YES</b>	shall receive disposition prior to the main motion	the debate and vote shall be on separate and distinct proposals from the main motion	disposition of the main motion in its entirety	<b>YES</b>	shall only be in order when the main motion to be divided contains two or more separate and distinct proposals divide when pecuniary interest declared
<b>Main</b>	<b>YES</b>	<b>YES</b>	N/A	the motion is carried	the motion is defeated	<b>YES</b>	majority vote unless otherwise provided

## Ranking Motions

The following list ranks motions in descending order, such that each takes precedence and shall be decided before others ranking below it in the list:

adjourn;  
extend curfew;  
recess;  
withdraw;  
close debate (call the question);  
defer (postpone/table);  
refer (commit);  
amend amendment;  
amend main motion;  
defer indefinitely (postpone/table indefinitely);  
divide;  
main motion.



## Mississippi Mills Council – Land Acknowledgement Statement

On January 26, 2021, we acknowledge that this sacred land on which Mississippi Mills is now located has been a site of human activity for over 10,000 years and is rich in Indigenous history. This land is the ancestral and unceded territory of the Algonquin Anishinaabe Nation. We are grateful to the Algonquin ancestors who cared for the land and water in order that we might meet here today. Before settlers arrived, this territory was subject to the Dish With One Spoon Wampum Belt Covenant, an agreement between Anishinaabe and Haudenosaunee Nations to peaceably share and care for resources. After settlers arrived, it became subject to the Three Figure Wampum Belt, last carried by Algonquin Elder William Commanda, which commemorates the sharing of this land with English, French and Indigenous Nations under the governance of Natural Law. We recognize with gratitude the knowledge and contributions that the Algonquin Peoples bring to the Municipality of Mississippi Mills. Today, Mississippi Mills is also home to other Indigenous peoples from across Turtle Island. We extend our respect to all First Nations, Inuit and Métis people for their valuable past and present contributions. We are mindful of broken covenants and the need to reconcile with all our relations. Together, may we care for this land and each other, drawing on the strength of our mutual history of nation building through peace and friendship being mindful of generations to come.