

THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE  
BY-LAW 08-2026

*Being A By-law to Govern the Proceedings of Council and Committee Meetings of the Corporation of the Municipality of Port Hope and Repeal By-law 80-2024*

WHEREAS Section 238 of the Municipal Act, 2001, S.O. 2001, c. 25, provides that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings, for public notice of meetings and for electronic participation in meetings; and

WHEREAS Council at the Committee of the Whole meeting of February 3, 2026 considered Staff Report LLS-05-26 regarding Procedural By-law Update;

NOW THEREFORE BE IT RESOLVED THAT Council of the Municipality of Port Hope hereby enacts as follows:

1. This By-law, other than in this By-law itself, shall be referred to as the "Procedure By-law" or the "Procedural By-law".
2. By-law 80-2024 and all previous by-laws related to meeting procedures of Council and Committee, including amending by-laws, are hereby repealed.
3. That this By-law shall come into force and effect on February 17, 2026.

READ and finally PASSED in Open Council this 17<sup>th</sup> day of February 2026.

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Olena Hankivsky, Mayor

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Shrishma Davé, Clerk

By signing this by-law on the 17<sup>th</sup> day of February, 2026, Mayor Hankivsky will not exercise the power to veto this by-law.

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# General

## 1. Application and Interpretation

- 1.1. This By-law establishes the rules of order for meetings of Council and Committee.
- 1.2. A word in this By-law expressed in the singular has a corresponding meaning when used in the plural.
- 1.3. Any future amendment(s) to the Municipal Act, 2001 or other legislation as noted in this By-law may alter the provisions of the legislation referenced but shall not affect the validity of this By-law or any part thereof.
- 1.4. In an event of conflict between this By-law and any superior legislation, the provisions of the superior legislation prevail.
- 1.5. A specific statement or rule in this By-law has greater authority than a general statement or rule.
- 1.6. Any reference to a provision of this By-law may be referred to as “Section” notwithstanding that it may be a section, subsection, clause or paragraph.
- 1.7. If there is a conflict between two or more rules in this By-law, or if there is no specific rule on a matter, the Chair will rule and, in making a ruling, the Chair may consult the Clerk, rely on previous rulings and practices or refer to *Robert’s Rules of Order*.
- 1.8. Any use of pronouns in this by-law, shall have no significance in the interpretation and application of the terms, provisions and conditions of this By-law, such use is solely for the sake of convenience.

## 2. Principles of this By-law

The principles of parliamentary law governing Meetings includes:

- 2.1. The majority of Members have the right to decide.
- 2.2. The minority of Members have the right to be heard.
- 2.3. All Members have the right to information to help make decisions, unless otherwise prevented by law.
- 2.4. All Members have the right to an efficient Meeting.

2.5. All Members, Municipal Staff and participants have the right to be treated with respect and courtesy.

2.6. All Members have equal rights, privileges and obligations.

### 3. Suspension of Rules

Rules of order provided for in this By-law may be suspended by a Two-Thirds vote of the members of Council present and voting, with the exception of the following circumstances:

3.1. Where required by law;

3.2. In any contract or agreement binding the Municipality;

3.3. Amending this By-law;

3.4. Requirements of Quorum.

A Motion to suspend the Rules of Procedure required by this Procedure By-law shall not be debatable or amendable. In addition, the motion to suspend should identify the reasons that the rules are being set aside.

### 4. Appointment of Deputy Mayor

4.1. Every Member of Council, with the exception of the Mayor, shall be the Deputy Mayor for a period of approximately eight (8) months consecutively during a four (4) year term of Council, on a rotating basis.

4.2. The appointment schedule will be determined alphabetically by the last name of the Member of Council and will be presented for Council consideration at the first Regular Meeting of Council following an election in the form of a by-law.

4.3. The Clerk will ensure the appointment schedule of the rotating Deputy Mayor is available on the Municipal website and changes are communicated to the public as the Deputy Mayor position rotates throughout the term of Council.

4.4. That should the appointed Deputy Mayor either before or during the term of their appointment as Deputy Mayor notify the Clerk in writing that they, for any reason, can no longer assume the duties of the Deputy Mayor, or, choose not to assume the duties of Deputy Mayor, then the next Member of Council as per the appointment schedule will assume the duties of the Deputy Mayor for the remainder of their term, unless otherwise determined by Council.

4.5. In the event the head of Council's seat becomes vacant, as defined in section 259 of the Municipal Act, 2001, that vacancy shall be filled in accordance with the options identified in section 263 of the Municipal Act, 2001, with the appointed Deputy Mayor at that time acting in the place of the Head of Council

until such time as the vacant seat is otherwise filled by Council.

- 4.6. That in the scenario described in Section 4.5, there is no presumption that the Deputy Mayor at the time of vacancy of the Head of Council is to be automatically appointed as permanent Head of Council.
- 4.7. When the Mayor and the Deputy Mayor are absent or refuse to act, the Council shall, by Resolution, appoint one of its Members to act in the place of the Mayor and such Member shall have all the powers and duties of the Mayor with respect to the role of presiding at meetings, as Acting Chair, at a duly called meeting.

## 5. Administrative Authority of the Clerk

- 5.1. The Clerk is authorized to revise or correct by-laws, minutes and other records or documents relating to Council and Committee for technical, typographical or other administrative errors and omissions for the purpose of ensuring an accurate and complete record of proceedings and general housekeeping.

## Definitions

### 6. Definitions in this By-law

- 6.1. **Act** means the Municipal Act, 2001, S.O. 2001, c. 25 as amended or replaced from time to time.
- 6.2. **Acting Chair** means such person who is a Member of the Committee and who acts in place of the Committee Chair when such Chair is absent from a meeting of the Committee for any cause and who shall exercise all the rights, powers and authorities of the Chair while so acting.
- 6.3. **Ad Hoc Committee** means a special purpose committee of limited duration, appointed by Council to consider a specific matter and which is dissolved automatically upon submitting its final report to Council, unless otherwise directed by Council. It can also be referred to as a Working Group or a Steering Committee.
- 6.4. **Advisory Committee** means a Committee created by Council to act in an advisory capacity on a specific matter of municipal interest.
- 6.5. **By-law** means an enactment, in a form approved by Council, passed for the purpose of giving effect to a decision or proceedings of Council.
- 6.6. **CAO** means the Chief Administrative Officer of the Municipality of Port Hope.
- 6.7. **Chair** means the presiding officer at a Meeting.
- 6.8. **Clerk** means the Clerk of the Municipality of Port Hope, or their designate.
- 6.9. **Closed Meeting** means a Meeting or part of a Meeting that is closed to the public as permitted by the Act.
- 6.10. **Committee** means Committee of the Whole, Advisory Committee or other committee as established by Council.

- 6.11. **Committee of the Whole** means a committee comprised of all Members of Council.
- 6.12. **Consent Agenda** means a listing of Consent Items being presented to Council and Committee for its consideration and vote.
- 6.13. **Consent Item** means a report that is presented for approval without debate and with no delegation or presentation and is generally considered routine in nature.
- 6.14. **Council** means the Municipality of Port Hope's elected representatives, comprised of the Mayor and Councillors.
- 6.15. **Councillor** means any Member of Council, other than the Mayor.
- 6.16. **Delegate** means any person, group of persons, firm or organization, who is neither a Member of a Committee or Council or an appointed Official of the Municipality or a consultant or other individual hired by the Municipality, wishing to address Council on a specific matter upon request to the Clerk.
- 6.17. **Deputy Mayor** means a Member of Council appointed from amongst Council to act in the absence of the Mayor in accordance with the Deputy Mayor appointment schedule.
- 6.18. **Director** means the most senior staff of each department of the Municipality of Port Hope as determined by the CAO.
- 6.19. **Electronic Participation (or "participate electronically")** means any open or Closed Meeting where a Member of Council participates remotely or virtually via electronic means, and Members have the same rights and responsibilities as if they were in physical attendance including the right to vote, and shall count towards a Quorum.
- 6.20. **Electronic Meeting** means any open or Closed Meeting of Council or Committee, that is conducted in whole or in part by electronic or virtual means, including audio, video, or other telecommunications technology, which allows participants to hear and be heard by all other participants in real time.
- 6.21. **Emergency** means a situation caused by forces of nature, an accident, an intentional act, or otherwise that constitutes immediate or imminent threat to persons or property.
- 6.22. **Majority** means for the purpose of voting, unless otherwise specified, more than half the total number of the Members of Council or Committee present at the vote and not prohibited by statute from voting.
- 6.23. **Majority Vote** means more than one half of the votes cast by Members present.
- 6.24. **Mayor** means the Mayor of the Municipality of Port Hope, as defined in the Act.
- 6.25. **Mayoral Decision** means a written decision of the Mayor pursuant to the Strong Mayor Powers.
- 6.26. **Mayoral Veto (or "Mayor's veto")** means those veto powers included in the Strong Mayor Powers and described in section 284.11 of the Act.

- 6.27. **Meeting** means a Meeting of Council or Committee where a quorum of Members is present and Members discuss or otherwise deal with any matter in a way that materially advances the business of Council or Committee.
- 6.28. **Member** means a Member of Council, including the Mayor, or a Member of Committee, including the Chair.
- 6.29. **Motion** means a proposal, moved by one Member and seconded by another Member to adopt, amend, or otherwise deal with a matter before Council or Committee.
- 6.30. **Motion to Defer** means a Motion to delay consideration of a matter until later in the same Meeting or at a future Meeting of Council or Committee.
- 6.31. **Motion to Refer** means to direct a matter under discussion by Council and/or Committee of the Whole to staff or another committee for further consideration or review.
- 6.32. **Notice of Motion** means a written notice respecting a substantive matter not on the agenda, submitted to the Clerk, for inclusion on the agenda of a future Meeting.
- 6.33. **Point of Order** means a question by a Member calling attention to a possible violation of the rules or customary procedures of this By-law.
- 6.34. **Point of Privilege** means a question by a Member who believes that another Member has spoken disrespectfully towards that Member or another Member, Municipality staff or a delegate or who considers that his or her integrity or that of a Member or Municipality staff or delegate has been impugned or questioned by a Member.
- 6.35. **Quorum** means a majority of the Members of Council or Committee.
- 6.36. **Strong Mayor Powers** means those powers, duties and responsibilities set out in Part VI.1 of the Act, titled “Special Powers and Duties of the Head of Council”, and any regulation made thereunder, applying solely to the person who has been elected as Mayor (head of council) under the provisions of the Municipal Elections Act, 1996.
- 6.37. **Tracking Report on Outstanding Motions** means a quarterly report provided to Council detailing the status of all outstanding motions passed by Council, including reasons for delay.
- 6.38. **Two-Thirds** means two-thirds (2/3) of the Members of Council or Committee present during a meeting.
- 6.39. **Youth Councillor** means any young person between the ages of 13 and 17 years of age appointed to Council as a Youth Councillor. This person shall have no voting rights.
- 6.40. **Workshop** means a meeting of Council where the purpose is for Council to discuss issues in an informal venue. With the exception of procedure matters, no Motions are passed, and no matter is discussed which advances the business of the Municipality.

## Duties and Conduct

### 7. Chair of Meeting

- 7.1. The Chair of Council, Committee of the Whole or a Workshop is the Mayor and, in the absence of the Mayor, the Deputy Mayor is Chair.
- 7.2. When both Mayor and Deputy Mayor are not available, a Chair will be appointed by resolution of the Council or Committee.
- 7.3. The Chair of Special Council Meetings related to review of the Municipal Budget is the Deputy Mayor or their designate, as per the process outlined in the Municipal Act, 2001.
- 7.4. The Chair of Statutory Public Meetings under the Planning Act is the Deputy Mayor or their designate.
- 7.5. The Chair and Vice Chair of any other Committees may be appointed by a vote of the Members of the Committee.

### 8. Appointments to Committees as Mayor's Designate

- 8.1. Where Council representation is required on a Committee or a Local Board, the Mayor, in consultation with Members of Council, shall designate the Member or Members to represent the Council on such Committee or Local Board, and present the appointments for review and approval via Council resolution within the first three months of the Council term.
- 8.2. At any given time during the duration of a Council's term, the Council may, through resolution, change the Mayor's designate on a local board or committee.

### 9. Duties of the Chair

- 9.1. The Chair shall call a Meeting to order as soon as there is Quorum present after the time set for the Meeting.
- 9.2. The Chair shall preside over the Meetings so business can be carried out efficiently and effectively, and shall:
  - a) maintain order and preserve the decorum of the Meeting;
  - b) rule on all procedure matters;
  - c) receive and submit to a vote all Motions presented by the Members that do not contravene the rules of procedure;
  - d) decline to put any Motions to a vote which do not comply with the rules of procedure, or which are not within the jurisdiction of Council or Committee;

- e) announce the result of the vote on any Motions presented for a vote;
- f) expel or exclude from any Meeting any person whom the Chair feels has exhibited improper conduct at the Meeting;
- g) adjourn or suspend the Meeting if they consider it necessary because of grave disorder;
- h) close the Meeting when business is concluded or recess the Meeting;
- i) after issuing appropriate warning, may call by name any Member persisting in breach of the rules of procedure, order them to leave the Meeting and if the Member refuses to leave the Meeting, the Chair may request the CAO or designate to contact security or police for assistance to remove the Member;
- j) shall decide all matters not covered by this By-law and may call upon the Clerk to provide advice regarding procedure whereupon the Clerk shall provide advice, following which the Chair shall announce the ruling;
- k) may call a vote on the question of sustaining the ruling of the Chair in response to a Member disagreeing and appealing the ruling of the Chair and may provide further explanation of the ruling prior to calling the vote and announce the results of the vote;
- l) if necessary, may call a recess for a brief, specified time to consult the Clerk or CAO, or any other person deemed appropriate, or to provide a short break to Members of Council;
- m) if there is a threat or imminent threat to the health or safety of any person, or if there is a possibility of public disorder, recess the Meeting for a specified time;
- n) ensure all Members who wish to speak have had an opportunity to speak at least once when the matter is being discussed;
- o) ensure clarity, where required, by reading, or requesting the Clerk or other appropriate person to read Motions before voting;
- p) vote on all matters unless disqualified from doing so by any statute;
- q) adjourn the Meeting when all business is concluded; and
- r) authenticate, when necessary, by their signature, all by-laws and minutes.

## 10. Duties of the Deputy Mayor

- 10.1. When the Mayor is absent from a Meeting, the Deputy Mayor may exercise all the rights, powers and authority of the Mayor as head of Council during that Meeting.
- 10.2. The Deputy Mayor shall attend a minimum of two public events or meetings per month on behalf of the Mayor, as part of their official duties, unless otherwise agreed upon by the Mayor.
- 10.3. Outside of Meetings and this By-law, the Deputy Mayor is not assigned any additional authority.

## 11. Duties of Members

All Members Shall:

- 11.1. Attend scheduled Meetings.
- 11.2. Carefully consider and make decisions about Meeting business, including seeking information and advice from staff prior to and during a Meeting.
- 11.3. Vote on all Motions put to a vote unless disqualified from voting under any statute.
- 11.4. Respect the rules of order as set out in this By-law.
- 11.5. Listen attentively, participating in a Meeting and not interrupting, unless to raise a Point of Order or Point of Privilege, as set out in this By-law.
- 11.6. Refrain from using any offensive, disrespectful or unparliamentary language.
- 11.7. Refrain from speaking 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, the Legislative Assembly of the Province of Ontario or the County of Northumberland.
- 11.8. Respect and follow the decisions of Council or Committee.
- 11.9. Respect the confidentiality of matters discussed in Closed Meetings and not disclose the subject or substance of these discussions unless authorized to do so by Council or Committee, in accordance with the Closed Meeting Policy and all applicable legislation.
- 11.10. Comply with the ruling of the Chair and the decisions of Council and Committee.

## 12. Duties of Attendees

- 12.1. The Chair may expel or exclude any person who disrupts a Meeting and request security and/or police assistance in doing so.

- 12.2. Attendees must maintain order and not heckle or engage in conversation, disrupting the meeting in any way.
- 12.3. As determined by the Chair, attendees that are displaying placards or props or displaying any behaviour that may be considered disruptive may be asked to leave the Meeting.
- 12.4. Attendees must ensure that they are speaking respectfully at all times.
- 12.5. Attendees must ensure they do not interrupt any speech or action of the Members or any person addressing Council.
- 12.6. Attendees must ensure that all personal digital devices are turned off or set to silent mode during a Meeting.
- 12.7. Individuals who wish to submit materials for Council's consideration must do so through the Clerk, and the Clerk will determine the distribution of such materials in due course.
- 12.8. Individuals may not submit materials that require audio-visual technology at the meeting that they are attending, without prior approval from the Clerk or designate.
- 12.9. Decorum
- a) Clapping, applause, cheering, shouting, etc. is not permitted in response to comments, questions, or statements made during any portion of the Meeting such as Question Period, Delegations, Staff Presentations, or the Public Comment Period, as such reactions may disrupt the Meeting or influence the proceedings.
  - b) Clapping or applause may be permitted solely for the purpose of recognizing achievements, acknowledging distinguished guests, or celebrating significant milestones, and only when authorized by the Chair.
  - c) The Chair has full discretion to determine appropriate decorum and may direct attendees to refrain from disruptive behaviour at any time to maintain order.
- 12.10. Failure to comply with the Chair's direction regarding decorum may be considered disruptive behaviour and subject to removal under Section 12.1.

### 13. Rules of Debate and Questions from Members

- 13.1. The Chair will provide each Member an opportunity to speak.

- 13.2. Prior to accepting a Motion, Members shall be entitled to speak up to three (3) times or ask questions directly relating to the matter under consideration.
- 13.3. A Member may ask a question only for the purpose of obtaining facts relevant to the matter under discussion and necessary for a clear understanding.
- 13.4. The Chair is permitted to ask questions or comment in a general manner without leaving their position. The Chair who presides over any part of a Meeting may state relevant facts and the Chair's position on any matter before the Council or Committee without leaving the chair, which may take place immediately prior to the vote, but it shall not be permissible for the Chair to move a Motion or debate a question without first leaving the chair.
- 13.5. If during a Meeting of Council the Mayor desires to leave the chair to move a Motion or to take part in the debate, the Mayor shall call on the Deputy Mayor to preside until the Mayor resumes the chair. If the Deputy Mayor is unavailable, then the Mayor will ask another Member of Council to assume the role of Acting Chair.
- 13.6. Members are encouraged to provide questions to staff prior to the Meeting and address any answers received during the comments portion of the discussion.
- 13.7. When a Member is speaking, no interruptions are permitted except to raise a Point of Order or a Point of Privilege.
- 13.8. Comments are to be relevant to the matter of business at the Meeting.
- 13.9. Members shall express themselves succinctly without repetition.

#### 14. Point of Order

- 14.1. A Member may raise a Point of Order when such Member feels there has been:
  - a) A deviation or departure from the rules set out in this By-law; or
  - b) A deviation from the matter under consideration and the current discussion is not within the scope of the proposed Motion.
- 14.2. Where a Member raises a Point of Order, the Chair shall:
  - a) Interrupt the matter under consideration;
  - b) Ask the Member raising the Point of Order to state the substance of and the basis of the Point of Order; and

- c) Rule on the Point of Order immediately without debate by Council or Committee.

14.3. A Member may appeal the ruling of the Chair to Council or Committee which will then decide whether to uphold the decision or overturn the decision, without debate, by way of a Majority Vote of the Members present. If there is no appeal, the decision of the Chair is final.

## 15. Point of Privilege

15.1. A Member may raise a Point of Privilege at any time if he or she considers their integrity, the integrity of Council or Committee as a Whole or Municipality staff or a delegation has been impugned.

15.2. Where a Member raises a Point of Privilege, the Chair shall:

- a) Interrupt the matter under consideration
- b) Ask the Member raising the Point of Privilege to state the substance of and the basis for the Point of Privilege; and
- c) Rule on the Point of Privilege immediately without debate by Council or Committee.

15.3. A Member may appeal the ruling of the Chair to Council or Committee which will then decide whether to uphold the decision or overturn the decision, without debate, by way of a Majority Vote of the Members present. If there is no appeal, the decision of the Chair is final.

15.4. Where the Chair considers the integrity of any Member or staff has been impugned or questioned, the Chair may permit that Member or staff to make a statement to Council or Committee.

## Meetings

### 16. Inaugural Council Meeting

16.1. The first Meeting of Council following a regular election shall be held at a date and time set by the Clerk in accordance with the Act. The Meeting will be held in the Council Chamber at the Municipality's office or at such alternate location as determined by the Clerk.

16.2. At the Inaugural Meeting of Council, each Member present shall make their declaration of office and sign Council's Code of Conduct. The Clerk may provide additional policies or procedures to Council as appropriate. Council shall

not proceed with any regular business at this Meeting.

## 17. Council Seating

- 17.1. For meetings taking place in Council Chambers, Members will be assigned seating in alphabetical order with the Mayor seated in the middle, as determined by the Clerk.
- 17.2. The Clerk, in consultation with the Mayor, may revise assigned seating for the purpose of accommodation of a member as confirmed by the Member and in line with Municipal policies.

## 18. Location and Schedule of Meetings

- 18.1. Meetings of Council and Committee of the Whole will take place in the Council Chamber or at another location within the municipality as determined by the Mayor or by resolution of Council, or as provided for in the Act, as amended when notice is given.
- 18.2. Council shall approve a schedule of regular Meetings of Council and Committee of the Whole for each calendar year, which may be amended through a resolution by Council. The schedule of Meetings shall be posted on the Municipality's website and available from the Clerk's office.
- 18.3. Generally speaking, Council meetings will take place on the third Tuesday of every month and Committee of the Whole Meetings will take place on the first Tuesday of every month, at 6:30 p.m. and Statutory Public Meetings will take place on a Tuesday at 5:00 p.m. as required.
- 18.4. The meeting schedule may also include placeholders for Statutory Public Meetings and Special Council meetings, which will be released if the Clerk or designate determines that the meeting is not required due to a lack of agenda items.
- 18.5. The Meeting schedule of all other Committees is determined by the Committee, in accordance with By-law 05/2021 or any subsequent by-law, and/or prescribed mandate.

## 19. Regular Council Meetings

- 19.1. Regular Council Meetings will typically be held on a Tuesday at 6:30 p.m. in the Council Chamber, unless otherwise noted, in accordance with the schedule of meetings approved by Council.

19.2. Notwithstanding Section 19.1, Meetings may be cancelled or postponed in accordance with Section 23.

19.3. If a Council Meeting falls on 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 otherwise provided by resolution of the Council.

## 20. Regular Committee of the Whole Meetings

20.1. Regular Committee of the Whole Meetings will typically be held on a Tuesday at 6:30 p.m. in the Council Chamber, unless otherwise noted, in accordance with the schedule of meetings approved by Council.

## 21. Special Meetings of Council

21.1. A special Meeting may be called by the Mayor or Chair, or by the Mayor in consultation with the Chief Administrative Officer (CAO) and the Clerk, at any time. A Special Meeting is limited to business included in the notice of Meeting.

21.2. As per the Act and notwithstanding Section 21.1, the Clerk may call a Special Meeting when petitioned in writing by a majority of Council Members.

21.3. Notwithstanding any other provision in this By-law, the Mayor, at any time, may call or provide Notice of an Emergency Meeting of Council. An Emergency Meeting of Council is limited to business matters included in the Notice of the Meeting.

21.4. The Order of Business at a Special Meeting of Council is determined by the Mayor in consultation with the CAO and the Clerk.

21.5. The Order of Business at a Special Meeting of Council that is requested by a majority of Council Members is determined by the Council Members in consultation with the Clerk.

## 22. Workshops

22.1. The Mayor and/or CAO in consultation with the Clerk, may convene a Workshop for Members of Council for the purpose of:

- a) Education or training;
- b) For providing the Members with information and/or advice; or
- c) To solicit input from the Members

22.2. With the exception of procedural matters, no Motions are passed and no decisions are made at Workshops. Workshops are not generally livestreamed. Workshops must be conducted in compliance with the accountability and transparency provisions identified in the Act.

22.3. Minutes describing, in general terms, the proceedings and the subject matter discussed at all Workshop Meetings will be placed on a future Council agenda to be received only for information purposes.

22.4. Public Input shall generally not be permitted at Workshops.

### 23. Cancellation or Postponement of Meetings

23.1. A regular, special or emergency Meeting of Council or Committee of the Whole, or a Workshop, may be cancelled or postponed in any of the following circumstances:

- a) If the Clerk determines in advance that Quorum will not be achieved;
- b) If the Meeting is cancelled by Council or Committee recommendation;
- c) In the event of an emergency or imminent weather event as determined by the Mayor in consultation with the Clerk and CAO; or
- d) Where the Meeting is no longer required as determined by the Clerk and the CAO due to a lack of forecasted agenda items.

23.2. The Clerk gives notice of the cancellation or postponement of a regular, special or emergency Meeting of Council or Committee of the Whole, or Workshop, on the municipal website. Council Members are notified of cancellations through electronic means (email, instant messaging), or via telephone, whenever possible. Where time is limited, a notice is posted on the main entrance of the Municipal office and/or online.

23.3. Meetings of other Committees may be cancelled or postponed by the Clerk, Chair or other assigned person where Quorum cannot be achieved, in the event of an emergency or where the Meeting is deemed no longer required by the Chair in consultation with the Clerk or designate.

### 24. Notice of Meetings

24.1. The Clerk will give notice of a Meeting by publishing a Meeting agenda on the municipal website.

24.2. Regular Council and Committee of the Whole Meeting agendas will be posted on the municipal website no later than seventy-two (72) hours prior to the

scheduled Meeting.

- 24.3. Items or matters will not be added to the agenda after its publication by inclusion on an addendum unless determined by the Clerk in consultation with the Chief Administrative Officer.
- 24.4. The Clerk will prepare a calendar giving notice of specific dates when Regular Council and Committee of the Whole Meetings agendas will be available and this calendar will be available through the municipal website.
- 24.5. Special Meetings of Council agendas will be posted on the municipal website no later than forty-eight (48) hours prior to the scheduled Meeting.
- 24.6. Workshop agendas will be posted on the municipal website no later than forty-eight (48) hours prior to the scheduled Workshop.
- 24.7. Emergency Meetings may be held, without written notice, to deal with issues that may urgently or immediately affect the health and/or safety of residents or the Municipality in a significant manner. The Clerk shall attempt to notify the public of Emergency Meetings as soon as possible and in the most expedient manner available.
- 24.8. The Clerk may provide earlier or additional forms of notice, as the Clerk deems appropriate.
- 24.9. The failure of any person to receive notice of a Meeting shall not affect the validity of the Meeting or any action taken during the Meeting.

## 25. Notice of Meeting Closed to the Public

- 25.1. Where a matter may be considered by Council or Committee for discussion in closed session, whenever possible, written notice will include:
  - a) The fact the Meeting will be closed to the public as provided by the appropriate legislation; and
  - b) The general nature of the matter to be considered at the Closed Meeting.

## 26. Invalidation of the Notice of Meeting

- 26.1. If notice of a Meeting is substantially given but varies from the form and manner provided in this By-law, the ability to hold the Meeting and the actions taken at the Meeting are not invalidated.

## 27. Quorum

- 27.1. If Quorum is not achieved within thirty (30) minutes after the time appointed for a Meeting, the Clerk will record the names of the Members present and the Meeting is adjourned.

## 28. Open and Closed Meetings

- 28.1. All Meetings shall be open to the public, except as provided for in section 239 of the Act. Council or Committee may convene in a closed session in order to discuss the following matters:
- 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;
  - g) a matter in respect of which Council or Committee may hold a Closed Meeting under another statute;
  - h) 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;
  - i) 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;
  - j) 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;
  - k) 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; or
  - l) the Meeting is held for the purpose of educating or training the Members, providing no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council or Committee.
- 28.2. Council or Committee shall convene into a Closed Meeting for the following purposes:

- a) a request under the Municipal Freedom of Information and Protection of Privacy Act, if Council or Committee is the head of an institution for the purposes of that statute; or
- b) an ongoing investigation respecting the Municipality, a local board or a Municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, a municipal Ombudsman referred to in subsection 223.13(1) of the Act, or a closed meeting investigator referred to in subsection 239.2(1).
- c) The Mayor or Chair shall report at an open Meeting following the Closed Meeting and generally summarize actions taken. Any matters discussed in a Closed Meeting requiring a decision of Council or Committee will be brought forward to an open Meeting.

28.3. The Mayor or Chair shall report at an open Meeting following the Closed Meeting and generally summarize actions taken. Any matters discussed in a Closed Meeting requiring a decision of Council or Committee will be brought forward to an open Meeting.

28.4. No Member shall disclose or discuss, through any means including written, electronic or verbal communication to any individual or third party, any information that has been or will be discussed at a Closed Meeting or any records or documents disclosed thereat until Council or Committee has agreed to the disclosure of such information, records or documents or if directed to do so by a court.

28.5. All Closed Meetings will adhere to the Closed Meeting Policy.

## 29. Preparation of Agendas

29.1. The Clerk provides administrative processes to support the approval, preparation, notice, publication and distribution of agendas, following approval by the Chief Administrative Officer and/or Director.

## 30. Record of Meetings (i.e. Minutes)

30.1. The Clerk or designate records the minutes of Meetings of Council and Committee of the Whole without note or comment. The minutes record:

- a) The date, time, and location of the Meeting;
- b) The name of all Members in attendance;
- c) The name and nature of presentations and delegations; and
- d) All resolutions, decisions and other proceedings of the Meeting.

- 30.2. Minutes of each Meeting of Council are presented to a subsequent regular Meeting of Council for approval, as time permits.
- 30.3. Minutes of other Committees, as designated by Council, are submitted to Council for information following approval by the Committee.
- 30.4. The receipt of minutes from other Committees by Council does not constitute endorsement by the Municipality of any recommendations or actions contained therein.

### 31. Public Record

- 31.1. All Communications the Clerk receives pertaining to a matter on the agenda of a public or open Meeting may form part of the public record. Personal information and opinion in communications are part of the public record unless the author of the communication requests the removal of their personal information when submitting it, or where confirmed by the Clerk.

### 32. Recordings, Broadcasting and/or Streaming

- 32.1. All Council and Committee of the Whole Meetings may be video recorded, broadcast and/or streamed publicly by the Municipality, should the technology be available and operational, with the exception of proceedings closed to the public provided for by the Act or this By-law. Given their nature and informal approach, Workshops will generally not be live-streamed or recorded.
- 32.2. Attendees may not use their own recording, broadcasting and/or streaming services during a Meeting unless they have arranged to do so prior to the meeting and have received approval from the Clerk.

### 33. Electronic Participation

- 33.1. Notwithstanding any other provision in this By-law, a Regular or Special Meeting of Council and/or Committee, may be conducted by a hybrid model consisting of both in-person and Electronic Participation.
- 33.2. Electronic Participation allows Members to participate remotely with the same rights and responsibilities as if they were physically present, including the right to vote. A Member participating electronically at a Meeting shall count towards determining whether or not a quorum of members is present at any point in time.

- 33.3. An Electronic Meeting may include a Closed Session, which shall be conducted in the absence of the public and in accordance with this By-law.
- 33.4. The Chair for Regular or Special Meetings of Council and Committee shall participate in person.
- 33.5. Members may participate electronically for Regular or Special Meetings of Council and Committee for any reason.
- 33.6. Notwithstanding Section 33.5, Members shall not attend more than five (5) Regular or Special Meetings of Council and Committee electronically per year, unless otherwise determined by the Chair in consultation with the Clerk.
- 33.7. Members must provide written notice to the Clerk or Deputy Clerk a minimum of one (1) week in advance of the scheduled meeting which they intend to participate electronically. Members will endeavor to attend Meetings in person.
- 33.8. Notwithstanding Section 33.7, the Clerk has the authority to permit a shorter notice period in emergency or extenuating circumstances. In such cases, Members shall provide written notice as soon as reasonably practicable; however, due to required administrative processes, a minimum of forty-eight (48) hours' notice is generally required for the Clerk to accommodate electronic participation.
- 33.9. Members of Council shall attend the following meetings in-person:
- a) Inaugural Council Meeting;
  - b) Regular Council Meeting that directly follows the Inaugural Meeting;
  - c) Special Meetings related to Council Orientation;
  - d) Meetings where the Municipal Budget is being considered, unless the Municipality or part thereof is under a Declared Emergency. This also includes any Special Council meetings for budget deliberations as outlined in Schedule C.
- 33.10. The Chair, in consultation with the Clerk, may determine if a meeting will be conducted in a fully in person or fully electronic format (i.e., no hybrid meeting option).
- 33.11. Where the Rules of Procedure conflict with the need to facilitate electronic participation, the Chair in consultation with the Clerk shall have the authority to modify the Rules of Procedure to ensure Members can effectively electronically participate in the meeting.

- 33.12. Where the Rules of Procedure conflict with the need to facilitate electronic participation, the Chair in consultation with the Clerk shall have the authority to modify the Rules of Procedure to ensure Members can effectively electronically participate in the meeting.
- 33.13. Members of the public shall have the option to make a delegation to Council and provide comments at Statutory Public Meetings under the Planning Act either electronically or in person. The Clerk shall facilitate the preferred option upon receiving a formal written request to appear as a delegate or to provide comments at a Statutory Public Meeting, which may include a pre-registration process for electronic participation.
- 33.14. The Clerk may provide for the electronic participation of Staff or third-party consultants, including electronic participation of the Clerk.
- 33.15. Notwithstanding the above, electronic participation by Members of Council, staff, presenters, delegates or the public will only be provided if the necessary technology and staff resources are available and operational in the Council Chamber or any other location, as determined by the Clerk.
- 33.16. Unless otherwise determined by the Clerk, participation in the Public Comment Period or Question Period must be in person only.

#### 34. Advisory and Ad-Hoc Committees

- 34.1. Advisory Committees are created by Council with no defined ending and serve to make recommendations and/or to provide key information and materials to Council. All Advisory Committees are governed by the Committee By-law 05/2021, or any subsequent by-law that replaces it.
- 34.2. Each Advisory Committee shall have a Terms of Reference that sets out its purpose, guidelines for membership and how it will operate.
- 34.3. A minimum of one (1) Member of Council will be appointed to an Advisory Committee.
- 34.4. The Chair of Advisory Committees will be the Member of Council appointed to that Committee.
- 34.5. Council may appoint Ad Hoc Committees, with a definite ending, to consider a specific matter and report to Council through the CAO, Director or assigned representative.

- 34.6. The Clerk may establish simplified Rules of Procedure for Advisory Committees, Quasi-Judicial Committees or Local Boards. Where simplified Rules of Procedure are not established, the Committee or Local Board shall be deemed to have adopted this Procedure By-law, save and except those Local Boards or Committees which may adopt their own Rules of Procedure, subject to approval by the Clerk or through other legislation.

### 35. Youth Councillor

- 35.1. From time to time, the Youth Councillor(s) appointed to Council by resolution may provide a report updating Members of Council on issues relevant to the youth community in the Municipality as per the Terms of Reference established by Council (Schedule B).

## Order of Business

### 36. Council

- 36.1. Items will generally be considered first at Committee of the Whole, with the final disposition of those items taking place at the following regular Meeting of Council.
- 36.2. Notwithstanding Sections 36 and 37, the order of business for a Council and Committee of the Whole may be adjusted at the discretion of the Clerk and the Chair.
- 36.3. The Clerk shall prepare an agenda for the use of Members for Meetings of Council as follows:
- Call to Order
  - Moment of Silent Reflection
  - Land Acknowledgement
  - Disclosure of Pecuniary Interest
  - Closed Session (if required)
  - Business Arising from Closed Session (if required)
  - Announcements, Updates and Recognitions
  - Report from Youth Councillor (if required)
  - Delegations
  - Public Comment Period
  - Correspondence (if required)
  - Approval of Minutes – Consent Agenda
  - Advisory Committee and Board Minutes – Consent Agenda
  - Items for Consideration (if required)
  - Committee Reports and Recommendations – Consent Agenda
  - Notice of Motions

Tracking Report on Outstanding Motions (as required)  
By-laws – Consent Agenda  
Question Period  
Confirmatory By-law  
Adjournment

### 37. Committee of the Whole

The Clerk shall prepare an agenda for the use of the Members for Meetings of Committee of the Whole as follows:

Call to Order  
Moment of Silent Reflection  
Land Acknowledgement  
Disclosures of Pecuniary Interest  
Correspondence  
Items for Consideration  
Notice of Motions  
Updates and New Business  
Question Period  
Adjournment

The following sub-sections provide further clarity with respect specific items contained under the Order of Business.

#### 37.1. Call to Order

- a) As soon after the hour fixed for holding the Meeting and provided a quorum is present, the Mayor shall call the Members to order.
- b) In the case of the Mayor not attending within 15 minutes after the hour fixed for holding the Meeting, and provided a quorum is present, the Deputy Mayor shall call the Members to order and shall preside until the arrival of the Mayor.
- c) If a quorum is not present within fifteen minutes after the time appointed for a Meeting, 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 other Meeting called in accordance with the provisions of this by-law.

#### 37.2. Moment of Silent Reflection and Land Acknowledgement

- a) Meetings shall commence with a moment of reflection and land acknowledgement.

#### 37.3. Disclosures of Pecuniary Interest

- a) When a Member present at a Meeting has a conflict of interest as defined in the Municipal Conflict of Interest Act, as amended or replaced from time to

time, the Member shall, prior to any consideration or discussion of the matter, disclose the conflict of interest and the general nature thereof and refrain from discussing, debating or voting on the matter.

- b) Every disclosure of conflict of interest made by a Member shall be recorded in the minutes of the Meeting by the Clerk in accordance with the provisions of the Municipal Conflict of Interest Act, and the Member shall file a statement of the interest and its general nature with the Clerk.

37.4. Announcements, Updates and Recognitions (during Council)

- a) Members of Council may, at their discretion, provide updates regarding municipal or council business during this portion of the Meeting.
- b) Generally, these announcements would be regarding achievements and/or milestones within the community and to inform citizens about upcoming events to promote awareness.
- c) From time to time, staff may provide updates regarding topics of municipal interest during this portion of the Meeting.
- d) Notable recognitions of community, municipal, or staff achievements will be celebrated during this portion of the Meeting.
- e) Not intended to formally advance business/provide direction to staff.

37.5. Updates and New Business (during Committee of the Whole)

- a) Members of Council may, at their discretion, provide updates regarding municipal or council business during this portion of the Meeting.
- b) From time to time, staff may provide updates regarding topics of municipal interest during this portion of the Meeting.
- c) Members of Council may ask general questions to staff regarding matters of municipal interest, with prior notice provided to staff so that they may prepare a response.
- d) Not intended to formally advance business / provide direction to staff.
- e) No motions to be made under this sub-section to ensure that proper notice and adherence to the provisions of this by-law is carried out.

38. Statutory Public Meetings under the Planning Act

*Note: Herein and for the purpose of this section, a statutory public meeting under the Planning Act, R.S.O. 1990, c. P.13 shall be referred to as a "public meeting".*

38.1. The Deputy Mayor or designate shall chair public meetings.

38.2. The dates and times for hearing public meetings shall be established in the meeting schedule and the dates and times of such public meetings may be amended with the consent of the Mayor and the Director of Development Services, provided all notice requirements under the Planning Act are met.

- 38.3. Public meetings are not deemed to be a meeting of the Council or a Standing Committee.
- 38.4. Submissions from the Public received during a Public Meeting shall be heard first from any member of the public attending the meeting in-person, followed by any members of the public registered to participate remotely via electronic means, should such technology be available and at the discretion of the Clerk. The Chair, in consultation with the Clerk, may accommodate a different order of speakers where deemed possible and appropriate.
- 38.5. The public meeting for each application shall proceed as follows:
- a) Staff shall provide a brief overview of the application;
  - b) The applicant or their representative may appear and provide information regarding the application;
  - c) Members of the Public and/or stakeholders in attendance and wishing to speak may make an oral submission;
  - d) The Chair may call on the applicant and/or staff to provide clarification on matters raised by members of the public and/or stakeholders.
- 38.6. The Clerk shall capture oral submissions from the public and stakeholders at the public meeting and shall provide a copy of the Clerk's minutes capturing such submissions to the Members of Council for their review.
- 38.7. Notwithstanding Section 38.5, the order of business for a Public Meeting may be adjusted at the discretion of the Clerk and the Chair.

### 39. Staff Reports

- 39.1. In accordance with established administrative protocols, reports to Council or Committee are prepared by staff, approved by the CAO, submitted in writing to the Clerk and distributed with the agenda for the applicable Meeting.
- 39.2. Where possible, any reports prepared by staff must use a variety of evidence, be independent of any singular interest, and outline the risks and benefits of several alternatives for council to consider.
- 39.3. An information report is prepared for the information of Council and usually presented at Committee of the Whole.
- 39.4. In most circumstances, only time-sensitive, routine or informational items will be presented first to Council.

- 39.5. Staff or third party consultants may provide presentations to Members for the purpose of providing updates, recommendations, or administrative/technical expertise. These presentations will generally take place at Committee of the Whole, unless otherwise determined by the Clerk in consultation with the CAO.

#### 40. Notice of Motion

- 40.1. A Member of Council desiring to introduce a Motion at a Committee of the Whole meeting regarding a matter that would not otherwise be considered at such Meeting, shall:
- a) Prepare the proposed Motion in writing, with a confirmed mover and seconder.
  - b) Submit the proposed Motion to the Clerk, at least 7 days prior to the publication deadline for the regular agenda of the Committee of the Whole.
  - c) The Clerk will circulate the proposed Motion to other Members and senior staff, and shall print the Motion in full in the agenda for the next scheduled Committee of the Whole meeting, noting the mover and seconder.
- 40.2. The Member who submitted the Notice of Motion shall introduce and subsequently move the Motion at that Committee of the Whole Meeting. After discussion by Members, the final disposition of the item will be at the next scheduled Meeting of Council.
- 40.3. Notices of Motion not provided in writing at least 7 days prior to the publication deadline for the regular agenda of the Committee of the Whole will not be added to that agenda and will be automatically put over to the next scheduled Committee of the Whole meeting agenda.
- 40.4. Supporting Documentation
- a) Members may, but are not required to, provide supporting documentation when submitting a Notice of Motion.
  - b) Supporting documentation shall not include material that is defamatory, discriminatory, harassing, or disparaging, or that contravenes the Canadian Charter of Rights and Freedoms, applicable legislation, or the Municipality's Equity, Diversity and Inclusion Strategy with Anti-Oppression Framework, as determined by the Clerk, in consultation with the Chair as necessary.

#### 41. By-laws

- 41.1. All by-laws shall be passed in a single Motion by Council by Majority Vote, unless otherwise required by legislation.

41.2. A Confirmatory By-law shall be enacted at the conclusion of each Meeting of Council.

41.3. The following types of by-laws may be presented directly to Council without the requirement for a staff report:

- a) Those directed to be presented to Council by Committee of the Whole or Council;
- b) Appointment of staff authorized by the CAO;
- c) General by-laws where the purpose and intent of the by-law has been clearly authorized by a previous resolution.

## 42. Majority Vote

42.1. Unless this By-law states otherwise, a matter passes when a Majority of the Members present at the Meeting vote in the affirmative.

## Public Participation

### 43. Delegations

43.1. Delegations at Council Meetings shall be limited to a maximum of ten (10) minutes. Upon prior approval by the Chair in consultation with the Clerk, the delegation may extend beyond ten (10) minutes.

43.2. If a delegation extends beyond the maximum time limit during a Meeting, without prior approval of the Chair, then the Clerk will issue a warning to the delegate. It is the Chair's discretion as to whether they are allowed to continue past the maximum time limit.

43.3. A maximum of three (3) delegations will be permitted at a Council Meeting. It is the Clerk's discretion, in consultation with the Chair, as to whether additional delegations may be allowed at a Council meeting.

43.4. Delegations by an outside organization or individual shall not be permitted for the sole purpose of generating publicity or promotion.

43.5. Outside organizations or individuals wishing to make a delegation shall complete the required forms and shall provide the Clerk with written materials, audio-visual presentation materials, etc. for inclusion on the agenda by the deadline outlined by the Clerk, being no later than the Wednesday preceding the Council meeting. If all required materials are not received by the deadline outlined by the Clerk, the delegation may not be allowed to proceed and will be

moved to the following Council meeting.

- 43.6. The Clerk may limit the frequency and/or number of times a group or individual may appear before Council.
- 43.7. The following types of delegations shall provide information only and shall be heard at the beginning of a Council Meeting:
- a) Delegations by groups or individuals on subjects that are within the jurisdiction or influence of local government, as determined by the Clerk and Chair;
  - b) Delegations by outside organizations providing information with no accompanying report or recommendations; and
  - c) Delegations recognizing achievements.
- 43.8. Delegates requesting specific financial assistance or services in-kind from Council shall be directed to the appropriate department for review. A decision will not be made at the Meeting where the delegation is heard.
- 43.9. Delegates requesting specific action from the Municipality related to an operational issue shall be directed to the appropriate department for review. A decision will not be made at the Meeting where the delegation is heard.
- 43.10. The following types of delegations will not be heard at a Meeting:
- a) Delegations disparaging staff, Members of Council or other levels of government;
  - b) Delegations disparaging or discriminatory to groups or individuals protected under Section 15 of the Canadian Charter of Rights and Freedoms;
  - c) Delegations on matters relating to litigation or potential litigation, including those matters which are before and under the jurisdiction of any court or administrative tribunals unless such matter is referred to Council by the said administrative tribunal or court
  - d) Delegations on matters where Council has already made a decision, and the purpose of the delegation is to request reconsideration or to re-open debate, unless a Member has formally initiated a reconsideration motion in accordance with this By-law.
  - e) Delegations on matters where Council or Committee has previously indicated that a delegation is not necessary or required, including circumstances where adequate public consultation has already taken place or where additional presentations would not assist Council in its deliberations.
  - f) Delegations on matters that are outside the jurisdiction or authority of the Municipality, as determined by the Clerk in consultation with the Chief Administrative Officer.

- g) Delegations that duplicate a recent delegation by the same individual or organization on the same topic without presenting completely new, relevant information.
- h) Delegations intended to provide comments that are more appropriately submitted through a formal public consultation or statutory process (e.g., Planning Act public meetings), in which case the delegate shall be directed to the proper mechanism.

#### 44. Public Comment Period

- 44.1. An individual may make public comments at a Meeting of Council related to an item of business on that Meeting's agenda.
- 44.2. The Public Comment period will last up to and no longer than twenty (20) minutes. Council may extend the twenty (20) minute time period by a Majority Vote of the Members present by way of a Motion to be decided without debate.
- 44.3. Any individual may address Council. However, for safety and support purposes, individuals under twelve (12) years of age must be accompanied by an adult.
- 44.4. Individuals who provide public comments will have their name and general nature/purpose of their public comments published in the Minutes of the Meeting.
- 44.5. Anyone wishing to appear before Council to provide public comments shall register through a sign-in sheet provided at the beginning of the Meeting.
- 44.6. Public Comments are limited to two (2) minutes per individual, with no questions or comments from Council Members following the public comments provided. Council may extend the two (2) minute time period by a Majority Vote of the Members present by way of a Motion to be decided without debate.
- 44.7. No PowerPoint presentations/audio-visual requests will be permitted during the Public Comment period, but individuals may circulate materials through the Clerk if necessary.
- 44.8. No public comments shall be made to Council on matters relating to litigation or potential litigation, including those matters which are before and under the jurisdiction of any court or administrative tribunals unless such matter is referred to Council by the said administrative tribunal or court.

- 44.9. No public comments shall speak on a matter that is not within the jurisdiction of the Council. The Chair in consultation with the Clerk will determine if a matter is within the jurisdiction of the Council.
- 44.10. Public Comments shall not be permitted for the sole purpose of generating publicity for an event.
- 44.11. People making public comments shall refrain from making statements or comments that are, in the opinion of the Chair, frivolous or vexatious in nature.
- 44.12. People making public comments who share the same position on a matter or are from the same organization, are encouraged to speak through one representative.
- 44.13. An individual desiring to make public comments may only register themselves to speak and may not register other individuals.
- 44.14. A person may only make one request for providing public comments per Meeting, subject to the discretion of the Chair.
- 44.15. To make public comments during a Meeting, attendees must attend the meeting in person, unless otherwise determined by the Clerk.
- 44.16. The Chair shall have discretion to further provide limitations on public comments, including the number of public comments per Meeting, in consultation with the Clerk.

## 45. Correspondence

- 45.1. Correspondence intended to be presented to the Committee of the Whole shall,
- a) Include the author's full name and contact information;
  - b) Be legibly written or printed;
  - c) Be appropriate and respectful in tone, and not contain any improper or offensive language or information; and
  - d) Be filed with the Clerk.
- 45.2. Correspondence is intended to bring forward information, concerns and feedback from the community, business, and other levels of government for Council's consideration. It is not intended to include correspondence drafted by the Members of Council in their capacity as Members (see Notice of Motion process for information on how Council Members may advance business).

- 45.3. The Clerk shall prepare a Council Information Index listing all correspondence received by the Clerk. The Council Information Index shall be delivered electronically directly to each Member of Council and Senior Leadership Team every Friday, unless otherwise specified. A Member of Council may request in writing that an item from the Council Information Index be lifted and included in the next appropriate Committee of the Whole agenda.
- 45.4. When required due to urgency or timing, and subject to the discretion of the Mayor in consultation with the Clerk, correspondence may be placed on a Council Agenda as an additional item.
- 45.5. The Council's receipt of correspondence does not constitute endorsement of the correspondence by the Municipality of any of the recommendations it may contain, or actions it may advocate.

#### 46. Petitions

- 46.1. Petitions may be submitted to the Clerk and will include a minimum of two (2) persons and their respective contact information unless otherwise required by law, and a clear statement of the purpose of the petition. Petitions will be placed under the Correspondence section of the Committee of the Whole or Council agenda, unless otherwise determined by the Mayor in consultation with the Clerk.
- 46.2. All Petitions must adhere to the Petition Policy.
- 46.3. If the petition meets the requirements of the Petition Policy and/or any other related Municipality policies, the request conveyed in the petition will be considered by the Committee of the Whole or Council for disposition.
- 46.4. The Municipality is not responsible or accountable for the accuracy or reliability of petitions that are submitted.

#### 47. Question Period

- 47.1. Question Period occurs in Committee of the Whole and Council, prior to Adjournment. During Question Period, members of the Public and Media may address Council to make informal inquiries on matters of municipal business.
- 47.2. Individuals who ask questions at a Meeting will have their name and general nature of question(s) published in the Minutes of the Meeting.

- 47.3. Council reserves the right to refer the inquiry to Staff for timely follow-up subsequent to the meeting, however, staff are not expected to prepare or provide recommendations regarding the informal inquiry at the meeting.
- 47.4. Question Period is for questions/inquiries only, and not an opportunity to provide comment on municipal matters. Council reserves the right to ask attendees to limit their question to the matter at hand.
- 47.5. There are no obligations on Council to respond or action items related to a question asked during Question Period.
- 47.6. Generally, no motions are passed related to matters raised during Question Period.
- 47.7. To ask a question during Question Period, attendees must attend the Meeting in person, unless otherwise determined by the Clerk.
- 47.8. Questions are limited to two (2) minutes per individual. Question Period shall be limited to a maximum of twenty (20) minutes, unless otherwise extended at the discretion of the Chair.
- 47.9. All questions must be directed to Council. Questions directed to Staff, or requests for Staff comment or explanation, are not permitted during Question Period.
- 47.10. Questions shall be succinct, must not include lengthy background statements or speeches, and shall not be used as a substitute for the Delegation process. Individuals must state their question clearly and refrain from providing long-winded explanations or commentary.
- 47.11. Questions shall not be permitted for matters for which Council has already made a decision, nor may they relate to matters that are the subject of current or potential litigation, insurance claims, or tribunal proceedings.
- 47.12. The Chair reserves the right to rule any question out of order, decline to answer a question, or end Question Period where, in the opinion of the Chair, the rules of this section are not being followed or the questions are not appropriate for the Meeting.

# Motions

## 48. General Motions

- 48.1. After a motion has been moved and seconded, it shall be deemed to be in the possession of Council or Committee. A Motion or amending Motion may be withdrawn with the consent of the Mover and Secunder at any time before the amendment or decision.
- 48.2. Council and Committee shall not debate any Motion until it has been moved and seconded. Once a Motion has been seconded, it may upon request, be read or stated by the Chair or Clerk at any time during the debate.
- 48.3. If the Chair is of the opinion that an amending Motion is contrary to the main Motion, the Chair shall apprise the Members immediately. A Member of Council or Committee may appeal the ruling of the Chair. If appealed, the Chair will take an immediate vote on the Motion without debate.
- 48.4. When a Motion is under consideration, no other Motion shall be received unless it is a Motion:
- a) To refer the Motion to Committee, Council or Staff. A Motion to Refer:
    - Is open to debate
    - Is amendable
    - Shall preclude amendment or debate of the preceding motions.
  - b) To amend the Motion. A Motion to Amend:
    - Is open to debate
    - Shall not propose a direct negative to the main Motion
    - Shall be relevant to the main Motion
    - Is subject to only one further amendment, and any amendment more than one must be to the main Motion, and
    - If more than one, shall be put in the reverse order to that in which they were moved, and shall be decided or withdrawn before the main Motion is put to the vote.
  - c) To defer the Motion to another time. A Motion to Defer:
    - Is not open to debate
    - Is not subject to amendment
    - Applies to the Main Motion and any amendments thereto under debate at the time the Motion to Defer is put forth.
  - d) To adjourn the Meeting. A Motion to Adjourn:
    - Is not open to debate

- Is not subject to amendment
  - Shall always be in order.
- e) To call a vote on the Motion. A Motion to Call a Vote on the Motion:
- Cannot be amended
  - Cannot be proposed when there is an amendment under consideration
  - When resolved in the negative, shall be followed by resumption of debate
  - Shall always be in order
  - When resolved in the affirmative, shall be forwarded by voting on the motion, without debate or amendment.
- f) Once all the Motions relating to the main Motion have been dealt with, and once the main Motion is put, there shall be no further discussion or debate and the Motion shall immediately be voted on.

#### 49. Reconsideration of a Council Decision

- 49.1. Council may reconsider an entire resolution or by-law or action of Council that was decided during any term of Council. A reconsideration of a portion of a resolution shall not be permitted. Such reconsideration can either amend the previous decision or rescind it subject to the following rules:
- a) No resolution or by-law or action of Council shall be reconsidered more than once during the term of Council; and
  - b) A Motion to reconsider shall not be reconsidered.
- 49.2. A Member who voted on the prevailing side of a decision may bring a Motion to reconsider at the same Meeting at which the question to be reconsidered was dealt with and shall require the support of a Majority of the Members present.
- 49.3. A Member who voted on the prevailing side or who was absent from the vote or was not a Member of Council at the time of the vote may bring a Notice of Motion to reconsider at a Meeting subsequent to that at which the question to be reconsidered was dealt with and shall require a Two-Thirds vote to be carried.
- 49.4. No public comments shall be permitted to speak on a Notice of Motion to Reconsider.
- 49.5. A resolution that was decided by Council cannot be reconsidered if action has been taken in implementing the resolution, resulting in legally binding commitments that are in place on the date the Motion to reconsider is considered by Council.

## 50. Motion Containing Two or More Matters

50.1. When a Motion under consideration concerns two or more matters, upon the request of any Member, they may be taken separately through a motion. Such a request may also be made by the Chair. This may also be referenced as a “Motion to Divide” and will first be voted upon before proceeding on the individual question.

## 51. Voting

51.1. After a Motion is put to a vote by the Chair, no Member shall speak to it nor will any other Motion be made until after the vote is taken and the result has been declared.

51.2. All Members of Council or Committee will vote on all Motions. A failure by any Member to announce their vote openly and individually, including an “Abstention”, is deemed to be a vote in the negative.

51.3. Each Member present and voting indicates his or her vote by show of hands or electronically (dependent on available technology), and no vote is taken by ballot or any other method of secret voting.

51.4. The following represents the required number of votes for a Majority Vote or Two Thirds vote.

Number of Members Present	Majority Vote	Two-Thirds Vote
7	4	5
6	4	4
5	3	4
4	3	3
3	2	2

## 52. Tie Vote

52.1. Any vote on which there is a tie vote is deemed to be lost in accordance with the Act.

## 53. Recorded Vote

53.1. Any Member may request a recorded vote immediately preceding or following the taking of a vote.

- 53.2. All Members present at the Meeting shall vote unless they are disqualified from voting with respect to that item as a result of declaring pecuniary interest.
- 53.3. A Member of Council's failure to participate in a recorded vote when they have not declared a pecuniary interest is deemed to be a negative vote.
- 53.4. A recorded vote will be taken as set out below:
- a) the Clerk shall call on Members to cast their vote alphabetically by last name, with the Chair voting last;
  - b) each Member present that is not disqualified from voting shall announce their vote openly, in the order set out above; and
  - c) the Clerk shall announce and record the result of the vote, and record how each Member voted.
- 53.5. Notwithstanding a recorded vote, a record or notation of a Member's opposition to an issue is not recorded in any minutes of the Meeting.

#### 54. Weighted Voting: Transition Board Order

- 54.1. Each Member of Council shall have one vote, except for the two Members of Council from Ward 2 may in accordance with the provisions of the Transition Board Order dated March 2000, invoke their right to have two votes for matters relating to approvals under the Planning Act, tax rate adjustments arising out of the amalgamation of the former Township of Hope and the former Town of Port Hope, and boundary adjustments. Members invoking the right to their two votes shall declare prior to the calling of the question and such declaration shall be recorded in the minutes and the vote taken utilizing the recorded vote process described in Section 53.

#### 55. Adjournment

- 55.1. All Meetings of Council shall automatically adjourn three (3) hours after commencement if still in session, subject to the discretion of the Chair.
- 55.2. A Meeting that is authorized to continue past three (3) hours shall be automatically adjourned one (1) hour later, unless the Meeting is authorized to continue for further one-hour periods, with each period requiring the unanimous consent of all Members present.
- 55.3. All Meetings of the Committee of the Whole shall automatically adjourn four (4) hours after commencement if still in session, subject to the discretion of the Chair.

- 55.4. A Meeting of the Committee of the Whole, with the exception of Meetings related to the budget that are authorized to continue past four (4) hours, shall be automatically adjourned one (1) hour later, unless the Meeting is authorized to continue for further one-hour periods, with each period requiring the unanimous consent of all Members present.
- 55.5. At a Meeting of Council, where a Meeting has adjourned automatically or by a Motion by any Member, prior to the adjournment being effective, the Members shall consider the by-laws and Confirmatory By-law, if such items have not already been addressed.
- 55.6. A Motion to adjourn may be made by any Member of Council who has been recognized by the Chair. The Motion must be moved and seconded. A Motion to adjourn shall not be made during a vote on any other Motion.
- 55.7. The Chair may adjourn a meeting at the conclusion of the business as noted on the agenda of the Meeting.

## Short Title

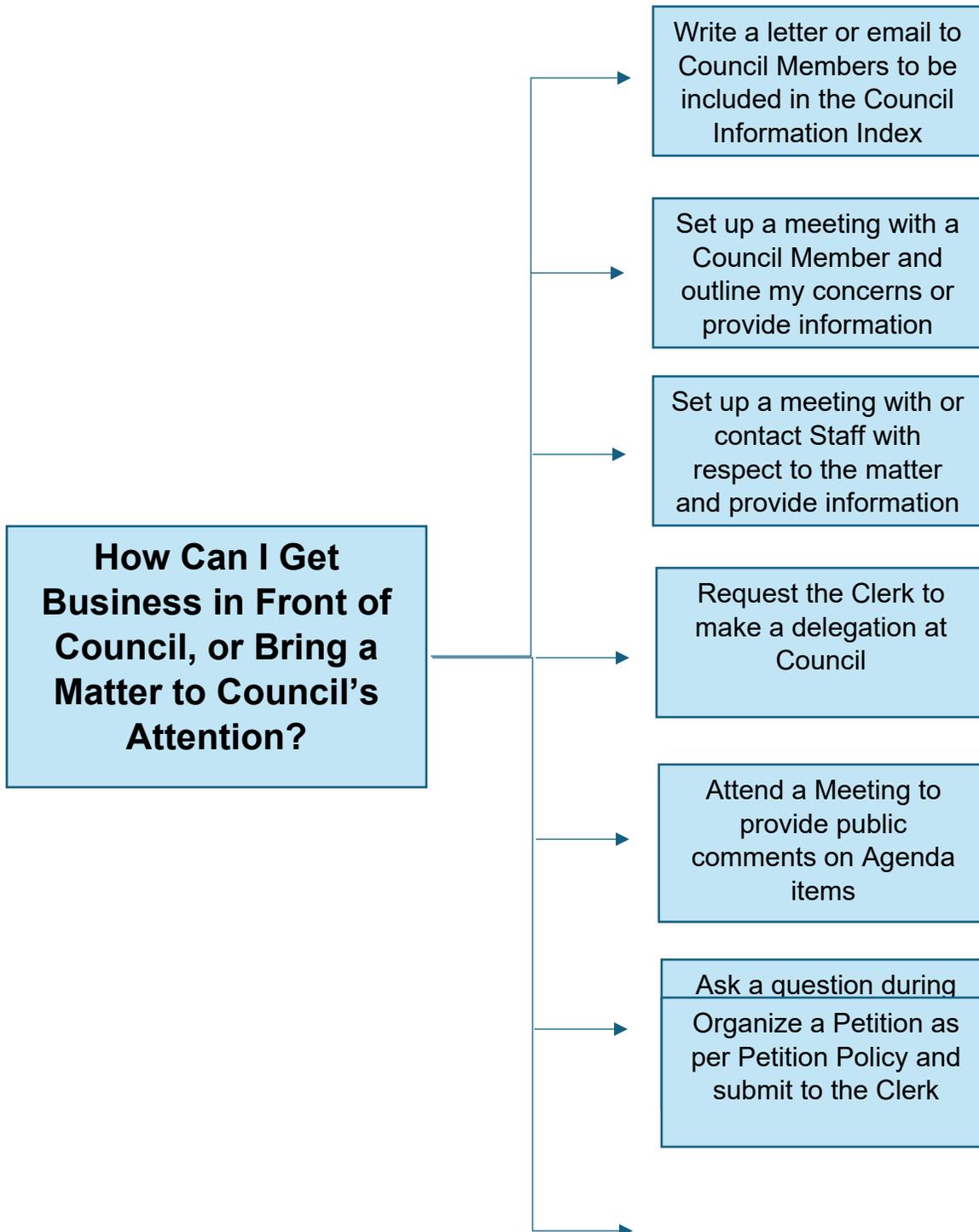
This By-law, other than in this By-law itself, shall be referred to as the “Procedure By-law” or the “Procedural By-law”.

## Repeal

By-law 80-2024 and all previous by-laws related to meeting procedures of Council and Committee, including amending by-laws, are hereby repealed.

## Schedule A

### Public Participation at Council



## Schedule B

### Terms of Reference – Youth Councillor(s)

#### **PURPOSE**

The purpose of the Youth Councillor(s) position is to advocate for and on behalf of the youth of the Municipality of Port Hope. The Youth Councillor(s) will keep Council informed of important matters affecting youth in the Municipality, and this position will also provide leadership experiences for youth in the community.

#### **MANDATE**

The mandate of the Youth Councillor(s) is to:

- Advise Council of recreational, social, and any other issues that are important to the Municipality's younger population and to strengthen community relationships and create a mechanism for open and meaningful dialogue.
- Represent youth interests in the Municipality of Port Hope by advising Council and municipal staff where appropriate on matters pertaining to youth.
- Undertake any advisory duties as requested by Council with the common goal of making the Municipality of Port Hope a better place for all youth and ensuring that youth have a voice.

#### **LEAD DEPARTMENT**

- Legal and Legislative Services will be the lead department in charge of liaising with the Youth Councillor(s) on matters of municipal influence. Staff from other departments may, from time to time, request assistance or feedback from the Youth Councillor(s) on referral requests or youth perspective on departmental initiatives.
- All communications to the Youth Councillor(s) will be through the Legal and Legislative Services Department.

#### **RESPONSIBILITIES OF YOUTH COUNCILLOR(S)**

The Youth Councillor(s) will be responsible for:

- Attending Council Meetings once a month to provide a report on important matters affecting youth in the Municipality.
- From time to time, as requested by Council or municipal staff, the Youth Councillor(s) will provide input in a timely manner from the youth perspective on corporate projects and departmental initiatives.
- Facilitate and forge strong connections between youth in the community and the Municipality of Port Hope.

- Positively enhance the profile of youth to respect and celebrate the diversity of the youth community in the Municipality.
- To network with other youth organizations to raise awareness about the positive contributions that youth are making to the community.

## **YOUTH COUNCILLOR RECRUITMENT AND ELIGIBILITY**

### **Qualifications**

The following qualifications will be considered for appointing the Youth Councillor(s):

- Between 13 – 17 years of age.
- Resident of the Municipality of Port Hope.
- Enthusiastic, energetic and community focused.
- Committed to attending Council meetings once a month on a regular basis for the duration of their term.
- Ability to participate in various events and initiatives as directed by Council.

### **Selection Committee**

The Selection Committee for selecting the Youth Councillor(s) will be comprised of the Municipal Clerk or designate, the Deputy Mayor, Chair of the Parks, Recreation and Culture Advisory Committee and a designate from the Youth Action Committee (also known as Mayor's Youth Delegation/PRC Youth Advisory Committee).

Once the Selection Committee has completed its review, in accordance with the Municipality's Appointment Policy, Council will consider the Committee's recommendations and make a decision via resolution.

## **TERM OF APPOINTMENT**

- The standard term of appointment will be two years. The term of appointment may be extended once, provided the Youth Councillor(s) meets the qualifications of the role.
- The term of appointment may be less should the Youth Councillor resign, providing the notice in writing to the Clerk; or if the Youth Councillor misses more than 3 consecutive Council meetings.
- Should the Youth Councillor resign, a replacement will be found through the recruitment process in accordance with these Terms of Reference, the Advisory Committee By-law and Appointment Policy.

## **REMUNERATION**

- The Youth Councillor(s) will be provided with an honorarium of \$400 per year for their term of office, which will be part of the Legal and Legislative Services operational budget.

## Schedule C

### Special Council Meetings regarding Strong Mayor Budget Deliberations

1. As required by the Municipal Act, 2001, the Mayor shall prepare and propose a budget for Council to consider. The budget must be proposed on or before February 1 of each year and will be posted publicly on the Municipality website.
2. If the Mayor does not propose a budget to Council by February 1, in accordance with the Municipal Act, 2001, Council shall prepare and adopt a budget.
3. After receiving the Mayor's proposed budget, Council may, within 30-days, pass motion(s) to amend the proposed budget.
4. Council may reduce the 30-day amendment period.
5. If Council does not approve amendments within the 30-day amendment period, the budget is deemed to be adopted.
6. Within 10-days of the expiry of the Council amendment period, the Mayor may veto any amendments by way of Mayoral decision.
7. The Mayor may shorten the 10-day veto period.
8. Within 15-days of the expiry of the Mayor's veto period, Council may vote to override the Mayor's veto. Such a vote requires a Two Thirds vote to be approved.
9. If multiple amendments have been vetoed, a vote of Two Thirds is required to override each veto.
10. Council may reduce the 15-day veto override period.
11. An approved override cannot be vetoed by the Mayor.
12. Once all processes outlined in this section have been satisfied, the budget is deemed to have been adopted.