

The Corporation of the Municipality of Shuniah

# Procedural By-law

No.- 3436-25

A By-law to Establish Rules of Order and Procedures for the Council and its Committees of the Corporation of the Municipality of Shuniah and to repeal By-laws 2916-16



MUNICIPALITY OF  
**SHUNIAH** INC. 1873

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# THE CORPORATION OF THE MUNICIPALITY OF SHUNIAH

## BY-LAW NO. 3436-25

Being a By-law to Establish Rules of Order and Procedures for the Council and its Committees of the Corporation of the Municipality of Shuniah and to repeal and replace By-laws 2916-16.

WHEREAS Section 238 (2) of the *Municipal Act, 2001*, as amended provides that every council shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS the *Municipal Act* has been amended under Bill 130 and as it is desirable that there be rules governing the conduct of its members as may be deemed expedient and are not contrary to law;

NOW THEREFORE THE CORPORATION OF THE MUNICIPALITY OF SHUNIAH ENACTS AS FOLLOWS:

### 1. Definitions

In this by-law;

- 1.1 **"Acting Mayor"** means a member of Council who has been appointed by resolution as per Section 4.6 of this By-law to act as the Mayor in the Mayor's absence, and has the same duties as described in the *Municipal Act*.
- 1.2 **"Chair"** means the person presiding at a Meeting.
- 1.3 **"Clerk"** means the Clerk or his/her designate of the Corporation.
- 1.4 **"Corporation"** means the Corporation of the Municipality of Shuniah.
- 1.5 **"Committee"** means any advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also members of one or more councils or local boards;
- 1.6 **"Council"** means the Council for the Corporation.
- 1.7 **"Head of Council"** means the Mayor of the Corporation.
- 1.8 **"Local Board"** does not include police services boards or public library boards;
- 1.9 **"Improper Conduct"** means conduct that obstructs in any way the deliberations and/or proper action of Committee or Council. See also Section 3. of Council's Code of Ethics By-law No. 1925-98, as may be amended from time to time.
- 1.10 **"Majority"** means more than half of the votes cast by Members entitled to vote.
- 1.11 **"Member"** means a member of Council and includes the Mayor.
- 1.12 **"Meeting"** means any regular, special, committee or other meeting of a council or local board;
  - a) Regular Meeting means a scheduled meeting held in accordance with the approved calendar/schedule of meetings.

- b) Open Meeting means any meeting or part of a meeting that is open to the public;
  - c) Closed Meeting means any meeting or part of a meeting that is closed to the public in accordance with the *Municipal Act*.
  - d) Special Meeting means a meeting not scheduled in accordance with the approved calendar/schedule of meetings.
- 1.13 **"Meeting Notices"** means the notice of Meetings as established by this By-law is considered as the electronic notification to Members of the posting of the agenda and the posting of the agenda on the Municipal website. Lack of receipt of the Agenda for any Meeting by the Members does not affect the validity of the Meeting or any action taken at the Meeting.
- 1.14 **"Point of Order"** means a matter that a Member considers to be a departure from or contravention of the rules, procedures and/or generally accepted practices of Council.
- 1.15 **"Point of Privilege"** means the raising of a question which concerns a Member, or the Council collectively, when a Member believes their integrity and/or the integrity of the Council as a whole has been impugned .
- 1.16 **"Presiding Officer"** means the person presiding over a Council meeting, or any other Committee.
- 1.17 **"Procedural Resolution"** means a resolution passed by a Council or Committee that guides the procedures of the meeting. Such resolutions serve to call the meeting to order and adjourn a meeting, accept the Agenda, pass a Confirmatory By-law or extend a meeting.
- 1.18 **"Quorum"** means a majority of the members of a municipal council necessary to form a quorum.
- 1.19 **"Recorded Vote"** means documenting in the minutes of a Council meeting the name of each Member and their vote on a matter or question, in favour or opposed.
- 1.20 **"Mayor"** means the Mayor of the Corporation.
- 1.21 **"Municipality"** means the Corporation of the Municipality of Shuniah.

## 2. Application

- 2.1 In this by-law, words in the singular include the plural and vice versa, and all reference to gender are intended as gender neutral.
- 2.2 The rules and regulations contained in this By-law shall be observed in all proceedings of the Council and its committees.
- 2.3 The rules of procedure contained in this by-law shall be observed in all proceedings of Council and shall be the rules for the order and dispatch of business in Council.
- 2.4 All points of order or procedure for which rules have not been provided in this by- law and its appendices shall be decided by the Presiding Officer in accordance, as far as is reasonably practicable, with the rules of parliamentary law as contained in Bourinot's Rules of Order.

### 3. Meeting Notices and Agenda Distribution

- 3.1 Unless otherwise prescribed in the *Municipal Act*, *Planning Act*, or any other *Act* or Ontario regulations of any such *Act*, or where notice of intention to pass a by-law or notice of a public meeting held by Council is required to be given, a notice shall be:
- a) be the responsibility of the Clerk to forward to Members all Agendas for Regular Council Meetings not later than the Thursday preceding the week in which the Meeting is to be held. Where that Thursday is a statutory holiday, the material shall be distributed on the preceding Wednesday. For special Council Meetings, the Clerk shall forward to Members all Agendas a minimum 24 hours in advance of the Meeting.
  - b) Posting the Agenda on the website is considered as adequate Notice of the Meeting, unless otherwise provided for in this By-law or by direction by the Head of Council.

### 4. Council Meetings

- 4.1 As permitted in the Municipal Act, as amended under Section 238(3) Council and Committee meetings will be held at the Municipal Offices which are located outside the municipality, and are positioned within the adjacent municipality, being the City of Thunder Bay
- 4.2 Notwithstanding Section 4.1 above, Council and Committee meetings may be held at the MacGregor Recreation Centre, or other such location either within the municipality or outside the municipality within an adjacent municipality and that notice be given as outlined in Section 3 above.
- 4.3 Regular meetings of Council shall be scheduled to be held on the second and fourth Tuesday of each month at 5:00 p.m., or as soon thereafter as a quorum of the Members of Council shall be present unless otherwise ordered by special motion. The meetings are to be held in the Council Chambers located at 420 Leslie Avenue, Thunder Bay Ontario. If the day fixed for the meeting is a holiday, the meeting shall be held at the same hour and place the next day which is not a holiday.
- 4.4 Notwithstanding the above provisions, meetings of Council shall be held on the second Tuesday of the month during the months of July, August and December.
- 4.5 The inaugural meeting of Council after a regular election shall be held on the fourth Tuesday in November at the hour of 4:00p.m. immediately preceding the Regular Council Meeting.
- 4.6 At the first Regular Meeting of Council after a regular election the Council shall, by resolution, appoint Acting Mayors for the term of the Council.
- 4.7 At the Second Regular Meeting of Council after a regular election the Council shall, by resolution, appoint members of the public to various Boards and Committees.
- 4.8 A member of a council, of a local board or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and
- 4.9 A member of council, of a local board or of a committee of either of them can participate including voting electronically in a meeting that is open or closed to the public.

## **5. Establishing Special Meetings of Council**

5.1 Additional and Special Meetings may be established by:

- a) A motion of a member of the Council or Committee during a meeting
- b) The Mayor may at any time summon a special meeting by providing Meeting Notice of at least 48 hours prior to the date and time of the Meeting; or
- c) Polling, at the request from the Chair if called within less than 48 hours of the date and time of the meeting, and a concurrence is received by the majority of the members. The poll is to be conducted by the Clerk or his or her designate, by either verbal or written expression or email of the Members of Council. Special Meetings are only held for the purpose of presenting the business identified when the meeting was scheduled.
- d) No meeting shall be held sooner than 24 hours after the polling of the members unless the subject matter is considered an emergency to the health and safety of the Municipality or its citizens or critical to the continued operations of the Municipality.
- e) Unless otherwise specified in the notice described in Section 5(g) below, a special meeting shall be held in the Council Chambers.
- f) The Clerk shall provide to Council and those staff members affected notice of the special meeting immediately following receipt of the summons or concurrence of the majority of Members.
- g) Notice of the Special Meeting to the public shall be deemed to have been given by posting a copy of the Agenda on the Municipal website.
- h) The notice of a special meeting shall specify the purpose for the meeting and only those item/s specified shall be dealt with.

## **6. Open and Closed Council Meetings**

6.1 Except as provided in Section 6.2, 6.3 and 6.4 below all meetings shall be open to the public.

6.2 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 or local board;
- b) personal matters about an identifiable individual, including municipal or local board employees;
- c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- d) labour relations or employee negotiations;
- e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; or
- g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.

6.3 A meeting shall be closed to the public if the subject matter relates to the consideration of 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.

- 6.4 A meeting may be closed to the public for education or training sessions only if the following conditions are both satisfied:
- a) the meeting is held for the purpose of education or training the members; and
  - b) at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision making of the council, local board or committee.
- 6.5 Before holding a meeting or part of a meeting that is to be closed to the public proper notice is required to be given for the type regular or special meetings.
- 6.6 Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee or either of them shall state by resolution;
- a) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting ; or
  - b) the case of a meeting under section 6.4 above, the fact of the holding of the closed meeting, the general nature of its subject-matter and that is to be closed under 238 Section (3) Subsection (3.1) of the Municipal Act, the general nature of the matter to be considered at the closed meeting.
- 6.7 Subject to subsection 6.8 below, a meeting shall not be closed to the public during the taking of a vote.
- 6.8 Despite section 6.7, a meeting may be closed to the public during a vote if;
- a) sections 6.3 or 6.4 above permits or requires the meeting to be closed to the public; and
  - b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.
- 6.9 A municipality or local board or a committee of either of them shall record without note or comment all resolutions, decisions and other proceedings at a meeting of the body, whether it is closed to the public or not.
- 6.10 The record required by section (6.9) above shall be made by,
- a) the clerk, in the case of a meeting of council; or
  - b) the appropriate officer, in the case of a meeting of a local board or committee
- 6.11 Clause 6 (1) (b) of the Municipal Freedom of Information and Protection of Privacy Act does not apply to a record of a meeting closed under section 6.4 above.

## **7. Investigation of a Meeting Closed to the Public**

- 7.1 A person may request that an investigation of whether a municipality or local board has complied with section 239 of the *Municipal Act, as amended*, or a procedure by-law under subsection 238 (2) of the *Municipal Act, as amended* in respect of a meeting or part of a meeting that was closed to the public be undertaken,
- a) by an investigator referred to in subsection 239.2 (1) of the Municipal Act as amended; or
  - b) by the Ombudsman appointed under the Ombudsman Act, if the municipality has not appointed an investigator referred to in subsection 239 (1) of the Municipal Act, as amended.

- 7.2 Duties of the Investigator and other requirements are as prescribed under Section 239.1 of the *Municipal Act, as amended*.

## **8. Agendas and Supporting Material**

- 8.1 The Clerk shall prepare or will cause to be prepared an agenda for Council meetings.
- 8.2 All items to appear on the Agenda shall be in the possession of the Clerk by 12:00 noon on the Wednesday one-week prior to the meeting, except for a Special Meeting. If the day fixed for the agenda items is a holiday, the items shall be in the possession of the Clerk by 12:00 noon on the next day, which is not a holiday.
- 8.3 Only items that are of an urgent or critical nature that require immediate attention may be added to the Agenda after the 12:00 noon deadline as provided under section 8.2 above but shall not be added any time within 24 hours from the time and date of the meeting:
- 8.4 The Clerk shall finalize and have the Agenda prepared by 2:00 p.m. on the Thursday preceding the meeting. If the day fixed for the agenda items to be received is a holiday, the Agenda shall be prepared by 2:00 p.m. noon on the preceding day, which is not a holiday.
- 8.5 Notwithstanding Section 8.3, a member of Council, with the consent of the Presiding Officer may request to have an item or items added to the Agenda under Motions and Notices of Motions. Said item(s) are for discussion purposes only and any resolution or decision shall be deferred to the next meeting of Council.
- 8.6 Unfinished business listed in Sections 8.7 below shall list all unfinished matters carried over from previous meetings of Council, which are to remain as listed on the agenda until the matter is dealt with.
- 8.7 Regular Scheduled Council Meeting Agendas shall be formatted as follows however additions may be included and the order of business may be altered without requiring an amendment to this By-law:
1. Call to order
    - Moment of Silence
  2. Disclosure of Pecuniary Interest
  3. Approval of Agenda
  4. Petitions and Delegations
  5. Minutes of Previous Meeting
    - a) Matters Arising from Previous Minutes
  6. Reports and Minutes from Other Boards and Committees
  7. Motions and Notice of Motions
    - a) By-law Enforcement
    - b) Building and Planning
    - c) Public Works
    - d) Fire Department
    - e) Administration
    - f) Finance Department
  8. By-laws
  9. Reports of Mayor and Members of Council
  10. General Correspondence
  11. Unfinished Business

12. New Business
13. Closed Session  
-Rise and Report
14. Confirmatory By-law
15. Adjournment

- 8.8 The business of the Council shall be taken up in the order as listed on the Agenda unless otherwise decided by the Council
- 8.9 Any of the Agenda Headings under Section 8.7 which has no matter to be addressed or dealt with will be removed or a statement declaring the absence of any subject matter will follow the heading.
- 8.10 The meeting shall be called to order by resolution.

## **9. Curfew**

- 9.1 The Council shall stand adjourned at 8:00 p.m. until the next regular meeting unless a resolution extending the time for no more than one half hour has been passed.

## **10. Deputations**

- 10.1 Any person, group of persons or organizations not being a member of the Council or a Committee or an appointed official of the Municipality of Shuniah, or a Firm making a presentation about the operations of the Municipality or wishing to address a Committee or Council, as the case may be, may be heard by leave of Council or Committee concerned, provided that:
- a) all requests to appear before the Council shall be received in the Clerk's Office by the Agenda deadline as provided under Section 8.2;
  - b) the requests shall be in writing and state the general nature of the subject matter of the presentation.
  - c) Deputations shall focus their remarks to the stated business.
  - d) Deputations will not generally be entertained if the subject matter deals with an identifiable individual other than the delegate or a matter that is being dealt with as a result of a by-law infraction or other Municipal complaint that has yet to receive a decision.
  - e) Deputations speaking to a matter relating to an appeal of a Council or staff decision shall be afforded one opportunity to address Council. If new information becomes available, it shall be provided to Council in written form with the request clearly identified.
- 10.2 A presentation shall be limited to ten minutes, however if the delegation consists of more than five (5) persons two (2) speakers shall be allowed to speak, each limited to not more than ten (10) minutes
- 10.3 Upon completion of the comments to Council by a deputation, any discussion between members of Council and the delegations shall be limited to members asking question for clarification and obtaining additional, relevant information only. Member of Council shall not enter into debate with the deputation respecting their comments.
- 10.4 The number of deputations allowed at a Regular Meeting of Council shall be limited to two (2) and will be based on a first come first served basis. Council may elect to hold a Special Meeting on a particular matter and may elect to increase the number of deputations to speak on this matter.

- 10.5 When a Special meeting on a particular matter is held and the number of deputations is greater than 2 then Delegations are limited to a time period of not more than five (5) minutes in total. Delegations consisting of two or more persons shall be limited to two (2) speakers.
- 10.6 Delegations speaking to a matter, item or topic that the person has previously addressed at a Meeting shall be limited to a total time period of not more than two and one-half (2.5) minutes.
- 10.7 Delegations speaking to a matter, item or topic that has been discussed two times at a meeting and they have previously addressed at a Meeting shall not be allowed to address the issue a third time. If new information arises, it shall be provided to Council in written form with the request clearly identified.

## **11. Role of Council**

- 11.1 In accordance with the *Municipal Act*, it is the role of council,
  - a) to represent the public and to consider the well-being and interests of the municipality;
  - b) to develop and evaluate the policies and programs of the municipality;
  - c) to determine which services the municipality provides;
  - d) to ensure that administrative practices and procedures are in place;
  - e) to ensure the decisions of council are implemented;
  - f) to maintain the financial integrity of the municipality; and
  - g) to carry out the duties of council under the *Municipal Act* or any other *Act*.

## **12. Statutory Duties of the Mayor**

- 12.1 In accordance with the *Municipal Act*, it is the Role of the Head of Council to:
  - a) Act as chief executive officer of the Municipality.
  - b) Preside over Council meetings.
  - c) Provide leadership to Council.
  - d) Represent the municipality at official functions.
  - e) Carry out the duties of the head of Council under the *Municipal Act* or any other *Act*.

## **13. Head of Council**

- 13.1 The head of council, except where otherwise provided, shall
  - a) preside at all meetings of the Council;
  - b) select the members of Council who are to serve on Committees;
  - c) ensure that the decisions of the Council are in conformity with the laws and by-laws governing the activities of the Council;
  - d) represent and support the Council, declaring its will, and implicitly obeying its decisions in all things; and
  - e) the head of council or other presiding officer may expel any person for improper conduct at a meeting

## **14. Duties of the Presiding Officer**

- 14.1 The Presiding Officer shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order and deciding all questions relative to the orderly procedure of meetings subject to an appeal by any Member of any ruling of the Presiding Officer.

14.2 The Presiding Officer shall:

- a) announce the business before Council or Committee in order in which appears on the agenda subject to Section 8.2;
- b) receive and submit, in the proper manner, all motions presented by the members of Council or Committee;
- c) put to vote all questions which are moved and seconded or necessarily arise in the course of the proceedings and to announce the result;
- d) decline to put to vote motions which infringe the rules of procedure;
- e) restrain the members, within the rules of order, when engaged in debate;
- f) name the member who, in their opinion, should speak first when two or more members wish to speak;
- g) enforce on all occasions the observance of order and decorum among the members;
- h) call by name any members persisting in breach of the rules of order of the Council or Committee, thereby ordering him or her to vacate the Council Chambers;
- i) adjourn the meeting when the business is concluded;
- j) adjourn the meeting without question put in the case of grave disorder arising in the Council Chamber;
- k) order any individual or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order the individual or group to vacate the Council Chamber where such behaviour persists or to take such action necessary to assist in having the such persons removed; and
- l) Inform the Council or Committee, when necessary or when referred to for the purpose, on a point of order or personal privilege.

14.3 If the Presiding Officer desires to leave the chair for the purpose of taking part in the debate shall call on the Acting Mayor, or in the absence of the Acting Mayor on another Member to take the chair until resuming the chair.

14.4 The procedural by-law may, with the consent of the head of council, designate a member of council, other than the head of council, to preside at meetings of council.

## **15. Appointment of Members to Boards and Committees**

15.1 In the month of October in the year of the Municipal Elections, the Clerk shall advertise for persons to sit on the various boards and committees as are in existence for that year.

15.2 The Clerk shall prepare a report to Council listing the applicants who have applied to sit on the various boards and committees as advertised.

15.3 If there are insufficient applicants to fill all seats on boards and committees then Council may direct the Clerk to re-advertise or may appoint such other persons as agreed upon.

15.4 Council shall consider the report prior to the first meeting in January following the Election year and be prepared to enact such by-laws and/or resolutions required to appoint persons to Boards and Committees for the terms as advertised

15.5 As much as possible, only one (1) Member of Council shall be appointed to each board and/or citizen advisory committee.

- 15.6 The Member of Council appointed, as a liaison for each citizen advisory committee is not required to attend the meetings. Their role is to be available as a liaison to the citizen advisory committee. The Council Representative is not counted when considering quorum and does not have a vote at citizen committee meetings.”

## **16. The Calling of Meetings to Order and Quorum**

- 16.1 The Mayor or Presiding Officer shall call the members to order upon a motion duly moved and seconded, as soon after the hour of meeting as there shall be a quorum present.
- 16.2 As soon after the hour fixed for the holding of a meeting, and there is a quorum present, the Mayor or Presiding Officer shall take the chair and call the members to order.
- 16.3 If no quorum is present within thirty (30) minutes after the appointed time, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next regular meeting or until rescheduled.
- 16.4 Where the number of Members who are unable to participate in a meeting by reason of the provisions of the Municipal Conflict of Interest Act, such that at that meeting remaining members are insufficient to constitute a quorum, in accordance with the Municipal Conflict of Interest Act, the remaining members shall be deemed to constitute a quorum, provided such number is not less than two.
- 16.5 If during the course of a Council meeting, a quorum is lost, the Mayor or Presiding Officer shall declare that the meeting shall stand recessed temporarily or be adjourned until the date of the next regular meeting or other meeting called.

## **17. Conduct of the Members of the Council**

- 17.1 Members of Council shall:
- a) act in accordance with their Oath of Declaration of Office;
  - b) discharge with integrity all responsibilities to Council, the Municipality of Shuniah, and the public, in keeping with approved corporate policies;
  - c) serve their constituents in a conscientious and diligent manner;
  - d) encourage public respect for, and try to improve the administration of, the by-laws of the Municipality;
  - e) treat the Chair, other Members, staff, and the delegates from the public with courtesy, respect and good faith; and
  - f) hold in strict confidence all information concerning matters dealt with in camera and shall not release, make public or in any way divulge any such confidential information or any aspect of the in camera deliberations, unless expressly authorized or required by law.
- 17.2 No member shall speak disrespectfully of the Reigning Sovereign, or 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.
- 17.3 No member shall:
- a) use offensive words or unparliamentarily language in or against the Council or against any Member;
  - b) disturb another, or the Council, staff, or guest, by any disorderly conduct disconcerting to the speaker or the assembly;

- c) speak on any subject other than the subject in debate;
- d) criticize any decision of the Council except for the purpose of moving that the question be reconsidered;
- e) resist the rules of Council or disobey the decisions of the Mayor or presiding officer or of Council on questions of order or practice or upon the interpretation of the rules of Council;
- f) leave a meeting without first obtaining permission from the Mayor or Presiding Officer;
- g) be permitted to retake their seat after being ordered to vacate, having committed a breach of any rule of the Council, until the next meeting and without making an apology to Council; or
- h) interrupt the member who has the floor except to raise a Point of Personal Privilege or Point of Order.

17.4 No member shall speak without being recognized by the Mayor or Presiding Officer, the Member shall raise their hand and wait to be recognized by the chair:

- a) When a Member has been recognized by the Mayor or Presiding Officer as having the floor, the Member shall direct his or her question or comment to the Mayor or Presiding Officer and speak to the matter under consideration.
- b) No person except members and officers of the Council shall be allowed to approach Council during the sittings of Council without permission of the Mayor, Presiding Officer or the Council upon reference.
- c) When the Mayor or Presiding Officer is putting the question, no member shall leave or make a disturbance.

## **18. Motions**

- 18.1 Notice of all new motions shall be given in writing delivered to the Clerk by the agenda deadline set out in Section 8.2 at which a motion is to be introduced. A motion shall be printed in full in the agenda package with the exception of procedural resolutions, for that meeting of the Council and each succeeding meeting until the motion is considered or otherwise disposed. The motion shall be submitted to the Clerk in writing over the signature of the mover and seconder and shall be complete and correct.
- 18.2 A motion must be formally moved and seconded before the Mayor or Presiding Officer can put the question or a motion be recorded in the minutes.
- 18.3 When a motion is presented to the Council in writing, the Mayor or Presiding Officer shall read it before debate. The Clerk may read any motion or by-law if requested by the Presiding Officer.
- 18.4 A motion to amend shall:
  - a) be presented verbally;
  - b) be discussed by the Council;
  - c) receive verbal consent of the majority; and
  - d) be written on the motion with the initialed consent of the mover and the seconder.
- 18.5 Every member prior to speaking to any question or motion shall address the Mayor or Presiding Officer. When two or more members speak, the Mayor or Presiding Officer shall designate the member who has the floor who shall be the member who, in the opinion of the Mayor, spoke first.
- 18.6 When the Mayor or Presiding Officer calls for the vote on a question, each member shall occupy his or her seat and shall remain in his or her place until the result of the vote has been declared by the Mayor or Presiding Officer and during such time no member shall make any noise or disturbance.

- 18.7 When a member is speaking, no other member shall pass between him or her and the Mayor or Presiding Officer nor interrupt him or her except to raise a point of order.
- 18.8 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.
- 18.9 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 table;
- 18.10 Motion to Reconsider:
- a) After any question, except one of indefinite postponement, has been decided by Council, any Member who was present and who voted in the majority may, at a subsequent meeting of Council, move for the reconsideration thereof, provided due notice of such intention is given as required by this by-law, but no discussion of the main question by any person shall be allowed unless the motion to reconsider has first been adopted.
  - b) No question shall be reconsidered more than once nor shall a vote to reconsider be considered. If a motion to reconsider is decided in the affirmative, reconsideration shall become the next order of business and debate on the question to be reconsidered shall proceed.
- 18.11 Once read or stated by the Mayor or Presiding Officer a motion may not be withdrawn without the consent of the majority of the members.
- 18.12 Immediately prior to voting on a motion, the Mayor or Presiding Officer shall state the question in the precise form it is to be recorded in the minutes, including any amendment to the question.
- 18.13 After a motion as amended is finally put, no member shall speak to the question nor shall any other motion be made until after the vote is taken and the result is declared.
- 18.14 The Mayor or Presiding Officer shall preserve order and decide questions of order.

## **19. Voting**

- 19.1 Every member present shall vote unless otherwise prohibited by law.
- 19.2 Every member of a council shall have one vote.
- 19.3 A 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 to be a negative vote.
- 19.4 On an unrecorded vote, the manner of determining the decision of the Council on a motion shall be at the discretion of the Mayor or presiding officer and may be by voice, show of hands, standing or otherwise.
- 19.5 If a member present at a meeting at the time of a vote requests immediately before the taking of the vote that the vote be recorded, each member present, except a member who is disqualified from voting by any Act, shall announce his or her vote openly and the Clerk shall record each vote.

- 19.6 A motion shall be deemed to have been carried when a majority of the members present and voting have expressed agreement with the question.
- 19.7 Any question on which there is a tie vote shall be deemed to be lost, except where otherwise provided by any Act. Except as provided in section 238 of the Municipal Act, no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

## **20. By-laws**

- 20.1 The business, by-laws and resolutions of the Corporation will be conducted and maintained in English.
- 20.2 Every By-law shall be introduced upon motion by a member specifying the title of the By-law.
- 20.3 Every By-law when introduced shall be in typed form and shall contain no blanks except as may be required to conform to accepted procedure or to comply with provisions of any Act.
- 20.4 Every By-law shall be given three (3) readings prior to passage, provided however that no by-law shall receive more than two (2) readings on the same day except with the consent of a majority of the members of Council present at the meeting.
- 20.5 A by-law shall be deemed to have been read upon the title or heading hereof being read or taken as read unless a member of the Council requires the bylaw or any portion thereof to be read in full.
- 20.6 The first and second reading of a by-law shall be received without amendment or debate.
- 20.7 The Clerk shall set out on all by-laws enacted by the Council the date of the several readings thereof.
- 20.8 Every by-law of a municipality:
- a) shall be numbered, and dated and under the seal of the Corporation, and;
  - b) shall be signed by the Clerk and by the Head of Council or Presiding Officer at the meeting at which the by-law was passed.
- 20.9 If by oversight the seal of the corporation was not affixed to a by-law, it may be affixed at any time afterwards and when so affixed, the by-law is as valid as if it had been originally sealed

## **21. General**

- 21.1 In all matters and under all circumstances the members shall be guided by and shall have regard to the Municipal Conflict of Interest Act, or its successor.
- 21.2 If there is a conflict between this by-law and the Municipal Act, the provisions of the Municipal Act shall prevail.
- 21.3 Following a regular or new election, the Clerk shall provide each member of Council with a copy of this By-law, including any amendments thereto.
- 21.4 Any procedure under this By-law, which is discretionary and not mandatory under statute, may be suspended with the consent of a majority of the members present.
- 21.5 No consideration of amendment of this By-law or any part thereof shall be considered at any meeting of the Council unless notice of the proposed consideration at a previous regular meeting of the Council.

- 21.6 No by-law shall be passed amending or repealing this by-law at any meeting of the Council unless notice of the intention to pass a by-law of the proposed amendment or repeal is given in accordance the Municipal Act and the Municipality's Notification By-law.
- 21.7 That By-laws Numbered 2916-16 is hereby repealed.
- 21.8 This By-law shall be known as the "Procedural By-law".
- 21.9 This By-law shall come into force and take effect on the final passing thereof.

READ A FIRST AND SECOND TIME THIS 12<sup>th</sup> DAY OF AUGUST, 2025

*D Bunt* Mayor

*X Bellamy* Clerk

READ A THIRD TIME AND FINALLY PASSED THIS 23<sup>RD</sup> DAY OF SEPTEMBER, 2025

*Wendy Landry* Mayor

*X Bellamy* Clerk