

THE CORPORATION OF THE TOWNSHIP OF CONMEE  
BY-LAW NO. 1068

Being a by-law to replace by-law 925 a by-law to govern the calling, the place and the proceedings of meetings of the Council

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

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE TOWNSHIP OF CONMEE HEREBY ENACTS AS FOLLOWS:

1. (a) "Clerk" shall mean the Clerk or the Deputy Clerk of the Corporation of the Township of Conmee  
(b) "Council" shall mean the Council of the Corporation of the Township of Conmee  
(c) "Head of Council" shall mean the Mayor of the Corporation of the Township of Conmee  
(d) "Member" referring to a member of Council includes the Head of Council  
(e) "Corporation" shall mean the Corporation of the Township of Conmee.  
(f) "Presiding Officer" means a member as chosen from time to time and may include the Head of Council.  
(g) Use of the masculine also includes the feminine.
2. The rules and regulations contained in this By-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business in the Council and in the Committees thereof, provided that the rules and regulations contained herein may be suspended by a vote of the Council and in any case for which provision is not made herein the procedure to be followed shall be as near as may be, that which is followed in the Legislative Assembly of Ontario and its Committees.
3. Council Meetings  

Meetings of the Council shall be held at the Council Chambers adopted and used by the Council from time to time for such purpose. The Inaugural Meeting of Council shall take place at 6:30 p.m. on the first Tuesday of December following the election.

The next and each succeeding regular meeting of Council shall be held on the second and fourth Tuesday of each month at 6:30 p.m. unless the Council by resolution passed at a regular meeting directs otherwise.

Notice of the change in meeting shall be published in a manner as established by policy of Council and a notice shall be posted at the Municipal Office in a place visible to the public at all times.
4. When the day for a regular meeting of Council is a public or civic holiday, the Council shall meet at the same hour on the next following day which is not a public or civic holiday unless the Council by resolution passed at a regular meeting directs otherwise.  

Notice of the change of the meeting shall be published in a manner established by policy of Council and a notice shall be posted at the Municipal Office in a place visible to the public at all times.
5. The Head of Council may at any time summon a special meeting of Council on forty-eight (48) hours notice to the Members of Council, or, upon receipt of the petition of the majority of the Members of Council, the

Clerk shall summon a special meeting for the purpose and at the time mentioned in the petition. Forty-eight hours (48) notice of all special meetings of Council shall be given to the Members through the Clerk's Office. The only business to be dealt with at a special meeting shall be that which is listed in the notice of meeting.

Notice of the special meeting shall be published in a manner established by policy of Council and a notice shall be posted at the Municipal Office in a place visible to the public at all times.

6. In the case of the absence of the Head of the Council from the Municipality, or if he is absent through illness, or he refuses to act or his office is vacant, a Councillor shall be appointed to act from time to time in the place and stead of the Head of the Council and he shall have all the rights, powers, and authority of the Head of Council while doing so.

7. Calling of Meeting to Order and Quorum

As soon after the hour fixed for the holding of the meeting of Council as a quorum is present, the Head of Council shall take the Chair and call the meeting to order.

8. Absence of Head of Council

Subject to the provisions of the Municipal Act, and where no acting Head of Council has been appointed under Clause 6 of this By-law, in case the Head of Council does not attend within fifteen (15) minutes after the time appointed for the meeting of the Council, the Clerk shall call the members to order and an acting Head of Council shall be appointed from among the Members present and he shall preside until the arrival of the Head of Council and while so presiding the acting Head of Council shall have all the powers of the Head of Council.

9. Quorum

If no quorum is present fifteen (15) minutes after the time appointed for a meeting of the Council, the Clerk shall record the names of the Members present at that time and shall so report to Council at the time it next meets. The Council shall stand adjourned until the date of the next regular meeting or until a special meeting is called in accordance with section 5.

10. The Conduct of Proceedings at a Meeting of Council

It shall be the duty of the Head of Council or other Presiding Officer:

- (a) to open the meeting of Council by taking the chair and calling the Members to order;
- (b) to receive and submit, in the proper manner, all motions presented by the Members of Council;
- (c) to put to vote all questions which are moved and seconded, or necessarily arises in the course of the proceedings, and to announce the result;
- (d) to decline to put to vote motions which infringe the rules of procedure;
- (e) to restrain the Members, within the rules of order, when engaged in debate;
- (f) to enforce on all occasions the observance of order and decorum among the Members;
- (g) to call by name any member persisting in breach of the rules or order of the Council, thereby ordering him or her to vacate the Council Chamber;
- (h) to receive all messages and other communications and announce them to the Council;

- (i) to authenticate, by his signature when necessary, all by-laws, resolutions and minutes of the Council;
- (j) to inform the Council, when necessary or when referred to for the purpose, on a point of order or usage;
- (k) to represent and support the Council, declaring its will, and implicitly obeying its decisions in all things;
- (l) to ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of Council;
- (m) to adjourn the meeting when the business is concluded;
- (n) to adjourn the meeting without question put in the case of grave disorder arising in the Council Chamber.

## 11. Agenda

The Clerk shall have prepared and printed for the use of the Members at the regular meetings of Council and agenda under the following headings:

- (a) Call to Order
- (b) Approval of the agenda
- (c) Declaration of Pecuniary Interest
- (c) Deputations and Petitions
- (d) Minutes of the Previous Meeting
- (e) Reports of Municipal Officers
- (f) Disbursement List
- (g) Unfinished Business
- (h) New Business
- (i) Correspondence
- (j) Adjournment

The Clerk shall deliver or cause the agenda to be delivered on the Friday preceding the regular meeting date.

12. The business of Council shall in all cases be taken up in the order in which it stands upon the agenda unless otherwise decided by the Council and any items listed in the agenda which have not been disposed of shall be placed on a subsequent agenda unless removed from the order of business by leave of Council.

## 13. Minutes

Minutes shall record:

- (a) the place (if other than Council Chambers), date and time of meeting;
- (b) the names of the Presiding Officer or officers and record the attendance of the Members and an attached record of attendance by the public;
- (c) disclosure of interest;
- (d) the reading, if requested, correction and adoption of the minutes of prior meetings;
- (e) all other proceedings of the meeting without note or comment.

## 14. Petitions and Communications

Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person and filed with the Clerk.

## 15. Deputations

Persons desiring to present information on matters of fact or make a request of Council shall give notice in writing to the Clerk, by noon on the Thursday immediately preceding the commencement of the meeting of the

Council and may be heard by leave of the Presiding Officer of Council, but shall be limited in speaking to not more than ten (10) minutes except that a delegation consisting of more than five (5) persons shall be limited to two (2) minutes.

The notice shall be legibly written and shall include a brief summary of the matter or matters that is/are to be presented.

16. Reading of By-laws and Proceedings Thereon

Every By-law shall be introduced upon motion by a Member of the Council, specifying the title of the By-law.

17. Every by-law, when introduced, shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with provisions of any act and shall be complete with the exception of the number and date thereof.

18. Every by-law shall have three readings prior to it being passed.

19. The first reading of a by-law shall be received without amendment or debate.

20. If the Council determines that the by-law is to be considered in Committee of the Whole, it shall be so considered previous to the third reading thereof.

21. If Council so determines, a by-law may be considered as being read.

22. The clerk shall set out on all by-laws enacted by Council the date of the several readings thereof.

23. Every by-law enacted by the Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Clerk and the Presiding Officer and shall be deposited by the Clerk in his office for safekeeping.

24. Motions

All motions, except motions listed in Clause 39 shall be made in writing. If as provided in Clause 26, a notice of motion is required, the notice and the motion to be introduced shall be delivered to the Clerk at least two and one-half calendar days, excluding Saturdays and statutory holidays, preceding the date of the meeting at which the motion is to be introduced and the motion shall be printed in full in the agenda for the meeting of the Council and each succeeding meeting until the motion is considered or otherwise disposed of. All such motions shall be submitted to the Clerk in writing over the signature of the mover and seconder and shall be complete and correct.

25. A notice of motion shall be required before a member of council may introduce a motion to reconsider a resolution presented or adopted at a previous meeting provided that such a motion may be introduced without notice if the Council, without debate, dispenses with notice on the affirmative vote of at least a simple majority of the Members to present and voting.

26. A motion must be formally seconded before the Presiding Officer can put the question or a motion can be recorded in the minutes.

27. When a motion is presented in Council in writing, it shall be read or if it is a motion which may be presented orally, it shall be stated by the Presiding Officer before debate.

28. A motion to amend:

- (a) shall be presented in writing;
- (b) shall receive disposition of Council before a previous amendment of the question;
- (c) shall not be further amended more than once provided that further amendment may be made to the main question;
- (d) shall be relevant to the question to be received;
- (e) shall not be receive proposing a direct negative to the question;
- (f) may propose a separate and distinct disposition of a question;
- (g) shall be put in the reverse order to that in which it is moved.

29. Voting on Motions

Immediately preceding the taking of the vote, the Presiding Officer shall state the question in the form introduced except when a motion to amend the motion has been resolved in the affirmative. He shall state the question in the precise form in which it will be recorded in the minutes.

30. After a question is finally put by the Presiding Officer no Member shall speak to the question no shall any other motion be made until after the vote is taken and the result has been declared.

31. The manner of determining the decision of the Council on a motion shall be at the discretion of the Presiding Officer and may be by voice, show of hands, standing or otherwise with the exception that no vote shall be taken by ballot or by any other method of secret vote. Every Member present shall vote unless prohibited by law. If any Member does not vote he shall be deemed as voting in the affirmative.

32. When a member present requests a recorded vote, all Members present at the Council or Committee meeting must vote in alphabetical order, unless otherwise prohibited by statute. The names of those who voted for and other who voted against shall be noted in the minutes. The Clerk shall announce the results. If any Member does not vote he shall be deemed as voting in the negative. A request for a recorded vote can only be made before an unrecorded vote is taken except as set out in Clause 34.

33. If a Member disagrees with the announcement of the Presiding Officer that a question is carried or lost, he may, but only immediately after the declaration by the Presiding Officer, appeal the declaration and request that a recorded vote be taken.

34. Rules of Debate

Every Member prior to speaking to any question or motion shall raise his hand and address the Presiding Officer. When two or more Members raise their hands to speak, the Presiding Officer shall designate the Member who has the floor who shall be the Member who, in the opinion of the Presiding Officer, raised his hand first.

35. When the Presiding Officer calls for the vote on a question, each Member shall occupy his seat and shall remain in his place until the result of the vote has been declared by the Presiding Officer, and during such time, no Member shall walk across the room to speak to any other Member or make any noise or disturbance.

36. When a Member is speaking no other Member shall pass between him and the Chair or interrupt him except to raise a point of order.
37. Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.
38. The following matters and motions with respect thereto may be introduced orally without written notice and without leave, except as otherwise provided by these Rules of Procedure:
  - (a) a point of order or personal privilege;
  - (b) presentations of petitions;
  - (c) to lay on the table;
  - (d) to postpone indefinitely or to a day certain;
  - (e) to move the previous question.
39. The following motions may be introduced without notice and without leave, but such motions shall be in writing and signed:
  - (a) to refer;
  - (b) to adjourn;
  - (c) to amend;
  - (d) to suspend the Rules of Procedure.
40. Except as provided by Clause 39 above, all motions shall be in writing and signed by the mover and seconder.
41. In all unprovided cases in the proceedings of the Council or in the Committee of the Whole, the matter shall be decided by the Presiding Officer subject to an appeal to the Council upon a point of order.
42. Points of Order and Privileges  

The Presiding Officer shall preserve order and decide questions of order.
43. The Council, if appealed to, shall decide the question without debate and its decision shall be final.
44. Conduct of Members of Council  

No Member shall speak disrespectfully of the Reigning Sovereign, or of any of the Royal Family, or of the Governor-General, the Lieutenant-Governor of any province, or any Member of the Senate, the House of Commons of Canada, or the Legislative Assembly of the Province of Ontario.
45. No Member shall:
  - (a) use offensive words or unparliamentary language in or against the Council or against any Member;
  - (b) speak on any subject other than the subject in debate;
  - (c) criticize any decision of the Council except for the purpose of moving that the question be reconsidered;
  - (d) disobey the rules of the Council or a decision of the Presiding Officer or of the Council on questions of order or practice or upon the interpretation of the rules of the Council;

and in case a Member persists in any such disobedience after having been called to order by the Presiding Officer, the Presiding Officer may forthwith put the question, no amendment, adjournment or debate being

the meeting of the Council, but if the Member apologizes he may, by vote of Council be permitted to retake his seat.

46. No person except Members and officers of the Council shall be allowed to come within the bar during the sittings of Council without permission of the Presiding Officer or the Council upon reference.

47. When the Chair is putting the question, no Member shall leave or make a disturbance.

48. Suspension of Rules

Any procedure required by this by-law may be suspended with consent of a majority of the Members of the Council present.

49. Amendment

No amendment or repeal of this by-law or any part thereof shall be considered at any meeting of the Council unless notice of the proposed amendment or repeal has been given at a previous regular meeting of the Council and the waiving of this notice by the Council is prohibited.

50. Open Meetings

Except as provided in this section all meetings shall be open to the public.

51. Closed Meetings

A meeting or part of a meeting may be closed to the public if the subject matter being considered is:

- (a) the security of the property of the municipality,
- (b) personal matters about an identifiable individual(s),
- (c) a proposed or pending acquisition of land for municipal purposes,
- (d) labour relations or employee negotiations,
- (e) litigation or potential litigation affecting the municipality,
- (f) receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose,
- (g) as authorized under another Act, (Municipal Freedom of Information and Protection of Privacy Act),
- (h) a meeting shall not be closed to the public during the taking of a vote except for procedural instructions,
- (i) before a meeting or part of a meeting can be closed a resolution so stating shall be passed in accordance with sections 24 to 28 of this by-law.

52. In all matters of procedure not otherwise expressly and clearly provided for in this by-law, the Roberts Rules of Order shall be invoked and shall govern in respect of the matter at hand.

53. Effective Date

This by-law shall become effective upon the date of enactment.

54. Where any by-law passed prior to this by-law conflicts with this by-law, the terms of this by-law shall prevail.

55. By-law 865 is hereby rescinded.

Read a first and second time this 27<sup>th</sup> day of January, 2015.

Read a third time and finally passed this 27<sup>th</sup> day of January, 2015.

THE CORPORATION OF THE  
TOWNSHIP OF CONMEE

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Mayor

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Clerk